

**PENNINGTON BOROUGH
PLANNING BOARD MINUTES
REGULAR MEETING
February 8, 2023**

Mr. Reilly, Board Chair, called the meeting to order at 7:32 p.m. and announced compliance with the provisions of the Open Public Meetings Act. He stated that the meeting was being held via a Zoom webinar and access to the meeting had been noticed.

BOARD MEMBERS PRESENT: Mark Blackwell, Hilary Burke, Deborah Gnatt, Andrew Jackson Cara Laitusis, Katherine O'Neill, James Reilly, Amy Kassler-Taub and Jen Tracy
Doug Schotland, Absent

BOARD PROFESSIONALS PRESENT: Beth McManus, Planner, KMA Associates, Ed Schmierer, Attorney, Mason, Griffin & Pierson, Katie Ronollo, Board Secretary

WELCOME AND SWEARING IN OF NEW MEMBER

Jen Tracy was welcomed to the Board and sworn in as Alternate #2 by Mr. Schmierer.

OPEN TIME FOR PUBLIC ADDRESS

Mr. Reilly asked if there was any member of the public who had joined the meeting and had comments on items not on the agenda.

Robert Canig, Employee of Emily's café in Pennington asked to discuss the appeal of the fence at 1 North Main Street. Since this item is included on the agenda of the March meeting the opportunity to comment is at the March meeting.

There being no other member of the public wanting to comment, the open period for public comment was closed.

APPOINT LIAISON TO THE OPEN SPACE COMMITTEE

Mark Blackwell has been the liaison to the open space committee and is interested in continuing in this position. There being no other members interested in this position, Mark is nominated again to be the liaison via a motion by Ms. Laitusis and a second by Ms. Gnatt. All were in favor via voice vote.

Mr. Blackwell reports that the Open Space committee is working on increased communication so the community is more aware of what the committee does. They are assisting on preparing Green Space applications and have been using funds to improve parks in the Borough. The Committee is continuing to look at and evaluate properties to increase open space around the Borough. Ms. Laitusis asked about properties to improve the proposed bike path. Mr. Blackwell noted that there is property being acquired to improve bike accessibility and the "greenbelt" around Pennington.

Dan Pace, a Pennington resident, member of the Open Space Committee, not a Planning Board member, recommended that Board members check out the FAQs added to the Pennington Open Space Committee web page. Mr. Pace also noted that the Great Western Bikeway is intended to by-pass Route 31 and connect the schools. There are still private property owners involved in the discussion thus there is not a map available yet.

ZONING OFFICER REPORT

John Flemming reports that the only issue at this time is the appeal of the fence at 1 North Main Street.

RESOLUTION OF MEMORIALIZATION

PB 22-009-Frontier Development, 5 Pennington, LLC., 5 Route 31 North, Block 206 Lot 2, B-H Zone, preliminary and final site plan approval for a Starbucks coffee shop

Ms. Laitusis asked about removal of the pylons in the parking lot to the North. Ms. Ronollo received a phone call from the owner of the plot to the North and the owner is not interested in removing the pylons. Mr. Kyle and Mr. Perry plan to discuss the pylons with the owner.

Motion to adopt the resolution was made by Mr. Jackson and seconded by Ms. Gnatt.

ROLL CALL:

Blackwell-No	Burke-Yes	Gnatt-Yes
Jackson-Yes	Laitusis-Yes	O'Neill-Yes
Reilly-Yes	Schotland-Absent	Alt.# 1 Kassler-Taub-Yes

Motion approved with 6 votes in favor.

MASTER PLAN REVIEW COMMITTEE

The Draft Master Plan has been shared with Board members. Mr. Jackson noted that the Master Plan Committee has been working on the development of the report for about 1 year. The report is due to the state by September 2023. The next step is to have the Planning Board review and approve the Master Plan Draft for presentation and review by the public.

Mr. Jackson shared his screen and reviewed the draft.

Section A includes past Master Plan Recommendations. Section B specifies what has been done to address past recommendations. All Council and Board minutes from the period between the 2013 Master Plan and now have been reviewed for content relating to the recommendations.

There has been a lot of action on past recommendations and these actions are summarized in the draft. Mr. Jackson asks that Board members read through this section to see what work has been done and what needs to be accomplished moving forward.

The committee recommends a full new Master Plan because many of the past plans' elements are outdated and need to be re-done.

Electric Vehicle chargers have to be addressed in the Master Plan. Mr. Jackson notes that there are three levels of car chargers which vary greatly in cost. New Jersey is most interested in having towns investing in Level 3 super chargers which cost around \$200,000. Pennington Borough applied for but was denied a grant for chargers. There are private groups that are putting up charging stations for use via a fee by the car owners or funded via commercials. These Level 3 chargers would need to be placed in a commercial area; not near residences.

The most updated element at this time is the Open Space element.

Mr. Schmierer confirmed that by following the Master Plan process there is no requirement for 200-foot notification. Notification is covered in the notices for public comment on the Master Plan draft and the ordinance adoption process.

The collaborative efforts with surrounding towns have been highlighted. Mr. Jackson has included a narrative on the PILOT court case which Mr. Schmierer recommends be removed from the Master Plan.

Floor area ratio standards need to be looked at again because whenever this issue is raised to the board, the variance is granted. Difference between OB and BH zones need to be clarified;

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possibly merged. Streetscapes changes are being incorporated as funds become available. The landfill remains an issue.

Ms. McManus recommended consolidating some parts and removing sections of the plan that are repetitive. She reviewed the sections that discussed the changes to state master plan elements and changes to telecommunications plans. There is a significant update in addressing affordable housing via activity from court decisions. Borough will seek a vacant land adjustment to meet the affordable housing requirements.

Covid 19 impacts are discussed. Expanded homes to accommodate working from home, co-living situations, outdoor dining, etc. are covered in the report.

NJDEP has new stormwater management guidelines and flood hazard area rules that some towns have added to their ordinances.

Renewable energy as inherently beneficial and Pennington residents are looking for opportunities to use and support renewable energy such as raised panels over commercial parking lots. Accessory Dwelling Units are another area that may help to support the elderly homeowner, the adult children who cannot afford another property and the community as a whole. Some towns do have ADUs restricted to only relatives but this configuration is difficult to enforce.

The largest recommendation is that a complete re-do of the Master Plan be completed by 2025. Reasons to embark on a complete overhaul are detailed in the report. The ultimate goal is to create a living document where elements can be re-done and added as the need arises. A completely redone Master Plan will be completed with the assistance of Pennington Committee and Commission members.

Mr. Jackson reviewed proposed edits and changes to the Zoning Ordinance including but not limited to; general definitions, placement of generators, setbacks and floor area ratio restrictions.

Master Plan Next Steps

Board members are asked to review the full document and send issues or recommendations to Mr. Jackson through the Board Secretary by 3/1/23.

Ms. Laitusis will work on “softening” language in the recommendation section.

The Board will discuss again for approval at the March or April Board meeting.

Once the draft is adopted by the Board, a special public meeting will be advertised in order to get input from the public. The target month for a public meeting is May. The exact format of the public session will be decided upon at a later date.

Any changes necessitated by the public comment will be incorporated if necessary. If changes occur to the draft document via public input, an additional hearing will be required before submission to the State. The final report will be delivered to the state by September 2023.

MINUTES

The January 11, 2023 minutes were approved with noted corrections via a motion by Ms. O’Neill and a second by Ms. Laitusis. All were in favor via voice vote.

Ms. Gnatt made a motion, seconded by Mr. Blackwell, to adjourn the meeting. All voted in favor to adjourn via voice vote at 9:52pm.

Respectfully submitted,

Katie Ronollo
Board Secretary