

**PENNINGTON BOROUGH
PLANNING BOARD MEETING MINUTES
FEBRUARY 10, 2016**

Mr. Thompson called the meeting to order at 7:30 p.m. and announced that it was in compliance with the provisions of the Open Public Meetings Act.

Roll Call: Mark Blackwell, Deborah Gnatt, Eileen Heinzl, William B. Meytrott, Thomas Ogren, Katherine O'Neill, James Reilly, Douglas Schotland, Winn Thompson. Absent: Joshua Levy

OPEN TIME FOR PUBLIC ADDRESS

Mr. Mark Godrey stated that he would like to address the last minute request of American Properties to carry the hearing to the March meeting. He stated that he was speaking on behalf of all the people especially the seniors that were coming out to the meeting and were notified at the last minute that the application would be carried and not heard tonight. He felt that the applicant was playing what is known as brinkmanship and it is very unfair to the people who were planning on coming to the meeting. Ms. O'Neill asked the meaning of brinkmanship and stated that it was unfair of him to imply this since it could be a request due to illness.

APPLICATION

American Properties at Pennington, LLC, 105 West Franklin Avenue, Block 102, Lot 1, MR Zone. Preliminary/Final Major Subdivision & Site Plan, Variances, Application No. P15-009.

Mr. Schmierer stated that he had received a letter late in the day from American Properties requesting to continue the hearing to the March 9th Planning Board meeting. There were a number of professional reports received including one that was dated February 10th that they wanted time to look in to and respond. Mr. Schmierer noted that most of the people who have been attending the meetings were notified of the request. Mr. Schmierer stated that Ms. Mistretta had tried to notify those people who have been attending meetings and he also called Ms. Terry Evanko of Pennington Point who informed him that she had already been notified and had sent a message to all the residents of Pennington Point. The only feedback she received was that most of them were thrilled to stay home. Mr. Schmierer announced that no further notice would be necessary. Ms. Heinzl made a motion, seconded by Mr. Reilly to continue the hearing to the March 9th Planning Board meeting and the Board unanimously agreed.

WORK SESSION

DRAFT - AN ORDINANCE CONCERNING LAND USE AND LAND USE APPLICATIONS AND AMENDING THE CODE OF THE BOROUGH OF PENNINGTON - Ms. Heinzl reported that Council had tabled the ordinance. They questioned whether the Economic Development Commission had been given an opportunity to look at the ordinance amendment. They also questioned the scope of the promotional banners, flags and pennants and wanted to make sure that vertical promotional flags were within the definition. Council also suggested that inflatable signs should be included in the ordinance. Mr. Ogren assured Ms. Heinzl that the vertical flags were included. Ms. Heinzl stated that the clarifications would be provided and it would be on Council's agenda in March for introduction. Mr. Thompson stated that one of the key issues was the requirements for site plan approval and he asked when that would be in place. Ms. Heinzl stated that if Council introduced it at the March meeting it would be referred back to the Planning Board and then go back to Council for adoption at their April meeting. Mr. Schmierer noted that if it is adopted it would be published and sent to the Mercer County Planning Board and go into effect soon after. Mr. Thompson stated that he gave copies to the Pennington Professional Business Association and Mr. Ogren stated that the Economic Development Commission is aware of the ordinance and he would also bring it up at their next meeting. The Council liaison would take back any comments they had to Council.

APPLICATION REVIEW COMMITTEE - Mr. Reilly stated that he would like to clarify the status of a few recommendations that were previously made by the Application Review Committee. One was regarding the Town Center Zone and the other the floor area ratio definition. Mr. Thompson stated that he had checked with the owner of the property for sale in the Town Center Zone which had previously been discussed and they wrote to him stating that they were not in favor of a zoning change. Mr. Thompson stated that tonight they would table it and a copy of the letter will be distributed to the Board for discussion. There was discussion that there would have to be a reexamination of the Master Plan to change the Town Center Zone and Mr. Schmierer stated that it could be done with a mini reexamination as opposed to the major one that had to take place every ten years.

MINUTES – Mr. Ogren made a motion, seconded by Ms. Heinzl to approve the January 13, 2016 Planning Board minutes and the minutes were approved.

There being no further business, the meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Mary W. Mistretta
Planning Board Secretary