

**HIGHTSTOWN PLANNING BOARD
REGULAR VIRTUAL MEETING MINUTES
DECEMBER 13, 2021, 7:30 P.M.**

OPEN SESSION

Bev Asselstine, Chairperson, 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 on the Borough's website. Due to Covid-19 and self-distancing protocols, this meeting was held remotely through www.zoom.com."

Flag Salute, led by John Laudenberger

Roll Call – Planning Board

	PRESENT	ABSENT	LATE ARRIVAL
Mayor Quattrone	X		
Councilman Misiura	X		
Ms. Asselstine, Chair	X		
Ms. Jackson, Vice-Chair		X	
Mr. Laudenberger	X		
Mr. Searing	X		
Ms. Watkins	X		
Mr. Balcewicz, Alt. #1	X		
Mr. Cabot, Alt. #2	X		

Also in attendance: Jane Davis – Planning Board Secretary, Scott Miccio – Attorney, Carmela Roberts – Engineer, Donna Miller & Elaine Clisham – Planner (stand-in), George Chin, Construction/Zoning Official, Joe Fishinger – Bright View Engineering, Rachana Sheth – NV5, Carey Tajfel – TFE Properties, Amanda Calabrese, Michele Demak Epstein, Mark A & Storm

Approval of Agenda

Ms. Asselstine announces there is a change to the Agenda. A cannabis memo from Council is to be added under New Business. Ms. Asselstine asked for any comments on the December 13, 2021 Agenda. With no comments Ms. Asselstine asks for a motion to approve it.

Motion made by Mr. Misiura and seconded by Mayor Quattrone to approve the amended agenda for the December 13, 2021 Planning Board Agenda.

Roll Call Vote: Mayor Quattrone, Mr. Misiura, Ms. Asselstine, Mr. Laudenberger, Mr. Searing, Ms. Watkins, Mr. Balcewicz and Mr. Cabot. Ms. Jackson was absent. Motion passed 8-0, 1 absence.

Approval of Minutes

Ms. Asselstine presents the meeting minutes from the regular virtual meeting on October 12, 2021, and has a couple of minor typos to be amended on pages 6 & 7. Ms. Asselstine then asks the Board if there are any additional revisions. There being no additional comments or

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revisions, Ms. Asselstine asks for a motion to approve the minutes.

Motion made by Mr. Laudenberg and seconded by Mr. Balcewicz.

Roll Call Vote: Mayor Quattrone, Mr. Misiura, Ms. Asselstine, Mr. Laudenberg, Ms. Watkins & Mr. Balcewicz. Mr. Searing & Mr. Cabot abstained. Ms. Jackson was absent.

Motion passed 8-0, 2 abstentions, 1 absence.

Resolution **#2021-02 – Capital Project Review – East Windsor Regional School District; Hightstown High School parking lot & bus lane**

Ms. Asselstine states that this resolution memorializes the Capital review of the Hightstown High School Parking lot & bus lane pursuant to NJSA 40:55D-31. Ms. Asselstine asks for a motion or any questions pertaining to the Resolution. Mr. Balcewicz raises a question regarding the difference in wording of being inconsistent vs. not being inconsistent with the Master Plan. Mr. Miccio agrees that a motion can be made the wording can remain as is.

There being no further comments, a motion is made by Mayor Quattrone and seconded by Mr. Misiura.

Roll Call Vote: Mayor Quattrone, Mr. Misiura, Ms. Asselstine, Mr. Laudenberg, Ms. Watkins, and Mr. Balcewicz. Mr. Searing and Mr. Cabot abstained; Ms. Jackson was absent.

Motion passed 6-0, 2 Abstention, 1 absence.

Public Comment

Ms. Asselstine invites members of the public to comment on items not on the Agenda.

Mr. Carey Tajfel of TFE Properties is purchasing 105 Main Street (the previous Wells Fargo building) states that he met with Mr. Dimitri Musing & Mr. George Chin proposing TFE Properties' intended plans for the building. They intend to transform the Wells Fargo site into an apartment complex and would like to get feedback from the Planning Board to ensure their visions are in line with the Borough's aesthetic. Ms. Asselstine refers to Mr. Misiura about the correct procedure for a preliminary concept plan review. Mr. Misiura explains their needs to be caution while reviewing preliminary plans as the Board will be voting on it. He defers to Mr. Miccio for ordinance guidance. Mr. Miccio explains that this review may be done by the professionals informally, not the Board in advance of the meeting. Ms. Asselstine explains that Mr. Tajfel can reach out to Ms. Davis for further information. Mr. Tajfel thanks the Board for their time.

Ms. Asselstine asks for any additional comments. There being no further comments, public comment is closed.

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Public Hearing

Adopting Amendment to the Master Plan

Redevelopment Area Circulation Plan

Ms. Asselstine opens the public hearing and explains this is proposed to be a technical appendix to the transportation element to the Borough Master Plan. Ms. Asselstine asks that Mr. Miccio swears in the speakers beginning with the consultants, Mr. Fishinger & Ms. Sheth, as well as the Borough's Zoning Official, Mr. Chin. She briefly explains the order in which the proceedings will occur.

Mr. Miccio swears in both Mr. Fishinger of Bright View Engineering & Ms. Sheth of NV5. Mr. Miccio also noted for record, that this is a review of a potential amendment to the Master Plan, and it has been noticed appropriately in accordance with the municipal land use law.

Ms. Sheth gives a brief overview of the Redevelopment Area Circulation study that was conducted to identify issues and constraints related to circulation because of the Rug Mill development. The initial purpose was to investigate constructing a roundabout at the Main Street & Franklin Street intersection. Furthermore, 4 options in addition to the roundabout were noted.

Mr. Fishinger explains the primary recommendation is to redo the main intersection and adding crosswalks. In lieu of a roundabout, a traditional traffic signal works the best. The intersection will be widened and add in a dedicated pedestrian phase. There are several other pedestrian options added in.

Ms. Asselstine opens comments from the Board members. Mr. Misiura asks how the proposed recommendations will be affected should the information used to create the study change (i.e. additional new developments, etc).

Mr. Fishinger explains that they used the best guess they could based on information provided. He recommends that when a development comes in, that they compare the numbers they expect versus what the study was based on. Most likely, their numbers will be lower than what the study was based on.

Mr. Misiura asks if a right turn lane is warranted even without additional development capacity. Mr. Fishinger explains that with or without the development, the right turn lane will help with traffic and allow pedestrian improvements.

Ms. Asselstine asks if the appendix provided will give future developers enough information based on assumptions used in study. Mr. Fishinger states that there should be enough information provided but would provide any additional information needed by future developers if the Borough grants permission to do so.

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Ms. Asselstine asks for any other questions. She then refers to Mr. George Chin regarding the impact to the strip mall at the corner of Main Street & Franklin Street. After being sworn in by Mr. Miccio, Mr. Chin explains that he did a parking analysis of what is required versus what is existing. The current number of parking spaces is less than what is currently required, but the lot never appears to be at capacity. Ms. Asselstine asks Mr. Chin based on the year the strip mall was built, would the existing parking be grandfathered in? He agrees that it would be and that it was most likely not based on restaurant parking calculations, but rather retail calculations. Ms. Asselstine questions if we (the Board) should have investigated parking when Dunkin originally sat before the Planning Board when they submitted for their initial sign variance.

Ms. Miller (sitting in for Mr. Slaugh) explains that there was a parking analysis done with the original Planning Board submission the number of parking spaces would not have varied based on use group. She continues that there is a possibility of reconfiguring the parking lot better utilizing the side and rear yard area.

Mr. Miccio interjects to swear in Ms. Donna Miller of Clarke Caton Hintz.

Ms. Asselstine explains that with the installation of the right turn lane and van accessible handicapped space that there will be a loss of about 6-7 parking spaces.

Mr. Misiura states that based on previous discussions, the Borough's parking Ordinance may not accurately represent what Hightstown realistically needs. This may need to be revisited in the future. Mr. Chin agrees and that we are trying to encourage walking & cycling and suggest they may install a bike rack as well.

Mr. Laudemberger adds that even when there were 3 restaurants in the strip mall, parking was never an issue. Mr. Chin then states that Dunkin is not supposed to have table seating.

Ms. Asselstine explains that should we move forward with the plan in the future, there will be land taken from the property owner and that in turn can be used by the owner to redesign the existing lot to accommodate more parking.

Mr. Misiura believes that the benefits outweigh the loss of parking spaces as he has never experienced lack of parking but maintains from a pedestrian standpoint the intersection (Main Street & Franklin Street) is unsafe. Mr. Cabot agrees with Mr. Misiura.

Ms. Sheth adds that reconfiguring the parking spaces in the future may regain some of spaces lost.

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Ms. Asselstine notes that there will be a new parking garage constructed across the street with dedicated public parking. She then moves on to professional comments. Ms. Miller, Ms. Roberts & Mr. Miccio have nothing further to add. Ms. Asselstine opens the comments up to the public. With no comments to be made, public comment is closed. Mr. Misiura states he believes that this was a very worthwhile study and thanks the consulting professionals. Ms. Asselstine asks for a motion to adopt the Redevelopment Circulation Plan as a technical appendix to the transportation element of the Borough Master Plan.

Motion made by Mr. Misiura and seconded by Mr. Balcewicz.

Roll Call Vote: Mayor Quattrone, Mr. Misiura, Ms. Asselstine, Mr. Laudenberger, Mr. Searing, Ms. Watkins, Mr. Balcewicz and Mr. Cabot; Ms. Jackson was absent.

Motion passed 6-0, 1 absence.

Old Business

Affordable Housing Plan – Ms. Asselstine introduces Ms. Clisham. Ms. Clisham gets a brief update from Mr. Chin about the possibility of the Borough's rehabilitation obligation through an exterior conditions survey. Ms. Clisham and Mr. Chin decide to discuss the survey more in depth to ensure it's implemented in a statistically accurate manner. After giving a summary of what was discussed at the last Board meeting in October, she then shares the report prepared for the Board by the Affordable Housing Committee. The committee discussed locations that could qualify as inclusionary zoning, including but not limited to Monmouth Street, Tornquist Garage and Westerlea Apartments. In creating this inclusionary zoning in addition to overlay zoning & rezoning, the rehabilitation obligation would be satisfied. Discussion ensues regarding the various locations mentioned in the report. More information is needed on contamination remediation at several referenced sites (i.e. Lucas Electric & Tornquist) and prior Planning Board approvals for Academy Street property.

Ms. Asselstine asks for additional comments from the Board members. Mr. Laudenberger asks should this plan gets adopted, would the selected properties be bound to include that number of affordable units? Ms. Clisham explains that the zoning itself would require any future development of that property to follow zoning requirements for affordable units, but a commitment from the current owners, while helpful, is not required. The Board agreed to further review the report provided by Ms. Clisham and it will be revisited at the January meeting.

New Business

Application #2021-02 – Americana Hospitality Group – Ms. Asselstine introduces this topic and asks Ms. Roberts to go into more detail on the memo explaining that the application was deemed incomplete.

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Ms. Roberts explains that this application was for an amended site plan approval. The application submission was lacking significant information to show what was approved in previous years versus what was built. She spoke with the applicant's engineer, and they understand what is needed to resubmit for further application review.

Ms. Asselstine asks Ms. Roberts to confirm the applicant's submission timeline to be deemed complete 30 days prior to the Planning Board meeting date and publicize the hearing at least 10 days prior to said meeting date. Ms. Roberts confirms that that is correct. Mr. Miccio states that he will ensure that the applicant's attorney is aware of the timeline going forward.

Cannabis Memo from Council

Ms. Asselstine refers to a memo received from Council asking the Planning Board's input on Cannabis. At the Council's last meeting, it was recommended that Hightstown should allow retail licensing for Cannabis with a maximum of 2 licenses. Mr. Misiura explains that Planning Board would likely determine zoning locations and parking. Mr. Miccio responds and agrees with Mr. Misiura including even adding overlay zones for Cannabis retail locations. Discussion ensues.

Ms. Asselstine reinstates the previous Cannabis subcommittee, comprised of Ms. Jackson, Mr. Balcewicz, Mr. Laudenberger & Ms. Watkins, to discuss these considerations the Planning Board will need to determine, including zoning locations, distance from schools & places of worship. Mr. Misiura asks that the Planner and Attorney create some guidelines for the committee to discuss

Mr. Laudenberger asks if there is any distance retail cannabis would need to be from a church?

Mr. Miccio states that there are no state regulatory obligations, and that the township would be responsible for setting guidelines, as well as with schools.

Mr. Balcewicz believes we need more information from the Council and suggests the subcommittee from Planning Board & Council Committee meet to discuss additional information. He comments that he thinks the Borough missed out on an opportunity to opt-in for a growers' license. Ms. Watkins agrees with the missed opportunity in growing and other licensing.

Ms. Asselstine asks that the committee meet prior to the next Planning Board meeting and get input from the professionals as well as, the Council's subcommittee (Ms. Cristina Fowler & Mr. Joshua Jackson).

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Committee and Professional Reports

Ms. Asselstine asks if there are any new committee or professional reports.

Mr. Miccio – Nothing new to report.

Ms. Roberts – Ms. Roberts informs the Board that when completing the construction on Spring Crest Drive they forgot to add in bike striping. She also reports that there is a proposed project to complete the sidewalks from Leshin Lane to Orchard Avenue through the Borough's border.

Mr. Slauch – Absent. Ms. Clisham & Ms. Miller have nothing new to report.

Chairman and Board Member Comments

Ms. Asselstine reminds that the Planning Board attorney search committee will be holding a Zoom meeting immediately following the Planning Board Meeting.

Mr. Misiura has an update on the Rug Mill developer, 3PRC LLC, obtained DEP approvals and are looking at a January start date. He continues, that at the next Council meeting there should be a presentation on the new Borough Hall and encourages everyone to attend. Mr. Misiura also gives a friendly reminder to keep in mind what is being shared on social media as it could impact future Board voting recusals.

There being no further business, Ms. Asselstine asks for a motion to adjourn. Motion made by Mr. Balcewicz, seconded by Ms. Watkins. All ayes. Meeting adjourned at 9:16 PM.

Submitted by:



Jane Davis, Planning Board Secretary

Minutes approved by the Planning Board on Monday, January 10, 2022.