



**THE BOROUGH OF HIGHTSTOWN  
PLANNING BOARD**  
**REGULAR VIRTUAL MEETING MINUTES**  
**MONDAY, NOVEMBER 14, 2022, 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. Balcewicz

**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	
Mr. Gainey	X		
Mr. Yandoli	X		

Also in attendance: Jane Davis – Planning Board Secretary, Alexis Smith – Attorney, Brian Slaugh – Planner, Carmela Roberts – Engineer, George Chin – Zoning Official, Sanjeev Puri – Applicant, Charles Stults – Architect, Lorali Totten – Applicant’s Planner/Engineer, Michael Butler – Applicant’s Attorney, Nichole Lvov – Noticed resident, John Newman, CPG, Pavel. Michael Herbert – Attorney (late arrival)

**Approval of Agenda**

Ms. Asselstine asks for a motion to approve the Agenda with several amendments to reverse order of application hearings and replace Downtown Redevelopment Area Expansion with Stockton Street curbs & sidewalks.

Motion made by Mr. Balcewicz and seconded by Mr. Searing to approve the Agenda with revisions for the November 14, 2022 Planning Board meeting.

Roll Call Vote: Mayor Quattrone, Mr. Misiura, Ms. Asselstine, ~~Ms. Jackson~~, Mr. Laudenberger, Mr. Searing, Ms. Watkins, Mr. Balcewicz, ~~Mr. Cabot~~, Mr. Gainey & Mr. Yandoli. Ms. Jackson & Mr. Cabot were absent. Motion passed 9-0; 2 absences.



**THE BOROUGH OF HIGHTSTOWN  
PLANNING BOARD**  
**REGULAR VIRTUAL MEETING MINUTES**  
**MONDAY, NOVEMBER 14, 2022, 7:30 P.M.**

**Public Comment**

There were no members of the public, Ms. Asselstine opens & closes public comment.

**Resolution**

2022-08 – Application #PB2022-03 – 220 / 220A Wilson Avenue – Mr. Balcewicz, Ms. Asselstine & Mr. Laudenberger request several typographical revisions be made prior to approval. With several revisions and clarification from Mr. Herbert, Ms. Asselstine asks for a motion to approve the resolution as amended.

**Motion made by Mr. Misiura and seconded by Ms. Watkins.**

**Roll Call Vote:** ~~Mayor Quattrone~~, Mr. Misiura, Ms. Asselstine, ~~Ms. Jackson~~, ~~Mr. Laudenberger~~, ~~Mr. Searing~~, Ms. Watkins, Mr. Balcewicz, ~~Mr. Cabot~~, Mr. Gainey & ~~Mr. Yandoli~~. Ms. Jackson & Mr. Cabot were absent. Motion passed 5-0; 4 abstentions; 2 absences.

**Public Hearing**

Application #2018-04 – Spring Point at Meadow Lakes – Extension request – Ms. Asselstine introduces the application for an extension and refers to the related Resolution from the original application. The applicant cites the pandemic as a reason that the project had not moved forward within the original time frame, thus needing an extension. The extension would be granted retroactively and through 2023. Ms. Asselstine asks for a motion to approve the extension.

**Motion made by Mr. Laudenberger and seconded by Mr. Gainey to approve the extension request for Application 2018-04.**

**Roll Call Vote:** Mayor Quattrone, Mr. Misiura, Ms. Asselstine, ~~Ms. Jackson~~, Mr. Laudenberger, Mr. Searing, Ms. Watkins, Mr. Balcewicz, ~~Mr. Cabot~~, Mr. Gainey & Mr. Yandoli. Ms. Jackson & Mr. Cabot were absent. Motion passed 9-0; 2 absences.

Application #2022-05 – The Peddie School – Use Variance for 301 East Ward St – Ms. Asselstine introduces the Application and defers to Ms. Smith for jurisdiction. Mayor Quattrone & Mr. Misiura recuse themselves due to the type of application being presented to the Board. Mr. Butler briefly explains the Exhibits to be presented and introduces the Applicant's witnesses, Mr. Puri, Mr. Stults and Ms. Totten. Ms. Smith swears in all of the Applicant's testifying parties. This application is proposing a two-family home requiring a D1 type variance or Use variance. Mr. Butler introduces Mr. Puri, the Peddie School's Chief Financial Officer. Mr. Puri gives a brief history of the Peddie School and describes the responsibilities of their faculty, which was the "primary driver for Peddie to buy this property at 301 East Ward Street in January 2022." The intent being that the property has two dwellings rather than one. Mr. Puri continues that it is the School's intention to "make one of the units to be ADA compliant". One of the member's of Peddie's faculty is disabled and the objective is for the unit to be accessible to them. Mr. Butler asks if one of the important goals of Peddie is to



**THE BOROUGH OF HIGHTSTOWN  
PLANNING BOARD**  
**REGULAR VIRTUAL MEETING MINUTES**  
**MONDAY, NOVEMBER 14, 2022, 7:30 P.M.**

make one of the units ADA compliant, not only for the school but for the future? Mr. Puri confirms that that is correct. They already have an ADA compliant unit on campus, and this will provide flexibility when the need arises. Mr. Butler asks for comments from the Board. Mr. Balcewicz asks who will be living in the units? Mr. Puri responds that himself & his family will be in one unit and the Science teacher will be moving into the ADA unit should the application be approved. Mr. Balcewicz goes on to ask if the property will remain on the tax roll. Mr. Puri confirms that it will remain on the tax roll and agrees to make it a condition of approval. Mr. Slaugh asks if this will be a rental to anyone other than faculty? Mr. Puri replies that it will not be rented out or occupied by anyone other than Peddie School faculty. Mr. Slaugh asks if the School is willing to make that a condition of approval. Mr. Puri agrees to make it a condition. Ms. Watkins asks what the intention of Peddie was when purchasing the residence? Mr. Puri replies that it was purchased with the intent to have 2 faculty families occupy it. Ms. Watkins asks if students will be going to the residence? Mr. Puri states that it would only be for special occasions or events like a holiday party. Mr. Butler clarifies that the intent is not for use as student housing or teaching purposes. Ms. Watkins voices her concern was mainly for student safety as the intersection at Ward Street & Maxwell Avenue can be challenging. Ms. Asselstine addresses this concern since the Borough has an active grant application to redesign that intersection and is part of the mobility plan as part of the Borough Master Plan. Further discussion ensues.

Mr. Butler goes on to introduce Ms. Totten who testifies as the Engineer for the Applicant. Ms. Totten elaborates on her credentials and that she has previously testified in front of the Board. The Board accepts her credentials. Ms. Totten goes on to present Exhibit A-1 (Aerial display dated 11/11/22). She explains some history of the property and that surrounding properties and the lot in question are much larger than the minimum required lot size. Ms. Totten presents Exhibit A-2 (Site Display dated 11/11/22). She explains that the existing driveway on the corner of East Ward Street and Maxwell Avenue will be removed, and a new driveway will be installed. There is currently an existing single water/sewer service and a second service will be added. The landscaping will remain, lighting will be standard residential lighting. The new layout will provide the ability to install the roundabout and lot coverage will decrease. No variance for bulk requirements are required, only a use variance. She confirms that the parking will meet Borough requirements.

Mr. Balcewicz states that there is a shed within the setback line. Ms. Totten agrees that it will be moved to comply so that no variance will be required.

Mr. Slaugh asks if a Right of Way (R.O.W.) dedication will be allowed for this. Ms. Roberts explain that we have plans with a grant application in process and asks for R.O.W. dedication as part of this potential approval. Mr. Butler introduces Mr. Stults as the Applicant's Architect and gives a brief background. Mr. Stults explains the drawings and presents Exhibit A-3 (Architectural sheet A1, first floor plan). It shows the existing residential 3-bedroom unit and the new proposed 3-bedroom unit with handicapped ramp. He also presents and explains Exhibits A-4 (sheet A1.1, new garage plans), Exhibit A-5 (sheet A2 second floor), Exhibit A-6 (sheet A3, exterior elevations) & Exhibit A-7 (sheet A4, exterior elevations). Mr. Searing asks for further explanation on the water/sewer & electrical service locations. Mr. Stults explains that the water/sewer location is yet to



**THE BOROUGH OF HIGHTSTOWN  
PLANNING BOARD**

**REGULAR VIRTUAL MEETING MINUTES**  
**MONDAY, NOVEMBER 14, 2022, 7:30 P.M.**

be determined and the service panel may be upgraded, and Peddie maintenance would like to keep access to the maintenance room. Mr. Balcewicz inquires who will be responsible for the utility. Mr. Puri responds that the Peddie School pays for it. Mr. Balcewicz asks what type of wall is between the 2 units? Mr. Stults explains that it will be 6" studs with 2 layers of sheetrock on both sides of the fire rated wall. Mr. Balcewicz asks for a Fire department approval be listed as a condition.

Mr. Butler introduces Ms. Lorali Totten as the Applicant's planner. Ms. Totten introduces herself and presents Exhibit A-1 in support of the D1 variance. The existing building is to be converted into a 2 family "duplex". She testifies that this change promotes general welfare, removes parking in an intersection, complies with the appropriate density, has sufficient space for a residence, provides sufficient parking on site. The site itself is suited for 2 residences as the site is oversized at approximately three times bigger than required and is wider & deeper than other surrounding lots and is the only lot of this size in this particular neighborhood. She goes on to explain possible negative impacts no negligible nuisance and had no impact on the Master Plan. Ms. Totten then explains special reasons to grant the variance; duplexes were granted on Armellino Court which is directly across from the property in question and the property has enough room for a subdivision. Ms. Totten closes with the statement that benefits in this case outweigh the detriments. Mr. Butler sites reasons to support the D variance as a, e, g, i + j as well as the fact that it will have no impact on the Master Plan.

Ms. Asselstine opens the discussion for comments. Mr. Chin, the Borough Zoning Official asks to consider a K-turn in the driveway so there is no need to back out onto East Ward Street. Ms. Asselstine agrees. Ms. Totten agrees & Mr. Butler states what there is enough room on the property. Mr. Slaugh says that the Board can consider if they want delineation with landscaping at the meeting point as it will reinforce the look of single-family residences. Ms. Totten & Mr. Butler see no reason why not to do so, so long as the windows aren't obstructed. Mr. Slaugh compliments Lorali on her testimony. He agrees with her analysis/testimony and it gives the Board plenty of things to consider.

Ms. Asselstine notes several things for the Board to take into consideration. The Board should look at the uniqueness of this property when considering this in comparison to other lots.

Mr. Laudenberg asks what will happen if Peddie sells the property?

Mr. Slaugh explains that since agreed to rent the property only to the faculty staff and any other owner would need to go before the board for additional approvals.

Ms. Watkins asks M. Slaugh to define "public benefit". Mr. Slaugh explains that it can't *only* benefit the applicant. He goes on to explain that the ADA unit is beneficial to general welfare since it is rare to find a compliant unit. Ms. Asselstine states that the mobility plan is a huge benefit of the R.O.W. dedication.

Ms. Davis shares Exhibit B-1 (Zoning comments from the Zoning Official).





**THE BOROUGH OF HIGHTSTOWN  
PLANNING BOARD**  
**REGULAR VIRTUAL MEETING MINUTES**  
**MONDAY, NOVEMBER 14, 2022, 7:30 P.M.**

There are no additional comments from the Board Attorney, Planner or Engineer.

Mr. Laudenberger asks why Peddie couldn't keep it as a single-family home? They respond that they think it would be too large for a single-family dwelling. Mr. Slaugh explains that faculty may have difficulty finding housing.

Mr. Butler explains that it's a larger structure to allow staff to be nearby & part of the community.

There are no additional Board member comments.

Ms. Asselstine opens public comments regarding Application PB2022-05.

Nichole L'Vov, 201 East Ward Street – Ms. L'Vov is sworn in by Ms. Smith and comments on a lot line discrepancy discovered during the purchase of her property in the area where the applicant proposes to build a garage. She also voices concern regarding any added noise from traffic or car doors slamming due to the proximity of the new garage and asks if any plans were made to remove the existing landscaping along the property line. She continues that she would prefer to remove the existing fence all together and keep the now mature trees as a buffer.

Mr. Butler assures the resident that nothing will be built across or too close to the shared property line. He also agrees that any repairs needed to be made to the fence or otherwise would be permitted should they need to access it from the neighboring property.

Ms. L'Vov agrees and appreciates that the Peddie School will make renovations to improve the now single family/business that is existing.

Being no further comments, Ms. Asselstine closes public comment period.

Ms. Asselstine & Ms. Smith reiterate the conditions discussed to be included in the approval. The property in question will not be removed from the Borough's tax rolls; the dwelling will not be available for rent now or in the future; only faculty or staff of the Peddie School will occupy the property or the Applicant would need to reapply to the Board; the existing shed will be set to the proper setback line; the Applicant will work with the Borough on a R.O.W. dedication as a part of this project for helping facilitate the municipal aid grant application for this intersection; the Applicant will work with the Borough and the Borough Engineer to split the water and sewer lines into two separate services; the property will maintain a separate electrical service for each unit; documentation of proper approvals will be made for the fire rated separation wall between the units; the driveway will be modified to provide K-turn capability on East Ward Street; landscaping will be provided "between" units to separate the façade in two units; and allow access for repairs and maintenance to any fencing or landscaping.

Mr. Balcewicz adds that he would like to see a positive statement from the fire department regarding access to the property as well as the firewall. Mr. Butler agrees.



**THE BOROUGH OF HIGHTSTOWN  
PLANNING BOARD**

**REGULAR VIRTUAL MEETING MINUTES**  
**MONDAY, NOVEMBER 14, 2022, 7:30 P.M.**

Ms. Asselstine asks for a motion to approve the application for a use variance converting the dwelling into a two-family residence subject to the conditions discussed.

**Motion made by Mr. Balcewicz and seconded by Mr. Laudenberger to approve Application PB2022-05 with conditions.**

Roll Call Vote: ~~Mayor Quattrone, Mr. Misiura, Ms. Asselstine, Ms. Jackson,~~ Mr. Laudenberger, Mr. Searing, Ms. Watkins, Mr. Balcewicz, ~~Mr. Cabot,~~ Mr. Gainey & Mr. Yandoli. Mayor Quattrone & Mr. Misiura abstained; Ms. Jackson & Mr. Cabot were absent. Motion passed 9-0; 2 abstentions; 2 absences.

**Old Business**

**Stockton Street Curb & Sidewalk Improvements** – Mr. Misiura comments that he would like to see striping in all crosswalks surrounding the intersection at Stockton Street & Oak Lane. Mr. Balcewicz questions why there is no crosswalk on the West side of said intersection. Discussion ensues regarding the length of time and hours during which construction and a detour will be in effect. Mr. Balcewicz asks if a resident can opt out if you've recently replaced the sidewalk on your property. Ms. Roberts responds that residents may not opt out, there is no benefit to doing so and sidewalks must meet ADA standards. Mr. Balcewicz voices concerns with the construction cost distribution between East Windsor and Hightstown.

**Affordable Housing Plan** – Ms. Asselstine refers to Mr. Slauch. He refers to and explains the Third Round Housing Element and Fair Share Plan DRAFT. The realistic opportunity to meet our municipal obligation through inclusionary development and identifying and rezoning areas in need of redevelopment. The next step is to accept the proposed draft list or discuss other locations. Discussion ensues. Mr. Misiura confirms that this report accurately depicts what was discussed and requests more time for the members of the Board to digest the information. Mr. Slauch explains that this is a complete draft, once accepted there would be a need for rezoning, further discussion ensues about the process and timing of a public hearing to adopt and enforce the housing element. This item will be on the December Agenda for further discussion.

**New Business**

**Committee and Professional Reports**

Nothing additional to report.



**THE BOROUGH OF HIGHTSTOWN  
PLANNING BOARD**  
**REGULAR VIRTUAL MEETING MINUTES**  
**MONDAY, NOVEMBER 14, 2022, 7:30 P.M.**

**Chairman and Board Member Comments**

Ms. Asselstine discusses going back to in person meetings. There is discussion back and forth about going back in January and this topic will be discussed further at December's Planning Board Meeting.

There being no further business, Ms. Asselstine asks for a motion to adjourn. Motion made Mr. Laudenberger. All ayes. Meeting adjourned at 10:45 PM.

Submitted by:

Jane Davis, Planning Board Secretary

Minutes approved by the Planning Board on Monday, February 13, 2023

