

Frenchtown Planning Board  
Regular Meeting  
February 23, 2022  
7:30 P.M.

Chairman 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 on the website and copies distributed to the designated newspapers with the teleconferencing information to join the meeting.

**ROLL CALL**

Present:	Absent:
Cooke	Ferree
DenBleyker	Reino
Dougherty (arrived at 7:39 pm)	
Dragt	
Eckel	
Herb	
Myhre	
Tomko	

**APPROVAL OF MINUTES**

**Reorganization and Regular Meeting – January 26, 2022**

Brad Myhre moved to accept the minutes with the following corrections: Page 18, Last Paragraph, Remove Jeanne Herb from Subcommittee and correct with “Eckel” of the January 27, 2021 Reorganization and Regular meeting and Gordon Dragt seconded the motion. The minutes of the January 26, 2022 Reorganization and Regular meeting were approved as amended by unanimous favorable roll call vote.

**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 floor for public comments. Chairman Eckel stated that if you wish to make a comment, raise your hand and she will call on you. Hearing no comments, Chairman Eckel closed the public comment session.

**NEW BUSINESS**

**Ordinance #873**

Randi Eckel moved to find Ordinance #873 “Not Inconsistent with the Master Plan” and John DenBleyker seconded the motion. The Planning Board approved by unanimous favorable roll call vote the determination that Ordinance #873 was not inconsistent with the Master Plan.

**Planning Board Annual Report**

Chairman Eckel noted that the Annual Report was sent to all the Board members. The Annual Report had a slight pattern of impervious coverage issues. There are no patterns to variances and no recommendations to change zoning. She asked if there were any questions or comments. Having no questions or comments, Chairman Eckel asked for a motion to approve the annual report and send it the Council.

On motion by Gordon Dragt, seconded by John DenBleyker and carried by unanimous favorable roll call vote, the Planning Board approved the 2021 Annual Report as submitted and requested it be sent to the Borough Council.

### **Escrow Fee Update**

Chairman Eckel noted that there is a link if there are questions on the escrow fees and state codes. Attorney Hirsch followed up with an email. She understands the concern with raising escrow costs when the cost of everything in society is going up but she also recognizing the necessity. She explained that applicants who are charged a \$500.00 escrow fee thinks that is what it will cost but in fact, it will be more. If we do not raise the escrow fees, it may look like hidden fees. An applicant can brace themselves as opposed to getting into the process and finding out, it will cost them more. The Board professionals kept the fee static for many years. We can make it more transparent and user friendly.

Maggie asked that the direct link to the ordinance be sent to the Borough members.

Chairman Eckel will talk to Attorney Hirsch about getting an ordinance together for next month so the Planning Board can vote on it and recommend the ordinance to Council for adoption. The Board members agreed.

## **OLD BUSINESS**

### **Cannabis Committee Report**

John Dougherty, Co-Chairman of the Cannabis Committee, reported that he spoke to Darlene Green on January 22, 2022 on the overall process so the subcommittee would be more effective. They talked about cultivation and retail. It is important to understand about cultivation, that it is typically an indoor operation, without planting anything in the ground. They discussed the controversial proposed location at the Old Walmart on Route 22 in Raritan Township. The residents were concerned with odor. Operators say they will install equipment to mitigate odor. Residents were still unhappy. Mr. Dougherty had asked Planner Darlene Green to prepare maps showing what types of lots, cultivation would be permissible on, showing vacant farmland with access to a main roadway. Other maps show lots that have affordable housing components to them.

Mr. Dougherty noted that other interesting facts about cultivation is that State Regulations state that it is permitted only in industrial zones. We could follow it or not. The Micro cultivation Law does not distinguish between micro cultivation and cultivation.

The Township of Kingwood prohibited all uses. Critical thing to address upfront is to prevent odor being an issue.

They also talked about retail dispensaries and how important it is to have adequate parking. Because of that, retail in downtown is not realistic. Kathy's General Store area, some facilities on Route 12 and Route 29 would be more suitable. Also, these locations would be better when you consider on site consumption.

Mr. Dougherty added that tonight, Lambertville is proposing three (3) retail types of operations. Chairman Eckel stated that Darlene Green should get the ordinances from Lambertville.

Chairman Randi Eckel stated that in Alexandria and Kingwood Townships, they have people coming from all neighborhoods opposing it. Alexandria had over 500 attend in person meetings and took public comments.

Mayor Brad Myhre received many inquiries coming from all communities. Founder of the group is in the Township of Alexandria. They are concerned because of production facility and concerned with truck traffic. We will have to have capacity when we have public meetings.

Gordon Dragt stated that the biggest question to decision making is hope it will fit, relate to the character, personality, community and population size. This should be the first thing discussed. Does it fit in and does it relate to the character? A few days ago, there was an interesting article in the NY Times about this issue. Larger companies are positioning themselves. He hopes micro businesses are interesting in Frenchtown.

Chairman Eckel stated that the cannabis committee will look at different categories that will be discussed and no one is making any decisions yet.

John Dougherty stated that he wants to have a public participation process to get input as we develop and gather input as part of the process. Chairman Eckel said that because the committee has been on hiatus, we will be firing back up in the near future and discussing this in great detail. The primary purpose of what we needed to do by the August deadline was adopt a Prohibition ordinance which was done. John Dougherty stated that he wanted to get orientation from Darlene Green so work sessions would be productive. Mayor Myhre thanked John Dougherty and Kandy Ferree. Everyone is trying to make it a thoughtful process. Trying to understand what the people voted for. Was is for decriminalization? Chairman Eckel stated that they may get feedback.

### **APPROVAL OF VOUCHERS**

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

### **BILLS LIST FOR 2/26/22**

#### **GENERAL REPRESENTATION**

Colliers Engineering	Professional Services rendered – General 1/21/22	\$193.75
Archer & Greiner, PC.	General Representation through 1/31/22	\$60.00

#### **ESCROW ACCOUNT – BLOCK 45 LOT 2 5 WASHINGTON STREET**

Colliers Engineering	Professional Services rendered – General 1/14/22	\$542.50
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#### **ESCROW ACCOUNT – BLOCK 12 LOT 5 Milford Investments**

Colliers Engineering	Professional Services for Milford Investments 1/4/2022	\$37.50
<b>Colliers Engineering</b>	Professional Services for Milford Investments	\$240.00

2/14/2022

**ESCROW ACCOUNT – BLOCK 3 LOT 1 , Country Classics Redevelopment  
On Site Off Site Inspection**

Colliers Engineering Professional services for Country Classics \$1340.00  
through 2/14/22

**ESCROW ACCOUNT - BLOCK 4, LOT 1 – Forza13 Holdings**

Van Cleef Engineering Professional Services for Block 4, Lot 1 \$976.50  
11/1/2021-11/30/21

Colliers Engineering Professional services for Block 4, Lot 1 \$612.50  
through 1/4/22

On motion by Brad Myhre, seconded by Gordon Dragt 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**

Mayor Myhre reported that bids were opened for the South Harrison and Lott Streets project. Bids look favorable and we are anticipating awarding the project shortly. The work will consist of replacing sidewalks on South Harrison Street, trimming back trees and resurfacing South Harrison Street, Lott Street and Front Street.

Mayor Myhre also reported that there was a meeting with NJDOT, NV5, Kandy Ferree and Michele Liebttag to go over the Safe Route to School project and the TAP Grant project, a kick off meeting to go over preliminary work. The projects have to go through review with SHPPO and NJDEP for environmental review. We are looking to combine the approval process. The Safe Routes to School project is from Second Street to Twelfth Street. The project will consist of resetting pavers and installing curb ramps with landings and the replacement of flashing light in front of school.

As to the Hilltop Streets project, Mayor Myhre noted that USDA looked at Ward Street. There is more complication with steep slopes and we will have to address stormwater.

Mayor Myhre noted that the Borough put in application to resurface Bridge Street and Race Street to include enhancement of crosswalks. Trying to coordinate with the TAP Grant work.

Mayor Myhre added that Council President Michele Liebttag and the Police had a meeting with NJDOT for opportunity to enhance safety on Trenton Avenue, near the Frenchtown Commons and the old Blue Fish Building. The Borough also sent a memo to the County seeking assistance with County Routes 513, Everittstown Road and Kingwood Avenue, looking to put up flashing signs to help slow down traffic.

As to the Nishsackwik Creek Restoration Project, Mayor Myhre noted that the Borough is working to get this project done quickly. This Project has to be approved by USDA with NJDEP approval and construction could start this summer. This Project could move as rapidly as possible. The project consists of Gabion Baskets, some fill, cleaning out debris, adding plantings

and pin boulders. Clearing of the debris is already underway. The Borough will be awarded a 75% reimbursement.

Mayor Myhre noted that he was advised by Country Classics that they will have residents in building 1 by June or July. They sold 3 homes so far.

Maggie Cook thanked Brad Myhre for tons of progress. Maggie Cook added that the Committee is working on a Climate Action Plan. Chairman Eckel asked Maggie Cook to provide a report to the Planning Board. Ms. Cook stated that it is never too late to join the Climate Action Plan Committee. They are trying to design it so it is not that labor intensive. They are using very community driven solutions and trying to take feedback that is broken into two work groups. They are currently looking at existing evacuation plans, communication and home preparedness. These are the urgent issues. Right now, they are working with OEM and Michele Liebtog. What we have in place and what residents need to understand. Each phrase will tell us where we go next. Reassessing to see where we are making progress and eventually, we will get into mitigation. We will reach out to the public and what residents need to know in a mailer to the town.

Chairman Eckel asked if the Mayor could send out a reminder through the Frenchtown Facebook or email list to remind people about the rabies clinic on Saturday and because there was a rabid animal in town.

Chairman Eckel brought up correspondence in the packet about a land use law symposium coming up. Board members do not need recertification credits. Once you are certified, you are good. If you wish to take additional training you can. There is a virtual talk on March 11<sup>th</sup>, an Electronic Model. She hopes Jeanne Herb could look at that. Liberty Village and Peddlers Village are proposed electronic vehicle charging stations.

Chairman Eckel reported that Paul Tomko is working to get the website up dated for the Planning Board section.

Chairman Eckel said that she has not heard back from the Attorney who could provide an ethics update. The League Session was helpful. It would be great to have that in writing.

## **ADJOURNMENT**

Brad Myhre moved adjournment at 8:20 pm and John Dougherty seconded. The motion passed on favorable voice vote.

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Brenda S. Shepherd  
Planning Board Secretary