

Frenchtown Planning Board
Regular Meeting
February 27, 2019
7:30 P.M.

Randi Eckel called the Regular Meeting to Order at 7:30 P.M. and stated that all the requirements of the “Open Public Meeting Law” have been met. The meeting has been advertised, the Agenda has been posted in the Borough Hall and copies distributed to the designated newspapers.

OATH OF OFFICE – Jeanne Herb (Class IV)

Brenda S. Shepherd administered the Oaths of Office to Jeanne Herb(Class IV). She accepted her Oath of Office.

ROLL CALL

Present:	Absent:
Cooke	DenBleyker
Dougherty	
Dragt	
Eckel	
Herb	
Musolino	
Myhre	
Sullivan	
Tyksinski	

Chairman Eckel noted that John DenBleyker is ill this evening.

APPROVAL OF MINUTES

Reorganization and Regular Meeting – January 16, 2019

William Sullivan moved to accept the minutes of the January 16, 2019 Reorganization and Regular meeting. Mayor Myhre seconded the motion. The minutes of the Reorganization and Regular meeting of January 16, 2019 were approved by favorable roll call vote with Jeanne Herb abstaining.

PUBLIC COMMENTS

Chairman Randi Eckel announced that before we start the public comment section, comments are welcomed on matters not listed on the agenda. Comments related to agenda items should be held until that specific item comes up on the agenda. Chairman Eckel opened the public comment session. Having no comments, Chairman Eckel closed the public comment session.

MEMORIALIZING RESOLUTION #2019-10 – RIVER MILLS AT FRENCHTOWN LOT 1, BLOCK 34, LOT 1, BLOCK 35, LOT 1, BLOCK 36, LOT 2, BLOCK 38 AND BLOCK 52 LOT 14 – AMENDED PRELIMINARY AND FINAL SITE PLAN FOR PROPERTY IN THE FRENCHTOWN VILLAGE CENTER – JERSEY BUILDING GROUP, LLC.

On motion by William Sullivan, seconded by Gordon Dragt and carried by unanimous favorable roll call vote, the Planning Board approved Memorializing Resolution #2019-10 for Amended Preliminary and Final Site Plan approval for River Mills at Frenchtown as follows:

FRENCHTOWN BOROUGH PLANNING BOARD

RESOLUTION NO. 2019-10

RIVER MILLS AT FRENCHTOWN

LOT 1, BLOCK 34, LOT 1, BLOCK 35, LOT 1, BLOCK 36, LOT 2, BLOCK 38 AND LOT 52,
BLOCK 14

AMENDED PRELIMINARY AND FINAL SITE PLAN FOR PROPERTY

IN FRENCHTOWN VILLAGE CENTER

WHEREAS, Jersey Building Group, LLC (the “Applicant”) made application for amended preliminary and final site plan approval in connection with property with previous approvals under the name of River Mills at Frenchtown, and consisting of the following property shown on the Frenchtown Borough Tax Maps: Block 34, Lot 1, Block 35, Lot 1, Block 36, Lot 1, Block 38, Lot 2 and Block 14, Lot 52 (the “Subject Property”); and

WHEREAS, the Applicant was authorized by the owner of the subject property, River Mills at Frenchtown, LLC, to submit the referenced Application for Amended Preliminary and Final Site Plan Approval; and

WHEREAS, the Subject Property previously received various Approvals from the Frenchtown Borough Planning Board, including Preliminary Site Plan Approval, memorialized by Resolution No. 2006-29, Amended Preliminary Site Plan Approval, memorialized by Resolution No. 2008-15, Final Site Plan Approval, memorialized by Resolution No. 2011-15 and Relief from Conditions of Final Site Plan Approval, memorialized by Resolution No. 2012-14; and

WHEREAS, development of the Subject Property is governed by a Redeveloper’s Agreement (“RA”) dated August 1, 2011, with the First Amendment to the RA dated July 25, 2012, the Second Amendment to the RA dated May 23, 2016 and the Third Amendment to the RA dated April 5, 2017 (the Redeveloper’s Agreement”);

WHEREAS, the Applicant submitted an Application for Amended Preliminary and Final Site Plan Approval (the “Application”) and conceptual review of subdivision on January 3, 2019; and

WHEREAS, the submitted Application was determined to be complete by the Planning Board at the Board’s January 16, 2019 special meeting, and after determining that notice had been provided by the Applicant’s attorney pursuant to law, the public hearing was commenced and completed at the January 16, 2019 meeting; and

WHEREAS, the plans and documents submitted by the Applicant in support of this Application are on file with the Board and are part of the record in this matter; and

WHEREAS, the Planning Board received and reviewed the following reports from its professional consultants, all of which are part of the record in this matter and are attached hereto as exhibits:

- A. January 9, 2019 review memo from Brian W. Bosenberg, L.L.A. (Exhibit “A”);
- B. January 9, 2019 planning report from Darlene A. Green, P.P., AICP (Exhibit “B”);
- C. January 14, 2019 review letter from Robert J. Clerico, P.E. (Exhibit “C”); and
- D. January 14, 2019 architectural review memo from Christopher Pickell, A.I.A. (Exhibit “D”).

WHEREAS, the Applicant was represented during the public hearings by David M. Shafkowitz, Esq. and the following individuals testified during the hearing for the Applicant, which testimony is part of the record in this matter:

George Kiriakidi, principal in both the Jersey Building Group, LLC and in River Mills at Frenchtown, LLC;

Ralph Fey, registered architect;

D. Thomas Stearns, licensed landscape architect;

Michael Galante, professional engineer; and

Joseph Gardner, member of the Jersey Building Group, LLC and River Mills at Frenchtown, LLC.

WHEREAS, the Board’s consultants, including Ian Hill, P.E., Darlene A. Green, P.P., Brian W. Bosenberg, L.L.A. and Christopher Pickell, A.I.A. testified under oath during the hearings, and such testimony is considered part of the record in this matter; and

WHEREAS, the Exhibits received into evidence by the Board during the hearing, which are part of the record in this matter, include:

- A-1 Sheet L-3.0 of the 2011 Site Plan set, dated December 23, 2011, prepared by G. Thomas Stearns, L.L.A.
- A-2 Plan Sheet L-3.0, dated January 4, 2019 and colorized, prepared by G. Thomas Stearns, L.L.A.
- A-3 Sheet L-4.1 entitled “Hardscape Details”, dated January 4, 2019 and part of the Amended Preliminary and Final Major Site Plan set submitted by the Applicant
- A-4 Plan Sheet entitled “3D site”, prepared by Ralph C. Fey, A.I.A., undated
- A-5 Sheet labelled 01, showing Building D elevations, colorized

- A-6 Sample of Hardie Plank lap siding in “Evening Blue” color, smooth and non-textured
- A-7 Sample of AZEK, composite material for trim, to be painted white
- A-8 Pella 350 series cut sheet
- A-9 Sheet labeled 02, showing proposed elevations for Building E, colorized
- A-10 Sample of Hardie Plank in “Aged Pewter” color, siding to be utilized for Buildings E and F
- A-11 Sheet labelled 03, showing proposed elevations for Buildings F and G, colorized
- A-12 Brick sample, Wellington Signature
- A-13 Cut sheets from Pella Professional, window comparison, showing specs for various Pella windows including the Pella 250 series vinyl windows to be used
- A-14 Sheet labelled 04, showing photographs of surrounding buildings
- A-15 Sheet labelled 05, showing Bridge Street front elevation of Building A
- A-16 Sheet labelled 06, showing Bridge Street side elevation of Building A
- A-17 Sheet labelled 08, showing Bridge Street rear elevation of Building A
- A-18 Sheet labelled 09, showing building materials proposed
- A-19 Sheet labelled 10, showing photographs of existing Buildings B and C
- A-20 Preliminary and Final Site Plan set, dated August 20, 2011, prepared by Hatch Mott
- A-21 Conceptual Plan as submitted to Board showing future subdivision

WHEREAS, the following persons asked questions of witnesses and/or testified on this Application, which testimony is part of the record in this Application:

Barbara Bristo;
Bob Haver
Henry Patterson
Dorsey Redding
Joe Montarano and
Stephanie Haver.

WHEREAS, the Board after considering the Application, documents, testimony and exhibits referenced above and giving appropriate weight to each, makes the following factual findings:

1. **FACTUAL FINDINGS**

a. **The Property and Zoning**. The property is approximately 124,418 square feet in size (net tract area) and consists of five separate and adjacent tax lots located north of Bridge Street, south of Third Street and between the Delaware River and Harrison Street in the R4-A zoning district and within the Frenchtown Village Center Plan overlay area.

b. **Previously Approved Development**. The approved final site plan shows a total of 27 dwelling units and 8,790 square feet of commercial space in a total of seven (7) buildings as shown on the final site plan, including:

(1) **Building A** – is a four story structure fronting on Bridge Street. The first floor includes 4,395 SqFt. of retail space. The second floor was approved for 4,395 SqFt. of office space. The third floor includes four COAH apartment units (3 two-bedroom units and 1 three-bedroom unit). The fourth floor includes three market rate apartment units (2 two-bedroom units and 1 one-bedroom unit with den). A proposed 13-car parking lot would be constructed behind this building to accommodate this use.

(2) **Buildings B & C** – include a total of 6 townhouse condominium units (3 townhouse units per building) for these structures with garage access off of the alley garages and off street driveway spaces. The living areas are located on the second, third and fourth (attic) levels. Each unit has 3 bedrooms with an accessible attic area provided on the upper (fourth) level of these structures. Construction of these buildings has been completed.

(3) **Buildings D & E** – includes a total of 8 townhouse units (4 units per building) which have identical floor plans to those described for building B and C above. Garage access would be from the proposed Driveway B.

(4) **Buildings F & G** – includes a total of 6 townhouse units (3 units per building). These units include ground floor access level, incorporating the parking garage and off-street driveway parking with access from Driveway B. The living areas are on the second and third floor. These are 3 bedroom units and no provisions for attic space.

c. **Proposed Changes to Approved Amended Final Site Plans**.

(1) **Conversion of Second Floor Office to Residential.** The 4,395 SqFt. second floor of Building A was proposed to be utilized for three (3) market-rate apartments. This change is permitted under condition #10 of Resolution No. 2006-29. The Applicant represented that the floor plan for residential use of the second floor of Building A would mirror the fourth floor which is approved for 2 two-bedroom units and 1 one-bedroom unit. This conversion from office to apartment units would increase the total number of dwellings on the Subject Property to 30 units, decrease the number of required parking spaces for the second floor from 16 spaces to 6 spaces, and result in an increase in the required affordable housing to 4 units and a .5 unit payment in lieu. The Applicant acknowledged that the Application did not request approval for addition of a basement to Building A. A future application may be submitted to add a basement.

(2) **Landscape Plans.** Changes to the approved landscape plans are shown in the landscape, hardscape and lighting plans consisting of 21 drawings, last revised 1/4/19, prepared by D. Thomas Stearns, L.L.A. and included in the amended site plan submission. These proposed changes were reviewed by the Board and its consultants, and found acceptable with the exception of revisions requested in the Exhibit A report dated January 9, 2019 from Board Landscape Architect Brian Bosenberg. Additionally, the proposed fence between the Frenchtown Inn and on-site parking, is required to be located adjacent to the five (5) foot wall and be four (4) foot high 4-post and rail board fence, stained dark brown, with black wire mesh to match the previously approved fence around the detention basin.

(3) **Architectural Plans.** Changes to the approved architectural plans were proposed on the elevations submitted to the Board and marked as Exhibits A-5, A-9, A-11, A-15, A-16 and A-17. Additionally, changes to the proposed building materials and colors were marked as A-6 hardi-plank lap siding, “Evening Blue” (Building D), A-7 AZEK composite material for trim, to be painted white (Buildings D and E); A-10 hardi-plank, “Aged Pewter” color (Building E, rear elevation of Building A); A-12 Wellington Signature brick sample (Buildings A, F and G); A-13 Pella 250 series windows. The proposed changes to the architectural plans are described in the January 14, 2019 Exhibit D architectural review memo of Board Architectural Consultant, Christopher Pickell.

(4) **Hardscape.** Changes to the approved hardscape are shown in the landscape, hardscape and lighting plans consisting of 21 drawings, last revised 1/4/19, prepared by D. Thomas Stearns, , L.L.A. and described in the Exhibit C January 14, 2019 Review Letter of the Board Engineer. These proposed changes included new fencing and elimination of exterior access to the rear (riverside elevation) of Buildings F & G, along with elimination of deck lights on the to-be-eliminated elevated walkways.

d. **Proposed Conceptual Subdivision for Informal Review Pursuant to N.J.S.A. 40:55D-10.1.** The Applicant submitted a conceptual subdivision plan for informal review purposes. The plan showed a subdivision to place Building A on a separate lot and would require bulk variances. The Board and its consultants provided comments concerning this future application.

e. **Conclusions.** Based upon the testimony and documents in the record, and the various revisions to the design of the site improvements as agreed to by the Applicant at the public hearings, the Board hereby finds that the Application will meet the mandatory requirements of the Frenchtown Village Center Plan, provided that there is strict conformance with all conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE Frenchtown Borough Planning Board, by motion duly made and seconded on January 15, 2019, that the amended preliminary and final site plan application submitted by the Applicant, with the revisions as agreed to during the hearings and as required by this Resolution is hereby approved.

2. **CONDITIONS**

a. **Compliance with Review Letters and Prior Planning Board Approvals.** The review letters attached as Exhibits to this Resolution are required to be complied with either by plan revision or otherwise. All requirements of the preliminary and final site plan approvals as set forth in Resolution No. 2006-29, Resolution No. 2008-15, Resolution No. 2011-15 and 2012-14 shall continue in full force and effect unless modified by the within approval.

b. **Final Plan Revisions to Produce Record Set Plans,** The Applicant shall have until no later than 90 days from the adoption of the within resolution to revise the final site plans and documents as required by this resolution and to obtain the signatures of the Board Officials and Consultants on the final plan set. This revised set of plans shall show all prior plan dates and revisions as well as all current plan revision dates. This approved and signed plan set shall be the record plan set kept on file by the Board Secretary and the Applicant.

c. **Materials, Details and Colors.**

(1) All buildings, walkways, street furniture, signage and other site improvement materials and details shall conform strictly with site plan documents, including any modifications made during the public hearing through rendered concept elevations and other plans, or as agreed to through testimony by the Applicant's representatives;

(2) All exterior materials, finishes and colors as approved by the Board if not presently included in the plans shall be added to the plans and construction shall conform with the final list of approved materials, finishes and colors. The fence between the Frenchtown Inn and the parking lot shall be a four (4) foot high 4- post and rail board fence, stained dark brown with black wire mesh, to match the previously approved fence around the detention basin.

(3) In order to assure the Planning Board that the materials actually used during construction are identical to or substantially similar to those which have now been approved, the Applicant will submit physical samples and manufacturer's data to the Board Architect for comparison and final approval. These submissions will be made at the same time that the final Construction Documents and Specifications are submitted to the Borough to obtain building permits. In the event that these approved products are discontinued or altered, substitute materials will be considered by the Board Architect, provided that the substituted products are substantially similar in appearance and quality to those already approved. No substitute material may be utilized unless written approval is received from the Board Architect;

(4) Building A first floor retail paint colors shall be neutral in color, and shall be proposed in connection with construction documents submitted for Building A and shall be subject to approval of the Board Architect. Additionally, door framing materials and the brick

color combinations for the Building A façade shall be reviewed and approved by the Board Architect.

(5) The sun shades shown on Exhibit A-4 on the east side of Buildings F and G shall be eliminated.

(6) Samples of the shutters to be installed on Buildings D and E shall be provided for review and approval by the Board Architect.

(7) The Applicant shall have the option to switch the location of balconies on Buildings D and E from the town side to the river side and remove walkways on the town side of the Buildings subject to the review and approval of Board Architect Christopher Pickell.

d. **Conversion of Second Floor Office to Residential.** A floor plan shall be submitted for the second floor residential use of Building A, showing three dwelling units, in a similar layout to the fourth floor plan of Building A.

e. **Affordable Housing.** The third floor of Building A shall include four low and moderate income apartment units, that is, 3 two-bedroom units and 1 three-bedroom unit. Additionally, the Applicant shall make an in lieu payment for .5 of an affordable housing unit, said fee calculated in the manner required by the Redeveloper's Agreement with the Borough of Frenchtown, that is \$72,951.50, which is $.5 \times \$145,903.00$. This payment shall be made at the time required under the Redeveloper's Agreement and any partial payment made prior to adoption of this Resolution shall be credited against the payment in lieu as calculated herein.

f. **Payment of the State Non-Residential Fee.** Payment of the State Non-Residential Fee is required in connection with the 4,395 square feet of retail space in Building A, pursuant to N.J.S.A. 40:55D-8.4.

g. **Building D Flood Opening.** The size of the flood opening on the town side of Building D, as shown on Exhibit A-5, shall be based upon applicable flood zone requirements.

h. **Fourth Floor of Buildings F and G.** Buildings F and G are approved to have partial fourth floors, however, the Applicant has the option of constructing or not constructing the partial fourth floor on each of the two buildings, depending upon market demand.

i. **Lighting.** The previously installed lighting shall be checked against the approved plans to assure that actual light levels do not exceed expected light levels. Additionally, the Board Landscape Architect shall determine if house-side shields need to be installed on existing lighting, and shall perform a night-lighting test when all lighting is completed.

j. **Landscape Buffer.** The landscape plan shall be revised to add a bosque of columnar trees adjacent to the fence area to shield the existing homes from Buildings D and E. The trees to be installed in this area shall be upright columnar trees with a suitable understory planting, pursuant to the review and approval of the Board Landscape Architect.

k. **Board Consultant Approval.** Where this Resolution delegates review and approval of an element of the plans to a Board consultant, the Applicant shall be required to consult with the designated consultant and obtain the consultant's written approval as indicated in the Resolution. In the event that the Applicant disagrees with the Board consultant's decision, it may file a request with the Board for further review of the decision of the Board consultant.

1. **Engineer's Estimate and Performance and Maintenance Guarantee.** After revising the final site plans to conform with the requirements of this Resolution, the Applicant's engineer shall appropriately revise the current engineer's estimate and submit same to the Board Engineer within thirty (30) days of signing the record set of plans pursuant to Condition 2 above. The Board Engineer shall prepare the final engineer's estimate to be utilized for the performance guarantee purposes. This amended final approval is subject to the Applicant being required to post the required substitute performance and maintenance guarantees pursuant to the Redeveloper's Agreement, prior to any disturbance, clearing or construction on the site. The Applicant shall timely post a 2-year maintenance guarantee for all site improvements covered by the posted performance guarantee, said maintenance guarantee to run for a period of two years after determination by the Board Engineer of satisfactory completion of construction of all bonded improvements.

m. **Other Government Approvals.** This approval is conditioned upon the Applicant obtaining all permits and/or approvals required for construction from municipal, county, state and/or federal agencies. All such permits shall be presented to the Construction Code Official in conjunction with the application for the first construction permit, which construction permit shall not be issued unless all permits have been issued and determined to be obtained and presented to the Board Engineer for verification purposes. These permits specifically include, but not limited to, an extension of the freshwater wetlands letter of interpretation, D&R Canal approval/waiver if necessary with respect to lighting or other impacts, and Hunterdon County Planning Board unconditional approval to construct. In the event of any inconsistency in the terms and conditions of this approval and any other approval, the within final site plan approval shall prevail.

n. **Redeveloper's Agreement.** The Applicant shall obtain all necessary revisions to the Redeveloper's Agreement which may be deemed necessary by the Borough of Frenchtown Council. Any violation of the Redeveloper's Agreement, as amended, shall be considered a violation of this approval.

o. **Master Deed.** Any revisions to the Master Deed necessitated by this approval shall be approved by the Board Attorney for compliance with this Resolution.

p. **Proof of Tax Payments.** The Applicant shall provide proof that all taxes have been paid up to date prior to adoption of this Resolution.

q. **Up-To-Date Escrow Payments.** Any and all outstanding escrow fees shall be paid in full and the escrow account replenished: within thirty (30) days of the adoption of the within Resolution; within thirty days of any written notice of deficiency as to the escrow account; prior to the signing of the final plans; prior to the issuance of any zoning permit; prior to the issuance of any construction permit; and prior to the issuance of any temporary and/or permanent certificate of occupancy. Failure to abide by this condition shall result in all applicable approvals automatically terminating and becoming null and void.

Voting Record

On January 16, 2019 a motion to grant the amended preliminary and final site plan approval received the following vote:

Vote:

Those in favor: Eckel, Sullivan, DenBlyeker, Dougherty, Tyksinski, Musolino, Myhre, Dragt

Those opposed: None

Recused: None

The above memorializing resolution was adopted on February 27, 2019 by the following Board Members eligible to vote:

MEMBER	YES	NO
Eckel	X	
Sullivan	X	
Dougherty	X	
Tyksinski	X	
Musolino	X	
Myhre	X	
Dragt	X	

Attest:

Brenda S. Shephard, Board Secretary

SIGN APPLICATION – BLOCK 17 LOT 7, 7 KINGWOOD AVENUE – UNIT 7 – EDWARD JONES

Alex Stern from Edward Jones noted that he is here to request permission for advertising signs. Chairman Eckel noted that she met with the applicant to discuss the sign application and help interpret the ordinance. Mr. Stern noted that pages 3 and 5 were amended. He provided the Board with the new copies. Chairman Eckel stated that the application we received did not have the measurements on it. Mr. Stern noted that one change was removing the sign off of the roof line and putting it on the façade on the front of the building. There are two signs, one on the

front of the building and one on the back of the building. The one on the front of the building is 22 square feet and the one on the back of the building is 14 ½ square feet. Responding to Chairman Eckel as to the size of the signs, Mr. Stern stated that the sign on the front of the building will measure 24 inches high by 132 inches wide for a total of 22 square feet. The sign in the rear measures 22 inches high by 94 inches wide for a total of 14.4 square feet. The lettering on the window is less than 3 inches, 1 5/8 inches and the disclaimer is 1 ¼ inches. The signs are not illuminated. Chairman Eckel noted that the signable area for the rear sign totals 74.65 square feet. The sign is 19.2% of the signable area and is under the 40% requirement. The signable area for the front sign is 99.76 square feet. The sign is 22% of the signable area is under the 40% requirement. There are 6 items of information on each wall sign. She asked the applicant what the sign was made of. He responded that it is high density polyurethane that appears woodlike with woodlike grains. It will be painted green with white lettering. The background is recessed. The wall signs are the same type and color. Responding to Rocco Musolino, Mr. Stern noted that the sign will be affixed securely to the building. On motion by William Sullivan, seconded by Jeanne Herb and carried by unanimous favorable roll call vote, the Planning Board approved the sign application for Block 17 Lot 7 for 2 wall signs and 1 window sign as discussed and the following resolution:

RESOLUTION #2019-11

FINDINGS OF FACT, CONCLUSIONS AND RESOLUTION GRANTING APPROVAL FOR INSTALLATION OF A SIGN

WHEREAS, Applicant Edward Jones Investment has applied to the Planning Board for permission to install advertising signs on the premises located at Block 17 Lot 7;

AND WHEREAS, after considering all the evidence presented, the Planning/Zoning Board has made the following findings of fact at its Regular Meeting on December 14, 2011:

AS TO SIGN #1 – front sign

1. The proposed wall sign will read in accordance with the sketch attached hereto.
2. The sign will measure 24 inches high by 132 inches wide for a total of 22 square feet. The signable area 99.76 square feet. The sign is 22% of the signable which is under the 40% requirement.
3. The sign will be woodlike with a green recessed background with white lettering.
4. The sign contains 6 items of information as defined in the Land Use Ordinance #564.
5. The sign will be not be illuminated
6. The sign will be affixed securely to the building.

AS TO SIGN #2 – rear sign

1. The wall sign will read in accordance with the sketch attached hereto.

2. The sign will measure measures 22 inches by 94 inches for a total of 14.4 square feet. The signable area is 74.65 square feet. The sign is 19.2% of the signable area which is under the 40% requirement.
3. The sign will be woodlike with a green recessed background with white lettering.
4. The sign contains 6 items of information as defined in the Land Use Ordinance #564.
5. The sign will be not be illuminated.
6. The sign will be affixed securely to the building.

AS TO SIGN #3 – rear window sign

1. The window sign will read in accordance with the sketch attached hereto.
2. The letters are under 3 inches and are white vinyl affixed to the window.
3. The sign will contain 0 items of information as defined in the Land Use Ordinance #564.
4. The sign will not be illuminated.

NOW THEREFORE, BE IT RESOLVED, that based upon the foregoing findings of fact and conclusions, the Planning/Zoning Board of the Borough of Frenchtown does hereby grant to the above named applicant, permission to install an advertising signs on the above referenced premises.

I certify that the foregoing resolution was approved on February 27, 2019.

Votes on Adoption of Motion

_____9_____AYES

_____NAYS

_____ABSTAIN

Brenda S. Shepherd, Secretary

NEW BUSINESS

Public hearing – Open Space and Recreation Plan, Borough of Frenchtown

Chairman Eckel noted that the Environmental Commission moved forward on the Open Space and Recreation Plan and has found money to pay for it. An open space and recreation plan would make the Borough eligible for certain grants and increase funding toward Green Acres. It will be made part of the Master Plan. We have received some comments on the plan and she

would like to review them with the Board. Subsequent to review of the comments, the Board agreed to change the following:

Add bow hunting on page 5 under the Frenchtown Preserve.
Change river to creek on page 16, under the second bullet

Planner Darlene Green stated that this is the first open space plan for the Borough. It is called out in the Master Plan to acquire certain land when they become available. Goals and objectives are established and then action plans are added. The document can be amended if priorities change or if something comes up that we did not think about. Chairman Eckel noted that she appreciates that we have action items in the document. We had an open space fund with no open space plan.

Mayor Myhre stated that he appointed a committee to propose a plan for the Borough's open space tax. We would then develop a document and send it to the Environmental Commission for review and recommendation to the Planning Board for adoption. The open space advisory committee consisted of Bryan Davison, Janine Fenlon, Margaret Waldo, Rocco Musolino and Holly Low. He thanked the committee for all their work.

Having no other comments from the Board, Chairman Eckel opened the public hearing on the Open Space and Recreation Plan. Having no comments, Chairman Eckel closed the public hearing on the Open Space and Recreation Plan.

Adoption of the Open Space and Recreation Plan as an element of the Master Plan

On motion by Gordon Dragt, seconded by Jeanne Herb and carried by unanimous favorable roll call vote, the Planning Board adopted the Open Space and Recreation Plan as an element of the Master Plan with the amendments discussed this evening.

Certification of the ROSI

Chairman Eckel noted that the open space plan contains the ROSI. It has to be a separate document for NJDEP. She looked to Attorney Hirsch for guidance who recommended that the Planning Board adopt the ROSI and file it with the NJDEP as an official Recreation and Open Space Inventory. John Dougherty stated that the tallies are not correct. Chairman Eckel stated that the tallies will be corrected. On motion by Randi Eckel, seconded by Jeanne Herb and carried by unanimous favorable roll call vote, the Planning Board adopted the Recreation and Open Space Inventory subject to the tallies being corrected.

APPROVAL OF VOUCHERS

Brenda Shepherd, Board Secretary, presented the following vouchers for approval:

VOUCHER LIST 2/27/19

Maser Consulting	Professional Services for General Representation through 2/17/19	\$ 36.25
Maser Consulting	Professional Services for General Representation through 2/17/19	\$ 493.75
Maser Consulting	Professional Services for Zoning Ordinance through 2/17/19	\$ 330.00

Archer & Greiner, P.C.	Professional Services for General Representation through 1/31/19	\$ 540.00
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ESCROW ACCOUNT – BLOCK 55 LOT 14 – ArtYard – 13 Front Street

Albert Cruz	Professional Services for Art Yard through 12/31/18	\$ 31.00
Maser Consulting	Professional Services for Art Yard through 1/7/19	\$ 217.50
Van Cleef Engineering	Professional Services for Art Yard through 1/31/19	\$ 148.00

ESCROW ACCOUNT – BLOCK 12 LOT 5 -8th Street Associates

Van Cleef Engineering	Professional Services for 8 th Street Assoc. through 1/31/19	\$ 148.00
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ESCROW ACCOUNT – BLOCK 3 LOT 1 - Country Classics Redevelopment

Maser Consulting	Professional Services for Country Classics through 1/28/19	\$ 253.75
Maser Consulting	Professional Services for Country Classics through 2/17/19	\$ 923.75
Albert Cruz	Professional Services for Country Classics through 12/31/18	\$ 108.50
Albert Cruz	Professional Services for Country Classics through 1/31/19	\$1,712.00

ESCROW ACCOUNT – BLOCK 34 LOT 1 – River Mills at Frenchtown

B.W. Bosenberg	Professional Services for River Mills through 1/31/19	\$ 2,175.00
Pickell Architecture	Professional Services for River Mills through 1/31/19	\$ 975.00
Archer & Greiner	Professional Services for River Mills through 1/31/19	\$ 3,160.00

On motion by John Dougherty, seconded by Jeanne Herb, and carried by unanimous favorable roll call vote, the Planning Board approved payment of the above bills list.

CORRESPONDENCE, COUNCIL REPRESENTATIVE REPORT AND OTHER RELATED ITEMS

Chairman Eckel reported that Attorney Hirsch will be attending the March meeting to discuss the email she provided on a decision that was handed down wherein a municipality was getting sued for Board members having outside conversations on applications. She will help guide us to keep us on the straight and narrow. This is a great opportunity to remind us about outside conversations.

Chairman Eckel noted that the Annual Planning Board report is due. She will try to have it at the next meeting. The report lists activities as a Board of Adjustment outlining variances. The reports will show if there is a pattern of the Board granting certain variances and if so, a change to the Land Use Ordinance would be recommended. The Planning Board approves to send the Annual Report to Council. Planner Green noted that the purpose of the report is to review such variances when you do the reexamination report or the Master Plan.

Mayor Myhre reported that ArtYard had the ground breaking ceremony this past Thursday. They have worked through some issues and will proceed with demolition. Mike Tyksinski noted that the buildings will be down in three weeks. Mayor Myhre noted that once the theatre goes in, it will transform the whole area. ArtYard is a great partner to work with.

Mayor Myhre noted that the Borough is partnering with Lambertville, Kingwood, Hopewell, Delaware and Stockton for possible energy aggregation. The municipalities will go out to bid to purchase energy on behalf of the homeowners. The homeowners can opt out. It will lower energy bills. With deregulation, you can choose your transmission company. A high percentage of energy will come from green renewable sources, higher than 20%. The price would have to come in better than JCP&L's rate. They change their rate in June. We will send out additional information to the public. Businesses would have to opt in and residents would have to opt out. We should see a fact sheet shortly.

Mayor Myhre reported that the Harrison Street Improvement project is moving forward. Sidewalks will be done with ADA compliant landings and Harrison street will be repaved. Lower Second Street will also be done because it was torn up from the utility work.

Mayor Myhre noted that you will start to see new officers on the street and doing school visits. Also, on Monday, the Borough's new CFO and Deputy Clerk starts. He comes to us from Woodbridge and is a certified CFO with the State.

Mayor Myhre reported that River Mills should be proceeding. They had to work out some issues with Lambertville in reference to permits and permit fees.

As to the Hilltop Streets proposal, the Borough submitted a USDA grant application to fund the project. With the Federal Government shut down, the application process was slowed down. The Borough had received preliminary approval. The ownership issue has been resolved. The

Borough did two title searches and the streets were never deeded to the Borough by the developer. We will not have to do quitclaim deeds. The Borough just needs to accept the streets by ordinance.

Mayor Myhre noted that questions have been asked about the rebuilding of Galasso's pizza. They do have intentions to rebuild. They are working through insurance issues. The Borough is not trying to acquire the property, etc. The Borough has just been reimbursed for its expenses. When Galasso's is ready, they will come before the planning board

ADJOURNMENT

Jeanne Herb moved adjournment at 8:42 pm and Maggie Cooke seconded. The motion passed on favorable voice vote.

Brenda S. Shepherd
Planning Board Secretary