

**PENNINGTON BOROUGH
PLANNING BOARD MEETING MINUTES
MARCH 12, 2014**

Chairman Thompson called the meeting to order at 7:35 p.m. and compliance with the provisions of the Open Public Meetings Act was announced.

Board Members Present: Keelan Evanini, William B. Meytrott, Thomas Ogren, Katherine O'Neill, James Reilly, Deborah L. Gnatt, Alternate, Winn Thompson, Chairman.

Absent: Mark Blackwell, Eileen Heinzl, Joshua Levy, Nadine Stern, Alternate.

Also Present: Cindy Coppola, Coppola & Coppola Associates, Borough Planner; John Flemming, Zoning Officer (7:35-7:50 p.m.), Mary W. Mistretta, Board Secretary.

Absent: Carmela Roberts, Roberts Engineering Group, LLC, Borough Engineer; Edwin W. Schmierer, Mason, Griffin & Pierson, Board Attorney; Mary W. Mistretta, Secretary. Absent: John Flemming, Zoning Officer.

OPEN TIME FOR PUBLIC ADDRESS – Mr. Thompson asked if there was anyone in the public who had comments or questions regarding items not on the agenda, there being none the open time for public address was closed.

ZONING OFFICER'S REPORT

Mr. Flemming announced that the frame shop/gallery on S. Main Street will be converted to a beauty salon and he has approved it.

The two small vacant lots next to 228 S. Main Street have been sold to the adjacent neighbors. This will eliminate the impervious coverage problem on 228 S. Main and also the possibility of someone coming in for a variance to build a home on the lots.

**PUBLIC HEARING – MASTER PLAN – LAND USE PLAN AMENDMENT:
SUPPLEMENTAL MODIFICATIONS TO THE SEPTEMBER 2013 MASTER PLAN AND
DEVELOPMENT REGULATIONS PERIODIC REEXAMINATION REPORT, FEBRUARY
2014.**

Mr. Meytrott recused himself and stepped down because of a conflict of interest. Ms. Coppola stated that the amendment regards the MU-3 Zoning District which is the Capital Health Care Systems site and is a supplement to the reexamination report that the Board adopted last year. The site is a thirteen (13) acre lot located directly north of West Franklin Avenue, east of State Highway Route 31, and west of Knowles Street, known as Block 102, Lot 1. American Properties previously came before the Board with a conceptual presentation for development of the site. The Board discussed changes to the zoning for the site and requested Ms. Coppola to write an amendment to the Master Plan. The amendment is recommending that the permitted land uses for the entire MU-3 zoning district consist of residential uses, municipal facilities and common open space. The residential uses should be comprised of a maximum of forty (40) single-family attached units and a maximum of forty (40) age-targeted single-family attached units, for a maximum total of eighty (80) dwelling units with twenty percent (20%) of the total units set aside for "low" and "moderate" income families. At least fifty percent (50%) of the total number of dwelling units shall be age-targeted. More details are provided in the amendment, but the Board did not make changes that were overly specific. The Board recommended that American Properties submit a concept plan to try to work out details that would work with the constraints of the property and design elements that would fit well in the Borough. The plan should also provide for affordable housing which is an important component of the proposal.

Ms. Coppola stated that she looked at the prior goals and objectives that relate to the MU-3 Zone and the Master Plan. One of those goes back to the original Master Plan and states

that the Borough should remain primarily a residential community and this amendment is in keeping with that goal and objective. Ms. Coppola stated that this proposal would provide for eight (8) affordable units that were considered in the second round housing plan element and certified by COAH plus an additional eight (8) units which would help meet some of the Borough's unmet needs. Overall there would be a 20% set aside on the site for affordable units and Ms. Coppola feels that this is a very substantial consideration.

Ms. Coppola stated that the amendment includes guidelines that are not absolute to provide flexibility to be able to come up with a good product for the site. The concept plan will be the Board's guide to develop the standards for the ordinance.

Mr. Thompson stated that fifty percent of the development will be age-targeted which will appeal to empty nesters and childless couples, but the other fifty percent will not be age-targeted and he had concerns that no active recreation facilities will be provided in the development. Ms. Coppola stated that they were trying to maximize common open space and provide space along the perimeter of the track to retain the character of a desirable streetscape. She also stated that if an active recreation area was provided it would also be an attraction to people who would be looking at the age-targeted housing. She suggested that maybe they could have a little pocket park. Mr. Evanini asked what the term age-restricted meant. Ms. Coppola explained that it goes back to the conversion law when too many age-restricted developments had been built and developers requested to convert some of them to attract younger couples without families. Many municipalities agreed to the conversion, but with the stipulation that the foot prints remained the same in hopes that they would not appeal to families with school age children and would not have a great impact on the schools. There was discussion regarding the low enrollment of the upper schools in Hopewell Valley and that the Toll Gate Grammar School in Pennington was at capacity. There was also discussion that the area is pretty far from the Borough parks and that perhaps an active/passive recreation area should be set aside which can be used as a gathering area. Ms. Gnatt asked about pedestrian connections and Ms. Coppola stated that there should be sidewalks to encourage residents to use Shoppes of Pennington and downtown Pennington. Mr. Reilly asked about the size of the affordable units and Ms. Coppola stated that they would have to follow the minimum standards that are set forth in the uniform housing code.

Mr. Randy Csik, President of American Properties, stated that this is a work in progress and the concept plan will change drastically as things are added and changed to the plan. He feels that the bigger issue is the sewer capacity requirement. He stated that they have met with representatives from the Stony Brook Sewerage Authority and understand the issue. The proposed Master Plan amendment states that the project is subject to the expansion of the sewer plant. The plant has excess capacity for about 24,000 gallons and approximately 20,000 gallons is needed for the overall development. They believe if they went forward today the only chance they would have of getting sewer from the Stony Brook plant would be to phase the project into two phases. It would not necessarily be contingent upon an expansion of the plant, but proof to the Authority that it would not exceed their limitations. Mr. Csik requested that the Board omit the sewer requirement from their Master Plan amendment and deal with the plan and the provision of phasing the plan. Mr. Csik feels that they would be willing to consider this proposal as they know they will not get 20,000 gallons. Ms. Coppola stated that she does not have a problem with phasing, but suggested that if this is done they should get preliminary approval for the entire development and show the phasing plan making sure the affordable units are built and Mr. Csik agreed that they would come in with the whole project for preliminary approval. Mr. Thompson stated that he did not understand their concern with the language regarding the sewer requirement. Mr. Csik stated that he brought it up because it specifically states that "it is contingent on the plants' expansion." It was agreed to change the wording to "contingent on adequate sewer

capacity.” Mr. Csik stated that the Stony Brook Sewerage Authority cannot commit to anything that is not approved by the Board. They will not accept a formal or even informal application unless the project has preliminary approval from the Board in place. Mr. Csik stated that if they did get approval for the first phase he would assume that they would have to wait for the plant to be expanded or upgraded before they could get approval for the second phase. Mr. Csik explained that when the master bedroom is located on the first floor it creates a larger foot print. The age-targeted people usually look for a second room downstairs that could be used as a second bedroom or a den which also increases the square footage. Two bedrooms would be the limit on the second floor and would have less square footage than the first floor. The town houses will have the same square footage on the second floor as the first floor.

Ms. Coppola suggested that the developer come back with a concept plan and have a few initial meetings with herself and a committee and then go the Board for discussion before the ordinance is drawn up. Ms. Coppola reviewed the two changes to be made to the reexamination report: page 5, first paragraph, last sentence, change “is contingent upon the sewage treatment plant expansion” to “is contingent upon adequate sewage treatment capacity being available” and page 6, paragraph 4, take out first sentence “In keeping with the goal to appeal to empty nesters and childless couples, no active recreation facilities should be provided in the development” and replace with “Passive and/or active recreation facilities should be provided in the development for a gathering place for all residents.” and add “However,” to next sentence. Mr. Csik stated that they would go back and draw up a concept plan based on the comments that have been made and share it with Ms. Coppola to get her immediate comments to make sure that they are on the right track. They would then meet with the committee or the Board and Mr. Thompson felt that it should come to the Board after they have met with Ms. Coppola. After that the Application Review Committee would meet to draw up the ordinance. Mr. Thompson asked if the detention basin would be shown on the plan and Mr. Csik stated that they would show the location, but the size would vary for the conceptual. He feels the harder part of the plan will be integrating half of the town homes with half of the age-targeted so that the phasing plan has both. If they could do half the town homes in one phase and include the age-targeted in the other half it would be easier and asked how the Board felt regarding this. Ms. Coppola asked how they were integrating the 16 affordable units and Mr. Csik stated that he was not sure. Mr. Thompson suggested that some of the age-targeted be placed closer to Pennington Point since it is an age restricted community. He also suggested that it might be a good idea for American Properties to meet with Pennington Point residents regarding their plan. Mr. Csik stated that they would also have to look at the streetscape, but he feels that the town houses would look more luxurious along the street. Mr. Csik stated that from the well house towards the highway between the site and Pennington Point there were wetlands and a natural separation of trees and vegetation which will make a natural buffer. Mr. Csik stated that they have also agreed to give additional land for the well house site to help meet a homeland security issue. Mr. Reilly stated that he did not have any concerns and would be inclined to give the developer leeway to work out a plan. Ms. Coppola asked about the orientation of the buildings along Franklin and Knowles. Mr. Ogren did not see any compelling reason to have the buildings face Knowles since there were no houses across the street. Mr. Csik stated that he would like to have some of the units facing the streets, but he has to see how it would work. Ms. O’Neill asked if the roads would curve like Pennington Point and other newly developed areas. Mr. Csik did not feel that the site was large enough to accommodate curved driveways, but they would look into it.

Mr. Reilly made a motion to approve the Master Plan Amendment with the changes discussed and Mr. Evanini seconded the motion. Voting yes: Evanini, Ogren, O’Neill, Gnatt, Reilly, Thompson. Absent: Blackwell, Heinzl, Levy, Stern. Not voting: Meytrott.

MEMORIALIZATION OF RESOLUTION

CARL FUCCELLO, 326 Sked Street, Block 706, Lot 18, R-80 Zone received variance approval at the February 12, 2014 meeting for side and front yard setbacks to construct a wrap-around front porch and 2-story rear addition. Bulk variances were also received for pre-existing conditions: lot size, lot width, setback for accessory structure. Mr. Ogren made a motion, seconded by Ms. O'Neill to adopt the resolution. Voting yes: Evanini, Ogren, O'Neill, Thompson. Not voting: Meytrott, Reilly, Gnatt; Absent: Blackwell, Heinzl, Levy, Stern.

Master Plan and Development Regulations Periodic Reexamination Report, September 2013. Mr. Ogren made a motion, seconded by Mr. Reilly to adopt the resolution. Voting yes: Evanini, Ogren, Reilly, Gnatt; Not voting: Meytrott, O'Neill, Thompson; Absent: Blackwell, Heinzl, Levy, Stern.

MINUTES

Mr. Reilly made a motion, seconded by Ms. Gnatt to approve the January 8, 2014 minutes with corrections and the minutes were approved by voice vote.

There being no further business, the meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Mary W. Mistretta
Planning Board Secretary