



THE BOROUGH OF HIGHTSTOWN PLANNING BOARD

REGULAR VIRTUAL MEETING MINUTES TUESDAY, OCTOBER 11, 2022, 7:30 P.M.

OPEN SESSION

Bev Asselstine, Chairperson, called the meeting to order at 7:38 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 Ms. Watkins

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, Michael Herbert – Attorney, Carmela Roberts – Engineer, James Clavelli – Planner, George Chin – Zoning Official, Stephen Slaven – Applicant's attorney, Michael Sheenan – Applicant, Charles Witczak – Applicant's Engineer, Mark Shane – Applicant's attorney, Greg Oman – Applicant's engineer, Constantine Katsifis – Applicant, Michael Bollentin.

Approval of Agenda

Ms. Asselstine asks for a motion to approve the Agenda as there are no revisions.

Motion made by Mr. Balcewicz and seconded by Mr. Misiura to approve the Agenda for the October 11, 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~~. Mayor Quattrone, Mr. Laudenberger, Mr. Searing, Mr. Cabot & Mr. Yandoli were absent. Motion passed 6-0; 5 absences.



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Approval of Minutes

Ms. Asselstine asks for a motion to approve the meeting minutes from the regular virtual meeting on September 12, 2022. Mr. Misiura requested a revision to a statement made regarding Affordable Housing & Fair Share Plan. Ms. Asselstine asks for a motion to approve the minutes with the discussed amendment. Motion made by Mr. Balcewicz and seconded by Mr. Gainey.

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. Laudenberger, Mr. Searing, Mr. Cabot & Mr. Yandoli were absent. Motion passed 6-0; 5 absences.

Public Comment

There being no members of the public with comments, Ms. Asselstine opens & closes public comment.

Public Hearing

Application #PB2022-03 – Michael Sheenan – 220-220A Wilson Ave – Minor Subdivision – Ms. Asselstine introduces the applicant and Mr. Herbert confirms that the public notice is adequate and falls under the jurisdiction over this matter. He swears in the applicant, Mr. Michael Sheenan and the applicant's engineer, Mr. Charles Witzczak, as well as the witnesses testifying on behalf of Hightstown Borough, Ms. Carmela Roberts & Mr. James Clavelli. Mr. Slaven introduces the Applicant, Mr. Michael Sheenan and gives a brief background on the application for a preliminary and final minor subdivision. Mr. Sheenan, who resides at 220A Wilson Avenue and owns 2 adjacent properties, 220 Wilson Avenue (Block 3, Lot 8.01) & 220A Wilson Avenue (Block 3, Lot 7.01), is looking to create an "L-shaped" lot in order to keep an existing outbuilding on his property at 220A Wilson with the intention to sell 220 Wilson Avenue in the future. Mr. Witzczak testifies on behalf of the Applicant as a Professional Engineer & Planner and gives a brief background. The Board accepts the witness's credentials. Mr. Witzczak shares his exhibit.

Exhibit A-1 – Revised 6/20/22 – Sheet 2 – Redivision 220/220A Wilson – He goes on to explain that both lots meet all bulk and zoning requirements and will continue to do so with the proposed plan. No variances are being requested. Ms. Asselstine asks the Board for questions. Mr. Balcewicz asks if the existing sheds meet setback requirements. Mr. Witzczak explains that everything conforms to the bulk requirements. Ms. Roberts reiterates that this is a resubdivision of two conforming lots and both lots will remain fully compliant with proposed changes. She continues that the plan must be filed appropriately, property corners to be set and deeds be provided for review and signatures. Ms. Asselstine asks for clarification on the Planning memo provided by Clark Caton Hintz. Mr. Clavelli testifies to the memo dated July 22, 2022. The car canopy would need to be moved/removed or require a request for a side yard aggregate setback variance and the "L-shaped" lot would require a design exception. Mr. Witzczak responds that the car canopy is not a permanent structure. Mr. Slaven agrees on behalf of the Applicant to either remove the canopy or move it to comply with all setback requirements. There are no additional comments from the Board or the Public.



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Ms. Asselstine asks for a motion to approve the preliminary and final minor subdivision for Application PB2022-03 with no variances or waivers. Motion made by Mr. Misiura and seconded by Mr. Balcewicz.

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. Laudenberger, Mr. Searing, Mr. Cabot & Mr. Yandoli were absent. Motion passed 6-0; 5 absences.

Application #2021-02 – Americana Hospitality Group – Preliminary & final site plan – Ms. Asselstine introduces the Application and the Applicant's attorney, Mr. Mark Shane. Mr. Misiura recuses himself and leaves the meeting at 8:12PM. Mr. Shane introduces himself, the Applicant, Constantine Katsifis of Katsifis Family LLC and Greg Oman of Menlo Engineering. Mr. Herbert swears in the Applicant & the Applicant's professionals and the Borough's professionals for this continuance of the hearing originally scheduled for the September 12, 2022 Planning Board Meeting. Mr. Katsifis gives a brief background on the application: A change was made to the curbs in order to preserve a tree, the parking lot requires final paving, and a fence was added to divide the Borough owned from the Borough-leased properties. Testifying as a Civil Engineer on behalf of the Applicant, Mr. Gregory Oman, proceeds to explain several exhibits and some background and explanation on the application.

Exhibit A-1 – Dated 10/11/22 – Previous existing conditions (pre-2011). The maple tree shown was in line with the approved plan. In 2019, a Planning Board Application was submitted, but never approved.

Exhibit A-2 – Dated 11/11/22 – Drone photo of as-built in 2021. The Applicant is asking for approval of as-built, plus changes that will include storm water and comments from the Planning Board. There is a 169 square foot increase in lot coverage. The variances being requested are for an 8' fence height required to enclose the trash and compactor, impervious lot coverage and parking space size of 9' x 18'. The Applicant agrees with letter from Roberts Engineering, dated 09/30/2022 & Clark Caton Hintz, dated 10/07/2022. Ms. Asselstine asks about the dumpster location. Mr. Oman responds that in 2011, the dumpsters were located on Lot 40.02, the center of the Northern area of the lot. Ms. Roberts testifies that the lot coverage is 76.6% and a design waiver would be needed for the size of the parking stalls (9' x 18'). She also asks about the Handicapped parking spaces. Mr. Oman explained that 4+2 spaces were moved from the Southern & Eastern side to the Northern side of the property.

Exhibit A-3 – Sheet #5, dated 9/15/2022. Mr. Oman explains that the storm water management will need to be modified and the dumpster location will be moved and installed to Applicant owned property, Block 7, Lot 40.02, Updates are to be commented on by Mercer County Soil, Storm water management, the Hightstown Fire Department and the Hightstown Construction Official. Mr. Oman continues that the existing dumpsters will be replaced with compactors for both recycling and trash.



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Mr. Balcewicz inquired about the timing and schedule of the trash removal due to concerns with noise and odor. Discussion continues. Garbage and recycling pick up will be once a week and cardboard pick up will be every 3 weeks after 9 AM.

Mr. Clavelli recommends that a D-2 variance be requested since a variance was previously granted to allow parking in an R-3 zone. He also recommends that additional landscaping be added as indicated on landscape plans submitted in 2019.

Ms. Asselstine inquires about fencing or screening of the refuse area.

Mr. Chin discusses his concern with ponding and freezing water conditions in the ADA spaces as discussed in his memo dated 10/07/2022. He continues that the as-built conditions slope directly into the ADA parking stalls which is not what was on the original application. The Applicant is willing to work with Mr. Chin to ensure the final pavement is sloped properly. Mr. Chin also voices concern regarding the dumpster being located in the 25' residential buffer zone.

Mr. Balcewicz asks if the dumpster is an allowable accessory use in the Borough code. He continues with questions of concern regarding the smaller size of parking stalls and the distance of the ADA parking spaces from the building. Mr. Clavelli explains that the dumpsters are an accessory to the parking lot.

Mr. Chin requests that the parking stalls on the West and North side of the building be investigated further as a location for ADA parking in order to locate them in closer proximity to the building. The Applicant agrees to work with Mr. Chin on possible relocation of the ADA parking stalls should the be able to meet required standards for ADA compliance.

There are no additional comments from the Board or the public.

Mr. Herbert reiterates the conditions and summarizes the terms of the resolution to include: Applicant to work with Borough Officials on ADA parking plan, provide a landscaping plan, variance for the height of fencing surrounding the garbage compactors, a waiver for an exception to the parking stall size, variance for exceeding the maximum lot coverage, Applicant is required to a hold harmless indemnification clause, parking lot to be repainted and include traffic paint & signs, updated lighting plan showing new and retro fitted fixtures, as well as, site clean-up near the dumpsters. The Applicant confirms that the existing dumpster will be removed and new compactors will be relocated to their own property, Block 7, Lot 40.02.

In addition, Mr. Balcewicz asks for the lighting plan to include foot candle plan.

Ms. Asselstine asks for a motion to approve the amended site plan for Application 2021-02 to include conditions as discussed. Motion made by Mr. Balcewicz and seconded by Mr. Gainey.

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. Laudenberger, Mr. Searing, Mr. Cabot & Mr. Yandoli were absent. Mr. Misiura abstained. Motion passed 5-0; 5 absences; 1 abstention.



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Old Business

Downtown Redevelopment Area Expansion – Updates will be given during the November Planning Board Meeting.

Affordable Housing Plan – This is still in progress and updates will be given during the November Planning Board Meeting.

New Business

No new business to discuss.

Committee and Professional Reports

Ms. Asselstine asks for any new committee or professional reports.

Ms. Roberts – Nothing additional to report.

Mr. Clavelli – Mr. Clavelli asks for COAH Trust information from the CFO in reference to the Rehabilitation program through Mercer County.

Mr. Herbert – Nothing additional to report.

Chairwoman and Board Member Comments

Nothing new to report.

There being no further business, Ms. Asselstine asks for a motion to adjourn. Motion made by Mr. Balcewicz and seconded by Ms. Jackson. All ayes. Meeting adjourned at 9:41 PM.

Submitted by:

Jarle Davis, Planning Board Secretary

Minutes approved by the Planning Board on Monday, December 12, 2022.

