



AGENDA

PLANNING BOARD REGULAR VIRTUAL MEETING

AUGUST 9, 2021, 7:30 P.M.

Join Zoom Meeting:

<https://us06web.zoom.us/j/86089092616?pwd=SlhXNkI4aEJWVWkZBL2o2NUhkV1EzQT09>

Please press CTRL and then click the Link below to go directly to Zoom. Put in Meeting ID and Passcode

Meeting ID: 860 8909 2616

Passcode: nynE2L

One tap mobile

+16468769923,,86089092616#,,,,*818561# US (New York)

+13017158592,,86089092616#,,,,*818561# US (Washington DC)

Meeting ID: 860 8909 2616

Passcode: 818561

Find your local number: <https://zoom.us/u/aljFU8Cpt>

1) Meeting called to order by Vice Chair Beverly Asselstine

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 Law 1975, Chapter 231. Said notice was advertised in the Trenton Times and Windsor-Hights Herald as required by law and is posted on the Hightstown Borough website.

2) Flag Salute

3) Roll Call – Planning Board

4) Approval of Agenda

5) Nominations

a. Sub-committee Member - Affordable Housing

6) Approval of Minutes

a. June 14, 2021, Regular Meeting

7) Public Comment

8) Resolutions

a. 2021-07 – Appointing the Planning Board Secretary

9) Review of Sign Variance Application

10) Old Business

a. Affordable Housing Plan – Mr. Slaugh, subcommittee updates

b. Railroad Avenue and Borough Hall – On-going discussions with Borough Council

11) New Business

a. Planning Board Attorney resignation

12) Committee and Professional Reports

a. Report on DVRPC Grant Project

13) Chairman and Board Member Comments

14) Adjourn

Hightstown Planning Board Regular Meeting – Zoom Meeting June 14, 2021, 7:30 p.m.

OPEN SESSION

Fred Montferrat, Chairman, called the meeting to order at 7:45 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 on the Borough’s website. Due to Covid-19 and self-distancing protocols, this meeting was held remotely through www.zoom.com.”

Flag Salute

Roll Call

	PRESENT	ABSENT	LATE ARRIVAL
Mr. Montferrat, Chairman	X		
Mayor Quattrone		X	
Councilman Misiura	X		
Ms. Asselstine	X		
Ms. Jackson	X		
Ms. Watkins	X		
Mr. Searing	X		
Mr. Laudenberg	X		
Mr. Balcewicz, Alt. #1	X		
Mr. Cabot, Alt. #2	X		

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

APPROVAL OF AGENDA

Mr. Montferrat asked that the June 14, 2021, agenda be approved.

Motion made by Mr. Laudenberg and seconded by Mr. Cabot to approve the June 14, 2021, Planning Board Agenda.

Roll Call Vote: Mr. Montferrat, Mr. Misiura, Ms. Asselstine, Ms. Jackson, Ms. Watkins, Mr. Searing, Mr. Balcewicz Mr. Laudenberg and Mr. Cabot. Mayor Quattrone was absent. Motion passed 9-0.

APPROVAL OF MINUTES

Mr. Montferrat asked if there were any changes to the May 10, 2021, Meeting Minutes. Ms. Asselstine noted a correction on Committee Reports. Motion made by Ms. Asselstine and seconded Mr. Balcewicz to approve the May 10, 2021, Minutes as amended.

Roll Call Vote: Mr. Montferrat, Mr. Misiura, Ms. Asselstine, Ms. Jackson, Ms. Watkins, Mr. Balcewicz Mr. Laudenberg and Mr. Cabot. Mr. Searing abstained. Mayor Quattrone was absent. Motion passed 8-0 and one abstention.

PUBLIC COMMENT

Mr. Montferrat opened the floor for any public comments.

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

OLD BUSINESS

1. Affordable Housing – Mr. Slaugh informed the Board that the Affordable Housing Subcommittee (Mr. Montferrat, Mr. Misiura and Mr. Slaugh) has not had an opportunity to meet.
2. Railroad Avenue and Borough Hall – on-going discussions with the Borough Council

NEW BUSINESS - NONE

COMMITTEE AND PROFESSIONAL REPORTS

Ms. Asselstine gave update on the Complete Streets grant. Pedestrian and Bike Safety Month was very successful.

Mr. Laudemberger – Environmental Commission is planting shade trees. These trees will be guaranteed for two years.

CHAIRMAN AND BOARD MEMBER COMMENTS

Mr. Slaugh – recently attended the NJ Chapter American Planning Association – Planning & Redevelopment Conference – construction cost increases – lumber, steel and skilled labor.

Ms. Maziarz – Discussion Hybrid meetings vs zoom and in person.

Board Members thanked Ms. Belan for her service to the Planning Board.

There being no further business Mr. Montferrat asked for a motion to adjourn. Motion made by Mr. Balcewicz and seconded by Mr. Laudemberger. All ayes. Meeting adjourned at 8:17 p.m.

Submitted by:

Sandra Belan
Planning Board Secretary

ERIC BROADWAY
Attorney at Law

1471 Prospect Street
Ewing, New Jersey 08638
609-882-4110 office
609-882-4211 fax
609-203-0240 cellular

Member of NJ Bar

June 8, 2021

Via Hand-delivery
Hightstown Borough-Planning Board
156 Bank Street
Hightstown, New Jersey 08520

Re: Community Action Service Center, Inc. d.b.a. Rise
116 North Main Street, Hightstown, NJ 08520-Sign Variance

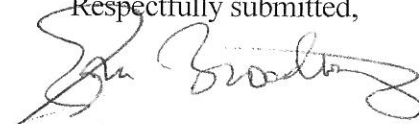
Dear Ms. Belan:

I have enclosed the following documents:

1. Planning Board Application
2. Two checks (i.e., \$75 and \$250) for the filing fee and escrow;
3. Contribution Disclosure Statement;
4. Escrow Agreement; and
5. W-9 Tax Form.

Please file these documents and inform me as to the hearing date and time.

Respectfully submitted,



Eric Broadway, Esq.

c: File
Ms. Leslie Koppel, RISE

BOROUGH OF HIGHTSTOWN
156 BANK STREET
HIGHTSTOWN, NJ 08520
609-490-5100, ext. 617

PLANNING BOARD APPLICATION

The applicant must submit 21 copies of the completed application and plans; see checklist for sizes.

The application, with supporting documentation, must be filed with the Planning Board Secretary no less than 31 days prior to the meeting at which the application is to be considered.

NOTE: Some applications may be subject to additional fees, please refer to Chapter 26, Section 10, "Land Use" in the Revised General Ordinances of the Borough of Hightstown

To be completed by Borough Staff

Dated Filed: _____ Application Number: _____

Application Fees: _____ Escrow Deposit: _____

Scheduled for:

Review for Completeness: _____

Hearing Date: _____

I. APPLICANT

Name: Community Action Service Center, Inc. dba RISE
Address: 116 North Main Street, Hightstown, NJ 08520
Telephone: 609-443-4464
Fax: 609-443-3867
E-mail: lkoppel@njrise.org or nancywl1011@gmail.com

Mailing Address: P.O. Box 88, Hightstown, NJ 08520
Applicant is a: Corporation Partnership Individual

Corporations must be represented by an attorney

Attorney's Name: Eric Broadway, Esq.
Address: 1471 Prospect Street, Ewing, NJ 08638
Telephone: 609-882-4110 or 609-203-0240

If the applicant is a corporation or partnership, please attach a list of the names and address of all persons having a 10% interest or more in the corporation or partnership.

2. The relationship of the Applicant to the property in question is:
 Owner Lessee Purchaser (under contract) Other, specify
-

3. If owner is other than applicant, provide the following information:

Owner: _____

Owner's Address: _____

Telephone: _____

4. Type of Application (check all that apply)

- A. SITE PLAN
 - Waiver Preliminary Final
 - Amendment to an Approved Site Plan
- B. MINOR SUBDIVISION
 - Preliminary Final
 - Number of lots to be created including remainder lot _____
- C. MAJOR SUBDIVISION
 - Preliminary Final
 - Number of lots to be created including remainder lot _____

- D. VARIANCE
 - Hardship Use Substantial Benefit
 - Section(s) of Ordinance from which a variance is requested:
29-14 Window Signs
 - _____
 - _____
 - _____
 - _____

- E. Conditional Use
- F. Conceptual Review
- G. Appeal decision of an Administrative Officer
- H. Interpretation of Map or Ordinance
- I. Other

Please specify: _____

5. Explain in detail the exact nature of application: RISE seeks a use variance to erect perforated window signage that cover more than 10% of the window spaces on the front and side of its single story building, located at 114 Rogers Avenue, Hightstown, NJ ("Property"). These sign; however, allow visibility from inside the thrift store to the outside. It seeks this variance to improve the esthetic quality of the building by blocking the storage shelving and ancillary equipment inside the thrift store. Further, Rise submits there is no adverse impact to its security, since it has two 24 hour cameras monitoring the exterior front and side of the building. Further, Rise submits this variance would comply with its neighbors existing signage and window treatments.

6. Waivers requested of Development Standards and/or Checklist Requirements: _____

7. Subject PROPERTY

A. Address: 114 Rogers Avenue, Hightstown, New Jersey 08520

B. Block: 33 Lot: 30.01

C. Zoning District: DTC

D. Is the subject located on a: To the best of the applicant's knowledge, no.

County Road State Road

Within 200 feet of a Municipal Boundary

E. Use of Property:

Existing: A Thrift Shop that caters to the local community, with a focus on the underserved and low-income residents

Proposed: No change. The Variance improves the esthetic quality of the store front.

F. Are there any existing or proposed deed restrictions, easements, right-of-ways or other dedication? x NO YES (Attach Copies)

G. List all maps and other exhibits accompanying this application.

See attached photographs.

8. Applicant's PROFESSIONALS

A. ENGINEER: n/a

Address _____

Telephone _____

Email _____

Fax _____

B. PLANNING CONSULTANT: n/a

Address _____

Telephone _____

Email _____

Fax _____

C. TRAFFIC ENGINEER: n/a

Address _____

 Telephone _____
 Email _____
 Fax _____

D. ARCHITECT: n/a

Address _____

 Telephone _____
 Email _____
 Fax _____

E. List any other expert who will submit a report or who will testify for the Applicant. n/a

Name: _____
 Field of Expertise: _____
 Address _____

 Telephone _____
 Email _____
 Fax _____

9. The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the Applicant's professionals: n/a

APPLICANT'S PROFESSIONALS

REPORTS NEEDED

10. Certification from the Tax Collector that all taxes, water, sewer rents due on the subject property have been paid is provided. **Community Action Service Center, Inc. a charitable organization and exempt from property taxes.**

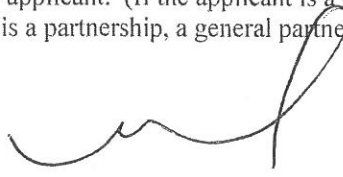
11. Attach a copy of the Notice that will appear in the official newspaper of the municipality and that will be mailed to owners of all real property, as shown on the current tax duplicate, located within 200 feet in all directions of the property which is subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.

THE PUBLICATION AND SERVICE OF THE AFFECTED OWNERS MUST BE ACCOMPLISHED AT LEAST 10 DAYS PRIOR TO THE DATE SCHEDULED BY THE ADMINISTRATIVE OFFICER FOR THE HEARING.

An affidavit of service on all property owners and proof of publication must be filed before the application will be complete and a hearing can proceed.

CERTIFICATION

I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant. (If the applicant is a corporation an authorized corporate officer must sign this. If the applicant is a partnership, a general partner must sign this.)

A handwritten signature in black ink, consisting of a series of loops and a long vertical stroke on the right side.

Signature of Owner

114 ROGERS STREET, HIGHTSTOWN NJ 08520 - RISE

(3) Windows

Perforated vinyl graphics applied to glass

Dimensions: 48" H x 24" W

Total area **each** window: 8 SqFt.

Building Elevation: 400 SqFt.



ALL DIMENSIONS NEED TO BE FIELD VERIFIED

(5) Windows

Perforated vinyl graphics applied to glass

Dimensions: 38" H x 40" W

Total area **each** window: 10.55 SqFt.

Building Elevation: 700 SqFt.

**Borough of Hightstown
Contribution Disclosure Statement
by Planning Board Applicant**

The following certification is required in accordance with subsection 26-9-5 of the *Revised General Ordinances of the Borough of Hightstown*. Any application not including this certification will be deemed incomplete.

Applicant name: Community Action Service Center, Inc.

Applicant address: 116 North Main Street, Hightstown, NJ 08520

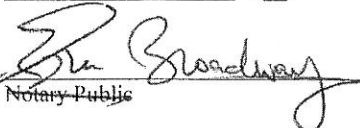
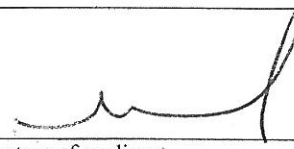
Date of application: June 8, 2021

I HEREBY CERTIFY that the following is a true and complete list of any and all contributions made, during the twelve (12) months prior to the filing of this application, to or on behalf of any candidate, candidate committee, joint candidates committee, political committee, continuing political committee or political party committee of, or pertaining to, the Borough of Hightstown, including any Mercer County Party Committee or political action committee (PAC) that is organized for the primary purpose of promoting or supporting Borough of Hightstown municipal candidates or officeholders:

Date	Amount	Recipient
		None

(Use additional pages if necessary.)

I FURTHER CERTIFY that I will provide continuing disclosure of any such contributions made following the filing of this Contribution Disclosure Statement and during the pendency of the application and/or approval process.

Subscribed and sworn before me this <u>8th</u> day of <u>June</u> , 20 <u>21</u> .  Notary Public My Commission expires: _____	 Signature of applicant <u>6/8/21</u> Date signed
---	--

ERIC BROADWAY
 Attorney at Law
 State of New Jersey
 JD# 022641995

**ESCROW AGREEMENT
PLANNING BOARD
BOROUGH OF HIGHTSTOWN
156 BANK STREET, HIGHTSTOWN, NJ 08520**

This agreement made this **8th** day of **June, 2021** between:

Applicant Name: Community Action Service Center, Inc., a NJ Charitable Organization

Company Name: (if applicable) d.b.a. Rise

Address: 116 North Main Street, Hightstown, New Jersey 08520

Phone: 908-443-3867

E-mail: lkoppel@nprise.org or nancywl1011@gmail.com

Type of Application: Variance for Window Signage

Amount of Escrow: \$250.00

Check Number: _____

Hereinafter called "Applicant"

And;

The Borough of Hightstown, in the County of Mercer,
A municipal corporation of the State of New Jersey

Hereinafter called the "Borough"

WITNESSTH:

THAT the Applicant has submitted a development application to the Borough's Planning Board for consideration in accordance with the New Jersey Municipal Land Use Law and the Borough of Hightstown Zoning Ordinance and Subdivision Ordinance and Applicant hereby covenant and agrees as follows:

1. Applicant agrees to pay all costs related to the Borough's review and administration of the proposed application with said costs including but not limited to:
 - A. Conceptual review, which entails professional consultant services as, may be required by the Borough.
 - B. Full application professional review by the Borough's Planning Board which entails profession consultant costs for: Planning, Engineering,

Legal and other extraordinary consultant services as may be required by the Borough.

- C. In house application review of the application by the Borough's Department of Health and any other extraordinary review by any other department, office or municipal employee as may be required by the Borough.
2. Applicant understands and agrees to pay all costs as set forth above from the date of initial application submission through the Borough's signature of approved plans which shall include any costs for extensions and revalidations.
 3. Applicant understands and agrees to deposit with the Borough's Planning Board an initial application filing fee in accordance with the fees and permits section of the Ordinance upon submission of the application.
 4. Applicant understands and agrees that the Borough will draw down from said deposit to cover costs as set forth in Section 1 above.
 5. Applicant understands and agrees to pay WITHIN TEN BUSINESS DAYS of receipt of the Borough's statement/billing all additional costs as may be incurred and billed to the applicant by the Borough relative to the review and administration of the application even if the costs of said review and administration exceed the initial filing fee deposit.
 6. Applicant understands and agrees that in the event applicant fails to pay a billed amount the Borough may discontinue Planning Board review and consideration on said application or if Planning Board approval has been previously given the Borough may deny issuance of a construction permit and/or certificate of occupancy or if permit has been previously issued the Borough may initiate a STOP WORK ORDER.
 7. The Borough agrees to refund to applicant any sum deposited with the Borough for review and administration of the application not spent nor needed by the Borough. Said refund will be issued by the Borough in accordance with the refund schedule and following completion of the Borough's review and administration of said application.
 8. APPLICANT AGREES AND UNDERSTANDS THAT IT IS INCUMBENT ON APPLICANT TO PERIODICALLY MONITOR THE STATUS OF SAID ESCROW ACCOUNT. APPLICANT AGREES AND UNDERSTANDS THAT RESPONSIBILITY TO PAY ALL ESCROW CHARGES IS THE APPLICANT'S EVEN IF APPLICANT SELLS OR CONVEYS SAID PROPERTY CITED ABOVE TO ANOTHER PARTY.

Leslie Koppel

Applicant's Name (Printed)

Applicant Signature

Planning Board Secretary

6/8/2021

Date

Date

HIGHTSTOWN BOROUGH PLANNING BOARD

PLEASE TAKE NOTICE that on August 9, 2021, at 7:00 PM (and thereafter on such dates as such hearing may be continued), the Hightstown Borough Planning Board (“Board”) will hold a public hearing at the Hightstown Borough Municipal Building, Code Enforcement Office, located at 156 Bank Street, Hightstown New Jersey 08520 on the application (“Application”) of Community Action Service Center, dba RISE (“Applicant”) for Planning Board Variance to install and maintain window signs at its property, located at 114 Rogers Avenue, Hightstown, New Jersey (Block: 33, Lot 30.01)(“Property”). .

The Applicant is seeking to install window signs at its Property that advertise its RISE business logo, its charitable offerings and thrift store operating hours. The Applicant’s customers consist of local residents, families in need and small convenience stores that serve the local communities in Mercer County, primarily Hightstown and East Windsor. The Applicant’s photographs show the proposed signage.

While the Applicant believes its Application is conforming to the neighborhood and zoning requirements, it is requesting a variance from Hightstown Borough’s Ordinance Number 29-14.

At the hearing, all interested parties will be given the opportunity to be heard. You may appear either in person, by agent or by attorney and present any input you may have relating to the abovementioned matter and related request for approval.

Copies of the Application and all documents submitted to date concerning this application are on file in the Hightstown Borough Code Enforcement Office at 156 Bank Street, Hightstown, New Jersey 08520 and are available for inspection by the public during business hours, Monday through Friday, 9:00 a.m. through 4:30 p.m., holidays excepted.

Eric Broadway, Esq.
1471 Prospect Street
Ewing, NJ 08638
(609) 882-4110

RECEIVED

JUL 30 2021

MUNICIPAL CLERK'S OFFICE

HIGHTSTOWN BOROUGH PLANNING BOARD

PLEASE TAKE NOTICE that on August 9, 2021, at 7:00 PM and (thereafter on such dates as such hearing may be continued), the Hightstown Borough Planning Board ("Board") will hold a public hearing at the Hightstown Borough Municipal Building, Code Enforcement Office, located at 156 Bank Street, Hightstown New Jersey 08520 on the Application ("Application") of Community Action Service Center dba RISE ("Applicant") for Planning Board Variance to install and maintain window signs at its property, located at 114 Rogers Avenue, Hightstown, New Jersey (Block: 33, Lot 30.01) ("Property").

The Applicant is seeking to install window signs at its Property that advertise its RISE business logo, its charitable offerings and thrift store operating hours. The Applicant's customer consist of local residents, families in need an small convenience stores that serve the local communities in Mercer County, primarily Hightstown and East Windsor. The Applicant's photographs show the proposed signage.

While the Applicant believe its Application is conforming to the neighborhood and zoning requirements, it is requesting a variance from Hightstown Borough's Ordinance Number 29-14.

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Eric Broadway, Esq.
1471 Prospect Street
Ewing, NJ 08638
(609) 882-4110
8/3/2021 THE TIMES \$31.90

PLANNING BOARD COMMENT REQUEST SHEET

TO: **POLICE CHIEF**

SUBJECT: **Sign Variance - Community Action Service Center (RISE) 114 Rogers Ave.**

FROM: **Sandy Belan, Planning Board**

DATE: **June 28, 2021**

Please return this form to the Planning Office by: July 15, 2021

Name of Applicant: Community Action Service Center

Name of Respondent: _____

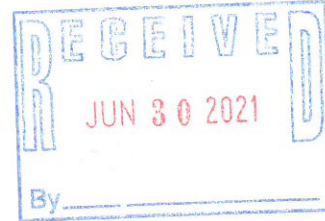
Will this project produce any concerns for your department? YES NO **(26)**

If yes, please explain and/or comment on any other concerns related to the property:

Windows on Railroad Ave, cover whole window
a create a visibility issue for officers when
responding to an alarm or disturbance at this
location. No issue with windows that face
Stockton Street lot.

The sign covering on the windows limit or completely block the view to the inside of the building. This could hinder the job of the fire department as they can not see what maybe going on in the building. When the fire department arrives on location of a business, they need a clear sight into the building to prepare what the plan of operations will be. Having the windows covered can and will slow down this operation. I feel in the safety of the occupants that visit, staff the window should not be coved.

Chad Reed CFEI, CVFI
Fire Marshal
Hightstown Borough
Fire Prevention Bureau
Office: 609-490-5100 ext 617
Cell: 609-212-9487





Roberts
ENGINEERING GROUP LLC
Women Business Enterprise Certified

1670 Whitehorse-Hamilton Square Rd.
Hamilton, New Jersey 08620
609-586-1141 fax 609-586-1143
www.RobertsEngineeringGroup.com

June 25, 2021

Sandy Belan, Planning Board Secretary
Hightstown Planning Board
Borough of Hightstown
156 Bank Street
Hightstown, New Jersey 08520

Re: Window Sign Variance Review
Applicant: Community Action Service Center, Inc.
Location: 114 Rogers Avenue, Hightstown, New Jersey
Block: 33, Lot: 30.01
Borough of Hightstown, Mercer County, New Jersey
Our File No.: HPB2101

Dear Sandy:

This application requests a sign variance to install perforated window signage that covers more than 10% of the window spaces on the front and side of its building located at 114 Rogers Avenue.

The following documents have been utilized in our review:

1. Completed Planning Board Application.
2. Copy of a Window Sign Denial Letter addressed to Leslie Koppel, Executive Director Rise, A Community Action Partnership from George Chin dated July 10, 2020.
3. Copy of the Sign Permit Application dated July 7, 2020.
4. Copy of a Photo Exhibit of the building located at 114 Rogers Avenue showing the proposed/existing window signs.

We have reviewed the submitted documents and offer the following comment:

1. No changes are proposed to the existing building footprint, sidewalks, curbs, driveways, parking site lighting, landscaping, or drainage. Therefore, there are no engineering concerns regarding this application.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in blue ink that reads "Carmela Roberts". The signature is written in a cursive, flowing style.

Carmela Roberts, P.E., C.M.E.
Borough Engineer

cc: Jolanta Maziarz, Esq., Planning Board Attorney
Brian Slauch, PP, AICP, Clark, Caton, Hintz, Planning Board Planner
George Chin, Borough Zoning Officer

PLANNING BOARD COMMENT REQUEST SHEET

TO: ZONING OFFICER - GEORGE CHIN
SUBJECT: Sign Variance - Community Action Service Center (RISE) 114 Rogers Ave.
FROM: Sandy Belan, Planning Board
DATE: June 28, 2021

Please return this form to the Planning Office by: July 15, 2021

Name of Applicant: Community Action Service Center

Name of Respondent: _____

Will this project produce any concerns for your department? YES NO

If yes, please explain and/or comment on any other concerns related to the property:

Some points to consider:

1. When the liquor store on Stockton St was robbed in broad daylight, the Police requested that I go to the stores to tell them to leave the windows clear of signs so that if they are being robbed, it would be visible to people passing by. This would discourage future robberies.
2. When going to the various stores, some stores had a big sign in front of the cash register, since they did not want pedestrians passing by to see the cash transaction. This was allowed for safety reasons, since it only covered the register and a person holding a gun would still be visible to passerby.
3. The 'Rise' sign on the windows facing the parking is just another way creating an additional façade sign. There is already a façade sign facing Rogers Ave. and another façade sign over the door facing the parking lot. It is a small building. How many signs do you need to identify the building?
4. The signs on the window facing Rogers Ave are just more advertising.
5. There are some stores, such as the liquor stores where the sign coverage is grandfathered in.
6. Do you want to see this window coverage repeated in other stores downtown?



MEMORANDUM

Clarke Caton Hintz

Architecture
Planning
Landscape Architecture

100 Barrack Street
Trenton NJ 08608
clarkecatonhintz.com
Tel: 609 883 8383
Fax: 609 883 4044

To: Hightstown Planning Board

From: Brian Slaugh, PP, AICP
Donna Miller, AICP, PP, CFM

Re: **Community Action Service Center, Inc., dba RISE**
Sign Variance
Application No. 2021-01
Block 33, Lot 30.01
114 Rogers Avenue
DTC Downtown Commercial Zoning District

Date: August 5, 2021

1. **Materials Reviewed**

The following materials were reviewed in the preparation of this report:

- Application No. 2016-01, dated June 1, 2020, and other supporting documentation.

The site was also investigated for existing conditions.

2. **Application Description**

2.1 Applicant's Proposal. The applicant seeks approval to retain signs that it has applied to the windows of its building on Rogers Avenue, where it operates a thrift store. The building has three windows on its Rogers Avenue façade and five windows on its westerly façade, which faces the municipal parking lot on Rogers Avenue. The building's customer entrance faces the parking lot and its employee entrance is located on Rogers Avenue.

- A. Rogers Avenue Windows. There are three windows on the Rogers Avenue façade, each is approximately two feet wide by four feet high, or eight sf. in area. The signs placed in these windows completely cover the window area.
- B. Parking Lot Windows. The five windows on the west side of the building are approximately 6' x 6'4" high, or approximately 37 sf. in area. The signs placed in these windows occupy six panes of glass at the center of the window, or approximately 10.85 sf.

John Hatch, FAIA
George Hibbs, AIA
Brian Slaugh, AICP
Michael Sullivan, AICP
Michael Hanrahan, AIA
Mary Beth Lonergan, AICP



COMMUNITY ACTION CENTER / RISE | SIGN VARIANCE

Clarke Caton Hintz



Photos of Rogers Avenue Window (left) and Parking Lot Window (right)

- 2.2 Property Description. The property is a fully developed lot on the north side of Rogers Avenue, between Mercer Street and Railroad Avenue. The building



Aerial View of Subject Property





COMMUNITY ACTION CENTER / RISE | SIGN VARIANCE

occupies nearly the entire lot, with a narrow strip along the westerly property line developed with paved parking spaces that are part of the municipal parking lot. The property is bounded by private parking facilities on its north and east sides.

3. Relief Required

3.1 Window Sign Regulations. The Borough’s sign ordinance restricts the area of signs in windows and requires such signs to be placed on the inside of the window. The relevant sections of Chapter 29-14 state:

“The total area of all window signs shall not exceed ten percent (10%) of the glass area of the window in which it is placed.

- A. All window lettering and signs shall be inside the window.
- B. Permanent or temporary window lettering or signs shall be permitted only if the rectangle or circle containing such lettering or sign, or the background upon which it appears, does not exceed ten percent (10%) of the premise window area in the aggregate. Any painted area of any window shall be construed as window lettering signs, whether or not such area actually contains lettering or advertising.”

3.2 Nature of Relief. Although the applicant has technically applied for a use variance to permit the signs, the deviation does not pertain to a use governed by zoning. The actual relief required is similar to an exception under *N.J.S.A. 40:55D-51.b*, which pertains to general design and performance standards in the context of site plan review. The needed relief is similar to a hardship variance, except that the applicant is not required to demonstrate that there will be no substantial detriment to the public good or impairment of the intent and purpose of the zone plan (negative criteria).

The applicant should identify the degree to which the requirements are impracticable or cause a hardship to the business and what, if any, peculiar site conditions exist that prevent compliance with the ordinance.

We would be pleased to answer any questions concerning this review.

- Cc. Planning Board Secretary
Jolanta Maziarz, Esq.
Carmela Roberts, PE
George Chin, Zoning Officer
RISE, Applicant
Eric Broadway, Esq., Applicant’s Attorney