

**HIGHTSTOWN PLANNING BOARD  
REGULAR VIRTUAL MEETING MINUTES  
OCTOBER 12, 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](http://www.zoom.com)."

**Flag Salute**, led by Mr. Misiura.

**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, Elaine Clisham – Planner (stand-in), George Chin, Construction/Zoning Official, Bill Edwards – District Engineer, Paul Todd – EWRSD Business Administrator.

**Approval of Agenda**

Ms. Asselstine asked for any comments on the October 12, 2021 agenda or a motion to approve it.

Motion made by Mr. Balcewicz and seconded by Mr. Misiura to approve the October 12, 2021 Planning Board Agenda.

Roll Call Vote: Mayor Quattrone, Mr. Misiura, Ms. Asselstine, Ms. Jackson, Mr. Laudenberger, Ms. Watkins, and Mr. Balcewicz. Mr. Searing and Mr. Cabot were absent. Motion passed 7-0, 2 absences.

**Approval of Minutes**

Ms. Asselstine asked the Board if there were any comments or revisions on the minutes from September 13, 2021. Ms. Asselstine had one comment to be revise an ordinance subcode number referenced on page 35 of the packet.

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With no other comments or revisions, Ms. Asselstine asks for a motion to approve the minutes.

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

Roll Call Vote: Mayor Quattrone, Mr. Misiura, Ms. Asselstine, Ms. Jackson, Mr.

Laudenberger, Ms. Watkins, and Mr. Balcewicz. Mr. Searing and Mr. Cabot were absent.

Motion passed 7-0, 2 absences.

**Public Comment**

Ms. Asselstine opened the floor for any public. There being no comments, Ms. Asselstine closed the public comment.

**Resolution                      Application #2021-01 – Community Action Service Center, Inc. dba RISE**  
**114 Rogers Ave., - Sign Variance**

Ms. Asselstine states that this resolution memorializes the discussion had last week. Mr. Miccio states that this resolution encapsulates the discussion that was had and the decision that was made and asks for any questions or suggested changes. There being no comments, Ms. Asselstine asks for a motion to approve the Resolution.

Motion made by Mayor and seconded by Mr. Balcewicz.

Roll Call Vote: Mayor Quattrone, Mr. Misiura, Ms. Asselstine, Ms. Jackson, Ms. Watkins, and Mr. Balcewicz. Mr. Laudenberger abstained, Mr. Searing and Mr. Cabot were absent. Motion passed 6-0, 1 Abstention, 2 absences.

**Capital Improvement Review**

Ms. Asselstine announces a presentation to review the Capital Improvement project with the East Windsor Regional School District. Ms. Asselstine asks Mr. Todd to introduce the discussion.

Mr. Todd thanks the Board for the opportunity to present the latest of 3 consecutive summer projects at the Hightstown High School. This past summer a new tennis court facility was installed. This upcoming project will be to convert the existing tennis courts to a new parking lot. This is to accommodate the amount of overflow parking that is needed for school event.

Mr. Miccio interjects to swear in the speakers. Ms. Carmela Roberts, Mr. Paul Todd, and Mr. Bill Edwards are all sworn in.

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Mr. Edwards starts presenting. (SEE ATTACHED) There are 10 existing tennis courts on the Hightstown High School property in need of repair. The cost of repair is too high for refurbishment and 10 courts are more than what is needed. The new tennis courts were constructed in a much more accessible area and much closer to the roadway and athletic facilities. The existing court location will be converted to a parking lot that will be utilized by parents, staff, and students for overflow parking, as well as used for the bus drivers who will be able to park and walk to access a secured entrance to the back of the bus depot. The bus drivers will utilize the parking during the day, freeing up the lot at night for special events. Currently, there is a gravel driveway between the courts and the school. The gravel is in constant need of upkeep and deterioration of the driveway conditions wreaks havoc on the buses. The idea is to pave the existing gravel drive from the High School to the back of the gated bus lot. This will provide a nice, paved path for the buses. The lot will be regraded, bioretention swales required by DEP. The project has received approvals from the DNR Canal for stormwater management and the Mercer County Soil Conservation District. The fact that the lot was already paved, except the new driveway made it an easier transition. New LED lighting will be installed for both early morning and nighttime access. Plantings will be installed around the proposed parking lot. Mr. Edwards asks if there are any questions.

Ms. Asselstine asks Ms. Roberts to make her comments at this time.

Mr. Laudenberg asks how many parking spaces will be provided.

Mr. Edwards states there will be about 80 parking spaces. All brand new, additional, not displaced parking.

Mr. Balcewicz inquires about the construction schedule from start to completion.

Mr. Todd states that most construction runs over the summer. EWRSD tries to appoint or award a contract around December/January to allow time to plan efficiently and start work the day after school lets out with the plan to finish prior to school beginning in September.

Ms. Asselstine asks if there are any other questions from the Board.

Ms. Watkins asks if paving the current gravel drive will increase extra bus traffic along that route.

Mr. Todd explains that that existing access road is used by the buses in the afternoon to line up along the athletic fields for dismissal. During the day it is also used by the EWRSD maintenance team. The amount of traffic currently using the access road does create craters in the surface making it difficult to maintain.

Mr. Misiura asks if there are any sidewalks along the edges of the parking lot.

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Mr. Edwards says there is a sidewalk provided in front of the new handicapped parking stalls with a crosswalk connecting to an existing sidewalk that will be improved to meet barrier free standards. Otherwise it is an open parking lot as you would see at a larger shopping plaza.

Ms. Jackson asks if the new parking will be limited to overflow parking for parents and visitors or if it will include students.

Mr. Todd explains student parking is limited to Senior parking and now it will only be for staff, specifically bus drivers who do not have designated parking and currently park off-site or in the bus yard. This new drive would also free up space in the bus yard for maintenance vehicles during the day.

Ms. Asselstine asks for clarification if the back door of the High School will be an unlocked handicapped entrance for events.

Mr. Todd explains there is a handicapped route

Ms. Asselstine asks Ms. Roberts to go over her comments.

Ms. Roberts states that Mr. Edwards gave a great overview of the project. She has nothing additional to add.

Ms. Clisham states that she has nothing to add on behalf of Mr. Slaugh in addition to the memo that Mr. Slaugh emailed to the Board.

Ms. Asselstine clarifies to the speakers that, in short, the plan is consistent with the land use for the school.

Ms. Asselstine asks Mr. Miccio for any comments and to give an overview on our role in this project.

Mr. Miccio explains that our role comes from Land Use Law, and further explains provision 40:55b-31. He continues, the Board's role today is to review what Mr. Todd & Mr. Edwards presented and first and foremost confirm that it conforms with the Master Plan. As Mr. Slaugh has already confirmed this. If the Board has any additional recommendations for the school board, Mr. Miccio will write it up in a Resolution and send it over to the School Board.

Ms. Asselstine asks for any Board recommendations that would like to be included.

Mr. Miccio states he notated that Mr. Misiura would like them to investigate an additional sidewalk.

Mr. Misiura confirms he would like that to be investigated further.

Mr. Laudenberger seconds Mr. Misiura's sentiments.

Ms. Asselstine asks Scott if we need to make a formal motion for approval.

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Mr. Miccio confirms that we will make a motion that the project does conform with the Master Plan and Planning Board approves of the design recommendation seen today and the Planning Board suggests that the School Board investigates adding a sidewalk near the parking lot.

Ms. Asselstine asks for a motion. Motion made by Mr. Misiura and seconded by Mr. Balcewicz.

**Roll Call Vote:** Mayor Quattrone, Mr. Misiura, Ms. Asselstine, Ms. Jackson, Mr. Laudenberger, Ms. Watkins, and Mr. Balcewicz. Mr. Searing and Mr. Cabot were absent.  
**Motion passed 7-0, 2 absences.**

Ms. Asselstine thanks the professionals for their time.

Mr. Laudenberger asks if pickleball lines had been added to the tennis courts as per discussion at the previous meetings

Mr. Todd responds that after an in-house discussion about adding pickle ball lines to the new courts. They decided against adding the pickle ball lines to avoid confusion with tennis tournaments.

Mr. Todd thanks everyone for their time.

**Old Business**

**Affordable Housing** – Ms. Asselstine asks the Affordable Housing Committee (Mr. Misiura, Ms. Jackson & Ms. Clisham) for any updates. Ms. Jackson thanks Ms. Clisham for all her professional advice. Ms. Clisham explains that the committee met last week. To better understand what was discussed, she gives a brief history of how affordable housing obligations are determined today using the Jacobson calculation. This was born out of a lack of state-wide mandates, and bases it's result on a combination of determining factors including rehabilitation prior round (1986-1999) & third round (1999-2025) Hightstown had previously considered pursuing a vacant land adjustment which would determine the realistic affordable housing development obligation. This methodology determined Hightstown is only responsible for 2 units in the Third Round. Once the impending Rug Mill Redevelopment was calculated in, the realistic number jumps to 77 Third Round units, which is higher than the 68-unit Third Round obligation as calculated using the Jacobson methodology. Hence it is the affordable housing committee's recommendation that the Borough stipulate to the Jacobson-calculated obligation rather than continue to pursue a vacant land adjustment. Ms. Clisham asks, "How do we get there?" Hightstown doesn't need to generate the units themselves but needs to create the realistic opportunity for them to be provided. This can be through group home providers, Habitat for Humanity, market to affordable programs, accessory apartments, and what is called inclusionary development. The Borough's biggest opportunity is inclusionary development which involves no financial burden on the municipality.

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The affordable housing committee identified several sites within the Borough that are candidates for rezoning or overlay zoning which allows for the development of housing at a sufficient density that affordable units could be part of that.

This includes, the Empire Antique site, Tournquist Garage, the Lucas Electric property, Westerlea Apartments. Overlay zoning on the Westerlea property would allow the landlord to build additional units, some units would be deed-restricted as affordable. More sites are to be investigated in the near future.

Mr. Misiura says they will be meeting again

Ms. Clisham says the final list will become what the affordable housing committee recommends including in a Hightstown Housing Element & Fair Share Plan.

Ms. Asselstine asks the Boroughs obligation for an inclusionary development is basically to rezone or do we need to negotiate with the owners to offer affordable units.

Ms. Clisham explains, yes we will need to rezone, but it's favorable to have the landowner write a letter committing to taking advantage of the rezoning and providing the affordable units.

Mr. Laudenberger asks what the incentive is to create these units?

Ms. Clisham explains that an inclusionary zoning allows a higher density of units which will still produce additional income even if it is not full value.

Ms. Asselstine asks if there is a time restriction on the deed.

Ms. Clisham explains that there is a deed restriction of 30 years before the owner is able to sell at market rate with the municipality's approval. The restriction will stay with the property regardless of owner during that time period.

Ms. Asselstine asks what the timeline looks like. Is this something we (the Planning Board) wants to accomplish in 2022?

Mr. Misiura agrees that, yes, we would like to get this handled next year.

Mayor Quattrone asks Ms. Clisham to further explain the overlay zone.

Ms. Clisham explains that the contemplated additional development permitted in an overlay zone is not a requirement, but permission for the developer to create and add additional units, with the requirement that if those additional units are built, a certain number of them be deed-restricted as affordable. And the landlord can rent the older units at a lower rate and the new units at the higher market rates.

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Mr. Misiura explains that there was discussion of turning the Housing Authority into a privatized development. It could be rezoned as affordable in case in the future it is no longer HUD housing. As of now, those units are not counted towards our affordable housing requirements.

Ms. Clisham explains that another option is that the Housing Authority has the option to purchase a property and rent them out as affordable units.

Mr. Quattrone concludes that it seems as if we have several options going forward.

Affordable Housing Committee will be on the Agenda going forward to give updates at the Regular Planning Board meetings.

**Application 2019-05 – Americana Diner Site Plan agreement**

Ms. Asselstine announces that Mr. Miccio has an update for the Board on the Americana.

Mr. Miccio says the Americana is intending on applying for an amended site plan approval with the Planning Board and may have it on the November Agenda. The plans will need to be reviewed. The Township Attorney and Mr. Chin have been in discussion with the Americana for temporary site improvements until the Planning Board can oversee an application and approval process.

Ms. Asselstine thanks Mr. Miccio. for his update.

**New Business**

There is no new business to report at this time.

**Committee and Professional Reports**

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

Mr. Miccio – A new law was adopted regarding virtual Planning Board hearings. Specifically relating to CoVid, a virtual meeting is not considered a basis to appeal a decision.

Ms. Roberts – Nothing new to report.

Mr. Slaugh – Absent, nothing new to report.

**Chairman and Board Member Comments**

Ms. Asselstine updates that the there was a staffing change at NV5 and cost estimates and updates for the DVRPC are to be expected later this month. This will be up for consideration for adoption at the November meeting, if not the December meeting.

Ms. Asselstine asks if there are any additional comments.

Mr. Miccio thanks Ms. Clisham for her thorough explanation of the affordable housing requirements.

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There being no further business, Ms. Asselstine asks for a motion to adjourn. Motion made by Mr. Laudenberger, seconded by Ms. Jackson. All ayes. Meeting adjourned at 8:36 PM.

Submitted by:

A handwritten signature in cursive script, appearing to read "Jane Davis", written in black ink.

Jane Davis, Planning Board Secretary

Minutes approved by the Planning Board on Monday, December 13, 2021.