

# REGULAR PLANNING/ZONING BOARD MEETING AGENDA

Wednesday, April 9, 2025 Online Via Zoom Join from PC, Mac, iPad, or Android:

https://us02web.zoom.us/j/83805660624?pwd=vmGFsMt9frVhK16sqgzI6u7bfw2zKg.1

Passcode:491454 Join via audio:+1 305 224 1968 US

Members of the public who wish to review hard copies of any documents which are available for online inspection in the packet, should contact the Land Use Administrator, Robin Tillou via e-mail at planning@penningtonboro.org or telephone at (609) 737-0276 x3.

#### 1. STATEMENT OF ADEQUATE NOTICE

Adequate notice of this meeting has been posted in Borough Hall and sent to the officially designated newspapers: Hopewell Valley News and The Times of Trenton.

#### 2. ROLL CALL

#### 3. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

#### 4. APPLICATIONS

A. \*25-002 CJ and Mary Peters 319 Hale Street – Block 706, Lot 5 – R-80 Residence Zone Front Yard Setback Bulk Variance

B. \*25-001 12 N. Main Street Pennington NJ LLC
 12 N. Main Street – Block 205, Lot 22 – TC (Town Center) Zone Subdivision, d(2) Variance, Bulk Variances

#### 5. MASTER PLAN COMMITTEE UPDATE

A. \*Conditionally Adopt the Community Facilities Element

#### 6. \*ZONING ORDINANCE AMENDMENT RECOMMENDATIONS

#### 7. APPLICATION REVIEW COMMITTEE NEW PROCEDURES

#### 8. MINUTES FOR APPROVAL

A. \*March 12, 2025

#### 7. ADJOURNMENT

### Stevens & Lee

510 Carnegie Center Drive, Suite 400 Princeton, NJ 08540 (609) 243-9111 www.stevenslee.com

> T: (609) 243-6424 F: (610) 371-7914 ryan.kennedy@stevenslee.com

January 27, 2025

#### BY FEDERAL EXPRESS

Pennington Planning Board Borough of Pennington 30 North Main Street Pennington, New Jersey 08534-0095 Attn: Kaitlyn Macellaro, Land Use Administrator



Re: Application Submission

Minor Subdivision with Bulk Variances

12 N Main Street; Block 205, Lot 22

12 N Main Steet Pennington NJ LLC c/o Bruce Vinci, Applicant/Owner

#### Dear Ms. Macellaro:

I hope all is well! I represent the applicant-owner in the above referenced application which seeks minor subdivision approval with bulk variance relief to subdivide the fully improved Lot 22 into two lots, separating the lot and structure that fronts North Main Street from the portion of the lot and buildings that front the parking lot. The application comes after some discussion with the Borough's professionals and is in anticipation of the potential future redevelopment of the area. For the application, please find enclosed the following:

- 1. Attached to this cover letter, an envelope containing the following two (2) checks made out to "Borough of Pennington":
  - a. Check No. 1025 in the amount of \$3,500.00 for the application fee; and
  - b. Check No. 1026 in the amount of \$11,000.00 for the escrow deposit;
- 2. One (1) completed original Escrow Agreement form;
- 3. One (1) completed original W-9 tax form;
- 4. One (1) completed original Consent to Entry form;
- 5. One (1) completed original Checklist, with a waiver request letter from French & Parrello Associates dated October 10, 2024, attached;
- 6. One (1) original and six (6) copies of the fully completed Planning & Zoning Application form, including

Allentown • Bergen County • Bala Cynwyd • Fort Lauderdale • Harrisburg • Lancaster • New York

Philadelphia • Princeton • Reading • Rochester • Scranton • Valley Forge • Wilkes-Barre • Wilmington

A PA Professional Corporation, Thomas B. Lewis, NJ Managing Attorney

### Stevens & Lee

January 27, 2025 Page 2

- a. Schedule A, Project Description and Narrative;
- b. Schedule B, Variances Requested; and
- c. Schedule C, Applicant's Ownership Disclosure;
- 7. Certification from the tax collector that taxes are paid as of December 5, 2024;
- 8. Six (6) signed and sealed copies of metes and bounds descriptions for Proposed Lot 22.01 prepared by Wayne Ingram, P.L.S. (NJ Lic. No. 24GB042582) of French & Parrello Associates;
- 9. Six (6) signed and sealed copies of metes and bounds descriptions for Proposed Lot 22.02 prepared by Wayne Ingram, P.L.S. (NJ Lic. No. 24GB042582) of French & Parrello Associates;
- 10. Six (6) signed and sealed copies of "Existing Conditions Survey Prepared for 12 North Main Street, Lot 22, Block 205 Situated in Borough of Pennington, Mercer County, New Jersey," prepared by Wayne Ingram, P.L.S. (NJ Lic. No. 24GB042582) of French & Parrello Associates, dated 05-02-2024;
- 11. Six (6) signed and sealed copies of "Minor Subdivision Plat for 12 North Main Street, Lot 22, Block 205, Borough of Pennington, Mercer County, New Jersey," prepared by Wayne Ingram, P.E./P.L.S. (NJ Lic. No. 24GB042582), P.P., of French & Parrello Associates, dated 10/10/24;

Digital versions of items 6 through 10 will be provided via email, Dropbox or another file sharing system upon request.

If you should require anything further for completeness or have any questions, please feel free to contact my office. As always, thank you for all of your assistance and for the guidance we have already received from the Borough's other professionals.

Very truly yours,

STEVENS & LEE

Ryan P. Kennedy

RPKE:tc

Enclosures

Trevor J. Cooper (trevor.cooper@stevenslee.com)

Brianna N. Burgess (brianna.burgess@stevenslee.com)

#### 1 COPY

### PLANNING/ZONING BOARD PENNINGTON BOROUGH

#### **ESCROW AGREEMENT**

Applicant's name: (property owner)	12 N MAIN STREET PENNINGTON NJ LLC c/o Bruce Vinci
Applicant's address:	1 North Main Street
	Pennington, New Jersey 08534
Application for the fo	llowing property:
Block:	Lot(s):
Street address: -	12 North Main Street, Pennington
including, but not lim	agrees to pay for the cost of professional services, ited to engineering, professional planning and legal
application as captio	to review the developer's (property owner's)
application as captio	to review the developer's (property owner's)
application as captio	to review the developer's (property owner's) ned above.
application as captio	to review the developer's (property owner's) ned above.  12 N MAIN STREET PENNINGTON NJ LLC
application as captio	ned above.  12 N MAIN STREET PENNINGTON NJ LLC  Bruce Vinci

#### 1 COPY

# PENNINGTON BOROUGH PLANNING/ZONING BOARD

#### PENNINGTON BOROUGH CONSENT TO ENTRY

Date:	
The undersigned property owner hereby gives conser	nt to entry onto the property known as
12 North Main Street and also know	vn as Block(s) 205 Lot(s) 22 on the
Tax Map of Pennington Borough by members of the E	orough Joint Zoning/Planning Board, the
Environmental Commission, the Historic Preservation	Commission, or any Borough employees,
appointed agents or appointed consultants to perform	n inspections / observations of the property, at
reasonable times, in connection with the developmen	nt application submitted. This consent permits
entry onto the property only by the above-mentioned	Representatives for the purpose of conducting
visual inspections / observations while the application	is active with the Borough. This right of entry
onto the subject property is limited only to those per	ions listed above.
12 N MAIN STREET PENNINGTON NJ LLC	609-212-4011
Property Owner (Print)	Property Owner Phone #
Source Many	
By: Bruce Vinci	
Property Owner (Signature)	
Mindle were	
Witness (Print)	
7111	
Helin Vines	
Witness (Signature)	
2/1/1	
NA	
1 / //	

### (Rev. October 2018) Department of the Treasury Internal Revenue Service

# Request for Taxpayer Identification Number and Certification

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

	1 Name (as snown on your income tax return). Name is required on this line, do 12 N Main Street Pennington NJ LLC	not leave this line blank.				
1	2 Business name/disregarded entity name, if different from above			<del></del>		
69	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the 4 Exemptions (codes apply only to					
on page	following seven boxes.    Individual/sole proprietor or	☐ Trust/estate	certain entities, not individuals; see instructions on page 3):			
is e	single-member LLC			Exempt payee code (if any)		
ct o	Limited liability company. Enter the tax classification (C=C corporation, S=	S corporation, P=Partners	hip) ►	- " ( E1TO) - "		
Print or type. Specific Instructions on page	Note: Check the appropriate box in the line above for the tax classification LLC if the LLC is classified as a single-member LLC that is disregarded from the owner for U.S. federal tax puis disregarded from the owner should check the appropriate box for the tax	om the owner unless the ov urposes. Otherwise, a singl	wner of the LLC is e-member LLC that	Exemption from FATCA reporting code (if any)		
ecil	☐ Other (see instructions) ►			(Applies to accounts maintained outside the U.S.)		
See <b>Sp</b>	<ul><li>5 Address (number, street, and apt. or suite no.) See instructions.</li><li>1 North Main Street</li></ul>		Requester's name a	and address (optional)		
0,	6 City, state, and ZIP code Pennington, NJ 08534					
Ī	7 List account number(s) here (optional)					
Pari	Taxpayer Identification Number (TIN)					
Enter	your TIN in the appropriate box. The TIN provided must match the name	ne given on line 1 to avo		curity number		
resider	o withholding. For individuals, this is generally your social security num nt alien, sole proprietor, or disregarded entity, see the instructions for F s, it is your employer identification number (EIN). If you do not have a r	Part I, later: For other	1 1 1	-  -		
TIN, la	ter.		or	11		
Note: Numbe	If the account is in more than one name, see the instructions for line 1. er To Give the Requester for guidelines on whose number to enter.	. Also see What Name a	and Employer	identification number		
Part	II Certification					
Under	penalties of perjury, I certify that:					
2. I am Sen	number shown on this form is my correct taxpayer identification number not subject to backup withholding because: (a) I am exempt from backice (IRS) that I am subject to backup withholding as a result of a failur onger subject to backup withholding; and	ckup withholding, or (b)	I have not been r	otified by the Internal Revenue		
	a U.S. citizen or other U.S. person (defined below); and					
4. The	FATCA code(s) entered on this form (if any) indicating that I am exemp	pt from FATCA reporting	g is correct.			
you ha	cation instructions. You must cross out item 2 above if you have been not ve failed to report all interest and dividends on your tax return. For real est ition or abandonment of secured property, cancellation of debt, contribution han interest and dividends, you are not required to sign the certification, be	tate transactions, item 2 ons to an individual retire	does not apply. For ement arrangemen	or mortgage interest paid, t (IRA), and generally, payments		
Sign	Signature of			V == 750V		
Here	U.S. person ▶		Date / / / 3	-25		
	neral Instructions	<ul> <li>Form 1099-DIV (div funds)</li> </ul>	ridends, including	those from stocks or mutual		
noted.		proceeds)		ncome, prizes, awards, or gross		
related	e developments. For the latest information about developments if to Form W-9 and its instructions, such as legislation enacted ney were published, go to www.irs.gov/FormW9.	transactions by brok	ers)	sales and certain other		
		• Form 1099-S (proc		itate transactions) ird party network transactions)		
	cose of Form			), 1098-E (student loan interest),		
inform	ividual or entity (Form W-9 requester) who is required to file an ation return with the IRS must obtain your correct taxpayer ication number (TIN) which may be your social security number	1098-T (tuition) • Form 1099-C (cand		,, 1000 <u>L</u> (31000) 100		
(SSN).	individual taxpayer identification number (ITIN), adoption		•	nment of secured property)		
(EIN), 1	ver identification number (ATIN), or employer identification number to report on an information return the amount paid to you, or other nt reportable on an information return. Examples of information		y if you are a U.S	. person (including a resident		
returns	s include, but are not limited to, the following.	If you do not return	r Form W-9 to the	e requester with a TIN, you might e What is backup withholding,		
<ul> <li>Form</li> </ul>	n 1099-INT (interest earned or paid)	he anniect to hackup	with in loading. See	, Triat is basicap maining,		

• Form 1099-INT (interest earned or paid)

# PENNINGTON BOROUGH PLANNING/ZONING BOARD

APPLICATION CHECKLIST

Name of Applicant: 12 N Main Street Pennington NJ LLC Application # 25 - 00 = 1

Block: \_\_\_\_\_\_ Lot: \_\_\_\_\_ Date Filed \_\_\_\_ January 27, 2025``

An Application shall not be considered complete until all of the materials and information specified below have been submitted, unless a waiver is requested. The waiver request shall be granted or denied within 45 days of receipt of said request. If an item is considered by the applicant to be "Not Applicable", a waiver request (W) should be made.

ALL A	APPLICATIONS	X=Provided W=Waiver Request	ARC Recommendation
	Applicable fees and escrow (2 separate checks), Escrow Agreement Form. W-9 Form, Consent to Entry Form and Checklist (1 copy of each)	х	
	Applications for certified list of property owners within 200 feet and taxes paid statement from tax collector. (\$10.00 fee, may be included in check with fees) (1 Copy)	X	
3.	if the applicant is a corporation or partnership, a list of the names and address of all persons having a 10% or more interest, in accordance with NJ Statute. (1 digital and 6 hard copies for initial submission)	X	
4.	Fully completed application form (1 digital and 6 hard copies for initial submission)	X	
5.	Original sealed survey showing present status of property, prepared by a NJ licensed land surveyor (1 original & 6 copies for initial submission)	X	
6.	Copies of all easements, covenants & deed restrictions with metes & bounds descriptions, including right of way dedications, on or affecting the property in question. (1 digital and 6 hard copies for initial submission)	X	
7.	Plans showing the following information: (1 digital and 6 hard copies for initial submission)  A. Dimensions & lot area of existing lot and lot areas if new lot is proposed	A_X	A
	B. Zoning district of subject property & surrounding lots; bulk requirements applying to subject property in table form & displayed graphically	B_ X	В
	C. The location & purpose of all easements or rights-of-way on the subject property & adjoining lots	cx	C
	D. Location of adjacent streets, existing & proposed buildings, structures, driveways & parking areas on the subject property, indicating setbacks from all lot and road lines	DX	D

	E. Location & details of all existing & proposed stormwater control measures, including, but not limited to, roof drains, down spouts, dry wells, storm water inlets, manholes, piping, stormwater basins, outfalls, ditches, streams or other water courses	EW	E	
	F. Where a basement or cellar is proposed for any building, including single family and multi-family dwellings, the supplicant shall provide information regarding the depth to seasonal high water			
	table, based on soil borings taken at the locations of the proposed structure. (n/a if no basement)  G. Title block containing the name of the applicant, the name	FW	F	
	address & telephone number of the plat preparer, license number, signature & seal, existing lot and block numbers, the date prepared & the date and substance of each revision.	GX	G	
	H. IF COMMERCIAL, parking requirement calculations & the location of parking, including dimensions from parking spaces to the property lines, street & structures. Existing parking areas with			
	designated spaces should be shown	HW	H	
	<ol> <li>Plans and elevations should be accurate, true to scale and readable.</li> </ol>	1X	1	
	Copies of the following: (1 digital and 6 hard copies for initial			
	submission)	ΛХ		
	a. A current key map with north arrow showing the subject &	Α	-   ^	
	adjacent properties & structures thereon. An aerial or Google map			
	could be used.  b. Architectural elevations	B W	R	
		C W	· ·	
	c. Floor plans	D X	D	
	d. Photograph(s) of the subject premises that may prove useful in helping the Board make an informed decision	J		
	e. Lot area if new lot is proposed	E X	E	
SKETCH				
	ould be preliminary in form but should be true to scale. The plans should			
	the size, shape and location of existing and proposed buildings, parking			
	nd drives, the location of proposed plantings, utilities, fences, signs and other			
importa	nt features, and a key map showing the entire project, and its relation to the			
	ding properties and the existing buildings thereon. Basic bulk information			
	ne provided indicating requirements of the zone district and what is			
propose			+	
	AN/SUBDIVISION Plan Review, Chapter 163 or Subdivision, Chapter 181 in the Pennington			
	ok for specific submission details that are required. You can find the Code			
Book at	penningtonboro.org or request a copy from the Land Use Administrator			
	on to requirements above for ALL applications the plans MUST include:			
a.	Names of adjoining owners			
b.	Zone district and adjoining zones	aX	a	
		bX	b	

		Location of site structures, outside dimensions and architectural		-
	r W		ζ.	
	d X	elevations		
d	u	Location of structures and streets surrounding site	d.	
e	eX	Existing natural features; existing & proposed contours	e.	
f	fX	Setbacks, yards and lot line dimensions	f.	
g	gX	Location and design of all utilities	g.	
h	hW	Road cross sections; design details	ħ.	
		Location and design of storm water, sewer system refuse disposal,	i.	
1	i	fire prevention, etc.		
J	jW	Landscape plan	j.	
k	kW	Lighting details	k.	
1	IW	Sign details; locations and dimensions	l.	
' m	mW	. Soil erosion and sediment control plans	m.	
n	nX	Names of owner and applicant	n.	
0	oX	Name of person or firm responsible for plan preparation	o.	
p	pX	Signature block	p.	
1				
)		nt: Please explain why you believe each requested waiver should be g		-

checklist item for which you are requesting a waiver. Use a separate sheet if necessary

See attached waiver request letter from French & Parrello Associates dated October 10, 2024		, 2024.			
			 ~~~	 	

Legend for ARC Recommendations:

A-ARC recommends waiver be approved

D-ARC recommends the waiver be denied

**E-Sent to Engineer** 

P-Sent to Planner

I-ARC finds application Incomplete and recommends it not be heard

1.3.2023



October 10, 2024

**Pennington Borough Planning Board** 

12 North Main Street Pennington Borough, NJ 08534

RE:

Waiver Request Letter

12 North Main Street Subdivision

12 North Main Street Block 205 Lot 22 FPA Job No. 21857.001

#### **Borough of Pennington Planning Board Checklist Waivers Requests**

Checklist Item Number	Description	Reason for Waiver
7 (E)	Location & details of all existing & proposed stormwater control measures, including, but not limited to, roof drains, down spouts, dry wells, storm water inlets, manholes, piping, stormwater basins, outfalls, ditches, streams or other water courses	A waiver is requested for this item. There is no proposed changes to the sites existing stormwater control measures. The existing infrastructure is shown on the plan.
7 (F)	Where a basement or cellar is proposed for any building, including single family and multifamily dwellings, the applicant shall provide information regarding the depth to seasonal high water table, based on soil borings taken at the locations of the proposed structure. (n/a if no basement)	A waiver is requested for this item. There are no proposed changes to the existing buildings on site.
7(H)	IF COMMERCIAL, parking requirement calculations & the location of parking, including dimensions from parking spaces to the property lines, street & structures. Existing parking areas with designated spaces should be shown	A waiver is requested for this item. The existing parking areas are shown on the plan and there are no changes to the parking areas.
8 (B)	Architectural elevations	A waiver is requested for this item. There are no changes proposed to the existing buildings.
8 (C)	Floor Plans	A waiver is requested for this item. There are no changes proposed to the existing buildings.



	Site Plan/ Subdivision Checklist Waivers Requests		
c.	Location of site structures, outside dimensions and architectural elevations	A waiver is requested for this item. There are no changes proposed to the existing buildings.	
h,	Road cross sections; design details	A waiver is requested for this item. There are no improvements proposed.	
i.	Location and design of storm water, sewer system refuse disposal, fire prevention, etc.	A waiver is requested for this item. There are no modifications to the existing structures proposed	
j.	Landscaping Plan	A waiver is requested for this item. There are no modifications to the existing landscaped areas proposed.	
k.	Lighting details	A waiver is requested for this item. There are no modifications to the existing structures proposed.	
L	Sign details; locations and dimensions	A waiver is requested for this item. There are no signs proposed.	
m.	Soil erosion and sediment control plans	A waiver is requested for this item. There is no proposed disturbance associated with the project.	

App# 25-001

#### **PENNINGTON BOROUGH**

30 North Main Street Pennington, NJ 08534



#### **PLANNING & ZONING BOARD APPLICATION**

#### To be completed by all applicants

Date: JANUARY 27, 2025	Block: 205	Lot: 22
Address: 12 North Main Street, Penning	ton, NJ 08534	Zone: TC
Property Owner Name: 12 N Main	Street Pennington NJ LLC c/o Bruce	Vinci
Property Owner Address: 1 North Ma	ain Street, Pennington, New Jersey 08	3534
Property Owner Phone # and Email:	c/o Bruce Vinci - 609-212-4011	
I have reviewed this application and	supporting documentation	and consent to the filing if the
same with the Pennington Borough	Planning/Zo <del>nin</del> g Board.	
Property Owner Signature:	1-1:	3eS
Applicant Name: OWNER IS APPLIC	ANT	
Applicant Address:		
Applicant Phone Number & Email:		
Contact or Agent's Name (primary p	• •	•
Contact or Agent's Address:	APPLICANT AGEN	T IS ATTORNEY FOR APPLICANT
Contact or Agent's Phone Number 8		
I do hereby consent to the filing of the		
perform all duties as may be require		
Planning/Zoning Board. I do further		
documentation (reports, agendas, e	tc.) produced by Penningtor	Borough with regard to this
application.		
Applicant's Signature	1-13-25	
I do hereby accept the responsibilities		
Contact or Agent's signature:	APPLICANT AGENT IS ATTORNI	
Name of Preparer of Plans: Wayne In		
,, -p-1, -, -, -, -, -, -, -, -, -, -, -, -, -,	Jnit 5A, Hackettstown, New Jersey 07	
Preparer Phone Number & Email: 90	08-850-0977 wayne.ingram@fpae	ngineers.com
Architect's Name: N/A		
Architect's Address:		
Architect's Phone Number & Email:		
	Esq Stevens & Lee, P.C.	
	uite 200, Lawrenceville, New Jersey (	
Attorney's Phone Number & Fmail	609-243-6424 ryan.kennedy@ste	venslee.com

Application Type-Check all that apply:					
☐ Appeal of Zoning Officer Decision					
Request for Interpretation of Zoning Ordinance					
☐ Sketch Site Plan Review (see Sketch Site Plan form and Borough Code 169.9 for details)					
Technical Review with Professionals					
Resubmittal Due to Incompleteness  I Extension of Time					
☑ Variance –Bulk or "C"					
☐ Variance-Use or other "D" (please specify)					
☐ General Development Plan					
☐ Major Sub-Division					
☑ Minor Sub-Division					
☐ Preliminary Site Plan					
☐ Site Plan Amendment					
☐ Site Plan Waiver					
☐ Final Site Plan					
☐ Other (specify)					
Has there been a prior application to the Planning and Zoning Board regarding this property? YES of NO If yes, please indicate date, nature and disposition of application.					
Please provide a description of the current project or the reason for an appeal.					
Attach additional sheets if necessary.					
See Schedule A, attached.					

#### Provide a description of any requested variances. Attach additional sheets if necessary.

Ordinance Section Cited	Description of variance requested with justification for request
	See Schedule B, attached.

#### **General Building/Project Information**

Zone:	TC	

ZONING DISTRICT	TC (TOWN CENTER DISTRICT)					
	REQUIRED/PERMITTED	EXISTING LOT 22	PROPOSED LOT 22.01	PROPOSED LOT 22.02		
MAX. LOT AREA	15,000 (SF)	12,129 (SF)	1,443 (SF)	10,686 (SF)		
MIN. LOT FRONTAGE	EXISTING OR 25 (FT)	EXISTING OR 25 (FT) 22.89 (FT)		0.00 (FT) *		
BUILDING SETBACKS		•		1541		
MIN. FRONT YARD	EXISTING OR 5 (FT)	0.00 (FT)	0.00 (FT) EX.	NA		
MIN. REAR YARD	EXISTING OR 25 (FT)	0.10 (FT)	0.00 (FT) *	NA		
MIN. SIDE YARD (EACH)	EXISTING OR 5 (FT)	0.00 (FT)	1.67 (FT) *	0.00 (FT) *		
MAX. TOTAL LOT COVERAGE	EXISTING OR 80%	91.8%	99.2% *	90.8% *		
MAX. BUILDING HEIGHT	EXISTING OR 3 STORIES OR 40'	<40°	<40'	<40'		

<sup>\*</sup>Refer to Pennington Code, Section 215, Attachment 2, "Schedule of Area, Yard and Building Regulations" or Attachment 3, "Schedule of Area and Buik Regulations for MU-3 Mixed Use Zone."

#### ALSO COMPLETE AND SUBMIT THE APPLICATION CHECKLIST AND ALL SUPPORTING DOCUMENTS

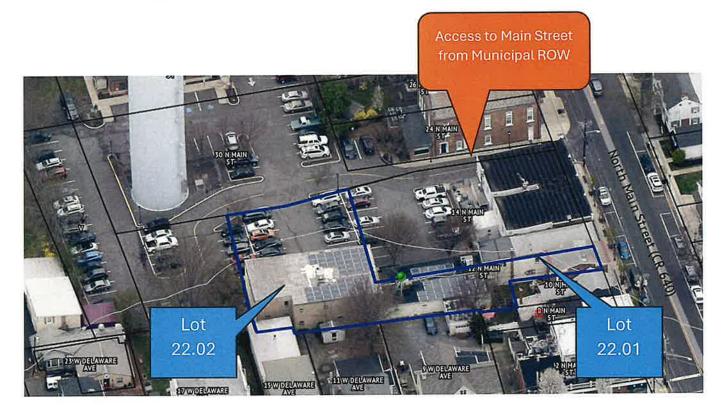
1.3.2023

### Schedule A Project Description and Narrative

Following discussion with the Borough's professionals, Applicant 12 N Main Street Pennington NJ LLC proposes to subdivide the existing Lot 22 at 12 N Main Street in Pennington Borough. The existing lot is irregularly shaped. With only a small portion of 22.89 feet fronting on Main Street fully developed by a multi-use building, the majority of the property is accessed via the municipal parking lot at 30 N Main Street.

The proposed subdivision would create two lots. Proposed Lot 22.01 would consist of the building and addition which front on and are primarily accessible from Main Street. Proposed Lot 22.02 would consist of the two flat-roofed buildings, parking lot, and small yards which are collectively accessed via the parking lot on 30 N Main Street.

Because of the existing lot's irregular shape and near total development, multiple variances are requested relating to setbacks and impervious coverage. No changes to the development on the site are currently proposed, and all variance conditions relate to the existing development. However, the subdivision would clear some procedural hurdles associated with redevelopment of the Property in the future according to recent initiatives by the Pennington Planning Board.



12 North Main Street Block 205, Lot 22, TC Zone

Minor Subdivision with Bulk Variances

12 N Main Street Pennington NJ LLC

, <u>1X</u> PARTICIONAL NASONIT BULDING N76 35 98 B Proposed Lot 22.01 3 STORY MASCART BLIDING A STORY HASONTY BALLONG LOTS 22.01 & 22.02 LOTS 22.01 & 22.02 DE MORTHING 544,678.98 382' 85' 85'W (28.35' TOTAL) g PROPOSED LOT 2201 1,443 S.F. (0.033 ACRES) BLOCK 205 LOT 23 19.66° 19.66° TECCK 205 LOT 24 WTIC 68 'O IN 'ES. 81 NR2' BD' 56'E NT 28' 44"W STORY WASONETY BUILDING 53 BLOCK 205 LOT 21 0 Proposed Lot 22.02 BLOCK 205 LOT 26 10436 10436 15.20 200 PROPOSED LOT 22.02 10,696 S.F. (0.245 ACRES) CONTRACTOR DESCRIPTION OF 1937 BLOCK 205 LOT 22 12,129 S.F. 0.279 A.C. H82' 27 21'E BLOCK 205 LOT 27 BLOCK 205 ş AASONT BULDING N7.16 047W 1500 1 BLOCK 205 LOT 28 ğ A STORY MASOWAY BUCCHO FF.-213.86 85'28. N2. 26. 14.M WALKONG WALKONG WALKONG ASHUT LOCK 205 - MOO TAJR @+bTAJL 100 tobrs/cwq/ox

SL1 2537212v1 119612.00001

Schedules to Application Form

Item 1.

#### Schedule B Variances Requested

Because the lot is irregularly shaped and fully developed, the subdivision requires the following relief:

#### For Proposed Lot 22.01

- 1. **Section 215-71E(3)** requires a side yard setback of 5 FT, while 1.67 FT is proposed for the setback from the new side lot line.
- 2. **Section 215-71E(4)** requires a rear yard setback of 25 FT, while 0.0 FT is proposed for the setback from the new rear lot line.
- 3. **Section 215-71E(6)** permits a maximum impervious coverage of 80%, while an impervious coverage of 99.2% is proposed.

#### For Proposed Lot 22.02

- 1. **Section 215-71E(3)** requires a side yard setback of 5 FT, while 0.0 FT is proposed for the setback from the new side lot line.
- 2. **Section 215-71E(6)** permits a maximum impervious coverage of 80%, while an impervious coverage of 99.2% is proposed.
- 3. **Section 215-13** requires a lot to front on a public street, while no frontage is proposed. Proposed Lot 22.02 has access to Main Street via a municipal parking lot easement over a portion of Lot 22 and Lot 37.

12 North Main Street Block 205, Lot 22, TC Zone Item 1.

### Schedule C Applicant's Ownership Disclosure

Applicant 12 N Main Street Pennington NJ LLC is a New Jersey limited liability company with two (2) owners with 10% or more interest in the entity. Those individuals are

- Bruce Vinci, who resides at 21 West Spring Hollow Drive, Hopewell, New Jersey 08525; and
- Lenora Vinci, who resides at 11 Tamarack Place, Greenwich, Connecticut 06831.

### Stevens & Lee

100 Lenox Drive, Suite 200 Lawrenceville, NJ 08648 (609) 243-9111 www.stevenslee.com

T: (609) 243-6429 brianna.burgess@stevenslee.com

December 2, 2024

#### BY EMAIL

Borough of Pennington Tax Collector 30 North Main Street Pennington, NJ 08534

Re: Request for Proof of Payment of Taxes 12 North Main Street Block 205, Lot 22

Dear Sir/Madam:

Please accept this request for a certification letter confirming that all property taxes and assessments are paid and up to date on the above-captioned property for an upcoming land use application submission. Kindly provide the same via email at <a href="mailto:Brianna.burgess@stevenslee.com">Brianna.burgess@stevenslee.com</a>.

Thank you for your attention to this matter.

urrent

I verify that this information accurately reflects municipal tax records. Taxed are

Bonden (11) alle

Tax Collector 12 5 Pennington Borough

Mercer County

Very truly yours,

STEVENS & LEE

Brianna N. Burgess

Legal Assistant

BBU:bbu

Allentown • Bergen County • Bala Cynwyd • Fort Lauderdale • Harrisburg • Lancaster • New York

Philadelphia • Princeton • Reading • Rochester • Scranton • Valley Forge

APA Professional Corporation, Thomas B. Lewis, NJ Managing Attorney

T: 908.850.0977 F: 732.312.9801 fpaengineers.com



October 10, 2024

METES AND BOUNDS DESCRIPTION BLOCK 205, LOT 22.01 BOROUGH OF PENNINGTON MERCER COUNTY, NEW JERSEY

**DESCRIPTION** of a tract of land known as Block 205; Lot 22.01 as shown on the Tax Maps for the Borough of Pennington, Mercer County, New Jersey.

**BEGINNING** at the common corner of Block 205 Lots 22.01, 22.02, and 23, having a Northing of 544,678.98, an Easting of 410,864.07, and from said point running; thence

- 1) Along Lot 22.02, South 82 Degrees 55 Minutes 56 Seconds West, a distance of 8.35 feet to a point; thence
- 2) Still along Lot 22.02, North 10 Degrees 58 Minutes 31 Seconds West, a distance of 19.25 feet to a point; thence
- 3) Along Lot 21, North 78 Degrees 33 Minutes 56 Seconds East, a distance of 67.70 feet to a point in the westerly sideline of North Main Street (Right-of-Way Varies); thence
- 4) Along the westerly sideline of North Main Street, South 09 Degrees 46 Minutes 04 Seconds East, a distance of 22.89 feet to a point; thence
- 5) Along Lot 23, South 80 Degrees 43 Minutes 56 Seconds West, a distance of 38.95 feet to a point; thence
- 6) Still along Lot 23, South 82 Degrees 55 Minutes 56 Seconds West, a distance of 20.00 feet to the point and place of **BEGINNING**.

CONTAINING 0.033 Acres or 1,443 square feet of land more or less.

THE above described tract of land is subject to all easements and restrictions of the record.

THE above described tract of land was drawn in accordance with a survey prepared by French & Parrello Associates., dated April 25, 2024.

Respectfully Submitted,

FRENCH & PARRELLO ASSOCIATES, P.A.

Wayne J. Ingram

Professional Land Surveyor

N.J.P.L.S. Lic No. 24GB04258200

700 G<mark>ra</mark>nd Avenue, Unit Hackettstown, New Jersey 078

Item 1.

ackettstown, New Jersey 0/4 T: 908.850.0977 F: 732.312.9801 **fpa**engineers.com



October 10, 2024

METES AND BOUNDS DESCRIPTION BLOCK 205, LOT 22.02 BOROUGH OF PENNINGTON MERCER COUNTY, NEW JERSEY

**DESCRIPTION** of a tract of land known as Block 205; Lot 22.02 as shown on the Tax Maps for the Borough of Pennington, Mercer County, New Jersey.

**BEGINNING** at the common corner of Block 205 Lots 22.01, 22.02, and 23, having a Northing of 544,678.98, an Easting of 410,864.07, and from said point running; thence

- 1) Along Lot 23, South 09 Degrees 46 Minutes 04 Seconds East, a distance of 22.00 feet to a point; thence
- 2) Along Lot 24, South 82 Degrees 55 Minutes 56 Seconds West, a distance of 19.66 feet to a point; thence
- Along Lot 26, North 07 Degrees 28 Minutes 44 Seconds West, a distance of 3.02 feet to a point; thence
- 4) Along Lots 26, 27, and 28, South 83 Degrees 17 Minutes 56 Seconds West, a distance of 104.36 feet to a point; thence
- 5) Along Lot 28, North 07 Degrees 16 Minutes 04 Seconds West, a distance of 8.50 feet to a point; thence
- 6) Still along Lot 28, South 83 Degrees 17 Minutes 56 Seconds West, a distance of 22.00 feet to a point; thence
- 7) Still along Lot 28, North 07 Degrees 16 Minutes 04 Seconds West, a distance of 11.50 feet to a point; thence
- 8) Along Lots 28, and 38, North 05 Degrees 56 Minutes 14 Seconds West, a distance of 92.53 feet to a point; thence
- 9) Along Lot 37, North 82 Degrees 27 Minutes 21 Seconds East, a distance of 43.38 feet to a point; thence
- 10) Still along Lot 37, North 65 Degrees 33 Minutes 56 Seconds East, a distance of 30.30 feet to a point; thence
- 11) Along Lot 21, South 07 Degrees 06 Minutes 47 Seconds East, a distance of 89.24 feet to a point; thence
- 12) Still along Lot 21, North 78 Degrees 33 Minutes 56 Seconds East, a distance of 61.40 feet to a point; thence
- 13) Along Lot 22.01, South 10 Degrees 58 Minutes 31 Seconds East, a distance of 19.25 feet to a point; thence



14) Still along Lot 22.01, North 82 Degrees 55 Minutes 56 Seconds East, a distance of 8.35 feet to the point and place of **BEGINNING**.

**CONTAINING** 0.245 Acres or 10,686 square feet of land more or less.

THE above described tract of land is subject to all easements and restrictions of the record.

**THE** above described tract of land was drawn in accordance with a survey prepared by French & Parrello Associates., dated April 25, 2024.

Respectfully Submitted,

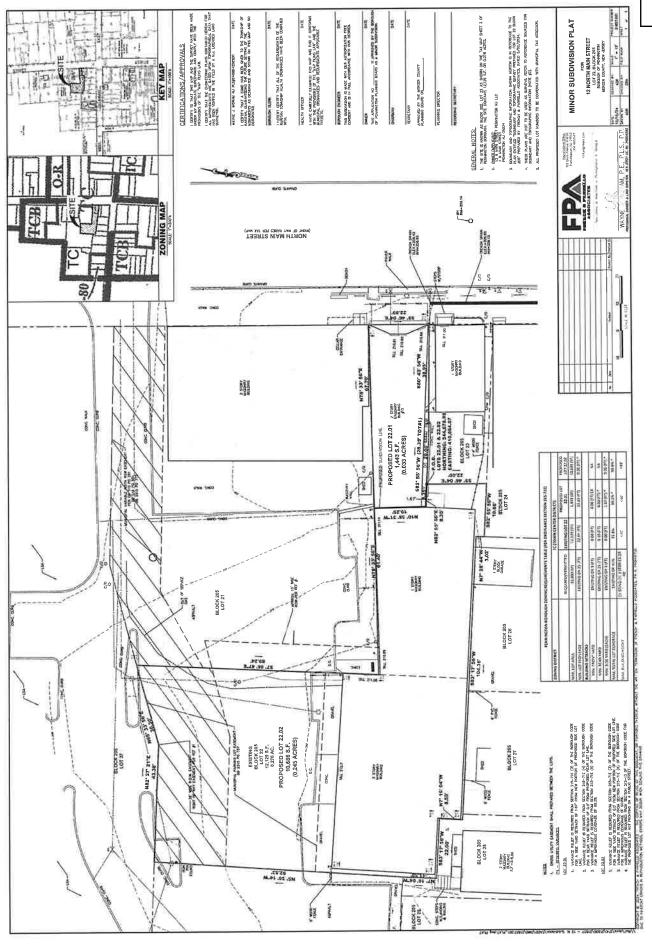
FRENCH & PARRELLO ASSOCIATES, P.A.

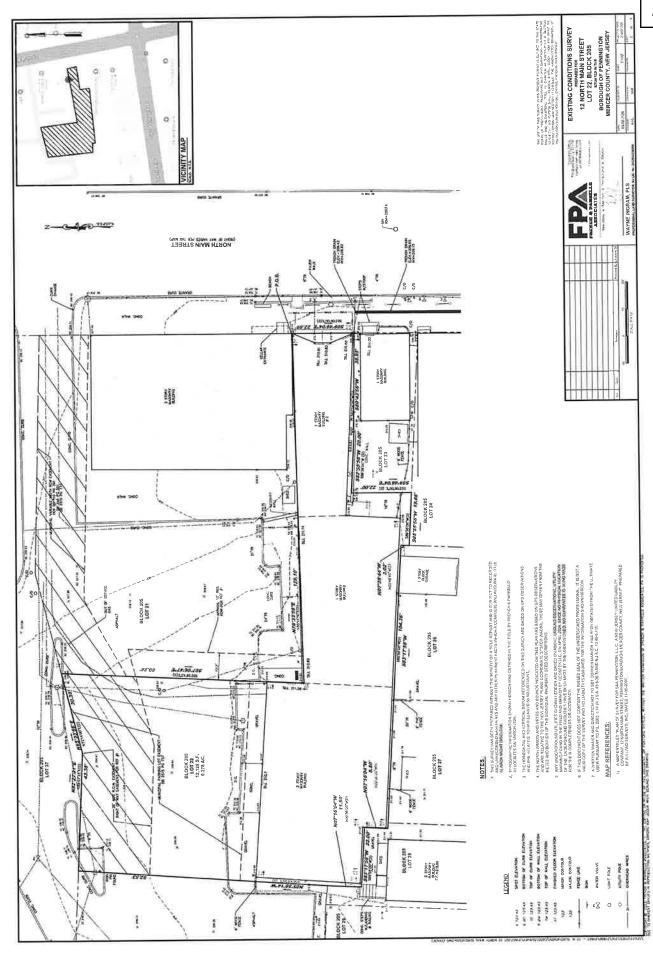
Wayne J. Ingram

Professional Land Surveyor

N.J.P.L.S. Lic No. 24GB04258200

22





### PLANNING BOARD PENNINGTON BOROUGH

30 NORTH MAIN STREET PENNINGTON, NEW JERSEY 08534-0095 (609)737-0276 x3

planning@penningtonboro.org

Application No.:	25-001	
Application Title: _	12 N. Main Street 1	ALLC
Block(s): 205	Lot(s):	22
Street Address: 19	N. Hain Street	
Type of Application	: Subdinein   Dulk V	an ances / d(2) Vanance
Date of Board Heari		
		EINM OR ACENOVALANCE
DATE REPORT WAS RECEIVED BY PB OFFICE	NAME OF AUTHOR OF REPORT	FIRM OR AGENCY NAME
3/25/25	Rick Smith	DPW/Borrugh Water G
3 31 25	Rick Smith Brandon Fetzer	Van note-Havey Reundi
J		J

#### **Planning**

From: rsmith@penningtonboro.org Sent:

Tuesday, March 25, 2025 7:54 AM

Planning To:

Re: Application #25-001 - 12 N. Main Street - Subdivision - Bulk Variances - d(2) Subject:

Variance

#### Robin-

As the minor subdivision application does not speak to change of use, I have no concerns. If the building undergoes use changes in the future, the water supply and sewer capacity should be re-evaluated.

Thank you.

**Rick Smith** Superintendent of Public Works Licensed Water & Sewer Operator Certified Recycling Professional Sustainable Resource Management Professional



30 North Main Street Pennington, NJ 08534-0095 609-737-0276

Click **HERE** to subscribe to Pennington Borough News and Announcements.

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From: Planning

Sent: Friday, March 21, 2025 11:40:28 AM

To: rsmith@penningtonboro.org

Subject: FW: Application #25-001 - 12 N. Main Street - Subdivision - Bulk Variances - d(2) Variance

Good Morning Rick,

On second thought, would you be able to put your comments on a letter and/or email and I can print it out for the Board to review? That would be a good thing to discuss at the meeting as well.

Thanks,

Robin

### van note-harvey

103 College Road East Princeton, NJ 08540 T: 609-987-2323 www.pennonf.com



VIA E-MAIL

March 28, 2025

planning@penningtonboro.org

Ms. Robin Tillou, Land Use Administrator Pennington Borough 30 North Main Street Pennington, NJ 08534

RE: Minor Subdivision 12 North Main Street
Pennington Borough planning Board Application 25-001
12 North Main Street, Pennington NJ 08534
Block 205, Lot 22
Owner: 12 N. Main Street Pennington NJ LLC
PEN-BOOFP25401

Dear Ms. Tillou,

We have completed our review of the above referenced Preliminary and Final Site Plan Application based on the below submitted documents:

- Application Checklist
- Planning and Zoning Board Application
- Existing Property Description
- Certification for Currency on Taxes
- Minor Subdivision Drawings
  - o Existing Conditions Survey dated May 2, 2024
  - Minor Subdivision Plat, dated October 10, 2024
- Descriptions of the proposed lots

#### Project Background / Description

This application proposes a minor subdivision, no new construction is proposed by this application. This application is for subdividing Block 205, Lot 22 into Lots 22.01 and 22.02. No additional work is proposed with this application.

#### Review

The application was deemed complete by the Application Review Committee at their March Meeting. We have reviewed the submitted documents and offer the following comments for the Planning Board's consideration.

#### A. Zoning

The property is located in the Town Center Zone TC.

#### B. Variances:

As stated in the application, the creation of the new lots will create two new lots, both of which will require variances. The below variances are required:

- Minimum frontage (§215-71)
- Minimum front yard setback (§215-71)
- Minimum rear yard setback (§215-71)
- Minimum side yard setback (§215-71)
- Maximum total lot coverage (§215-71)

New lot 22.02 will be a landlocked lot, however there are existing right-of-way easements for access to North Main Street through the Borough's parking lot. This landlocked lot expands the nonconformity regarding minimum frontage from the existing lot.

The required variances are largely to address existing non-conformities, or nonconformities resulting from the proposed subdivision.

#### C. Technical Review Comments

#### **Site Plan Comments**

Sheet 1 of 1 Existing Conditions Survey, dated May 2, 2024

- 1. The adjoining Borough Lot, Lot 38 should be called out on the Plan.
- 2. This plan does not state that it is a Boundary Survey.
- 3. The name of the adjoining property owners is not shown on the Survey.
- 4. It appears that portion(s) of the existing building may extend across property lines. Eg. The POB, and property corner with lot 28. Encroachments should be identified. Some utility items appear to fall on/ over property lines as well (roof drains).

#### Sheet 1 of 1 – Minor Subdivision Plat

- 5. Note 3 references a Boundary and Topographic Survey. The referenced plan was not provided to for review. If the existing Condition Survey was intended to serve this purpose, please make the necessary revisions.
- 6. The notes from the Existing Condition Survey referencing Map Reference 1 still show on the Subdivision Plat, however, no listing of map references is provided on the subdivision.
- 7. Does the proposed property line between proposed lots 22.01 and 22.02 fall on an existing building wall?
- 8. Show offset dimensions to existing adjacent buildings.
- 9. The plan calls for a cross utility easement. Will said easements be blanket easements, or specifically written easements. If the later, the utilities should be identified as to which lot they serve.
- 10. Add a note that proposed lot 22.02 will be accessed via the existing parking lot at 30 North Main Street.
- 11. Certifications/ Approvals
  - a. Revise notes to reference Pennington Borough

- b. Certification Signature lines shall conform to the Title Recordation Law.
- c. Unnecessary certifications shall be removed eg. Health Officer.
- 12. Coordinate values for at least 2 additional corners shall be provided for each lot.
- 13. Show monumentation in accordance with the Title Recordation Act. Property corner markers shall be provided for the proposed property line.
- 14. Property Owners name and information shall be shown on the plans.
- 15. Lot closure reports shall be provided for the proposed lots.

#### Description of Proposed Lots

- 16. State Plane Coordinate grid or ground reference shall be provided for the proposed POB in both descriptions.
- 17. The descriptions shall reference the Minor Subdivision Plat.

The proposed subdivision is substantially complete and could be conditionally approved by the Board. The above comments can be addressed by the applicant prior to certification and signatures.

Please feel free to contact me to discuss any comments.

Sincerely,

Brandon M. Fetzer, P.E

Borough Engineer

**BMF** 

U:\ACCOUNTS\BOOFP\BOOFP25401 - PENNINGTON - PB25-001 - 12 N. MAIN ST\DOCUMENTS\12 NORTH MAIN STREET MINOR SUB.DOCX

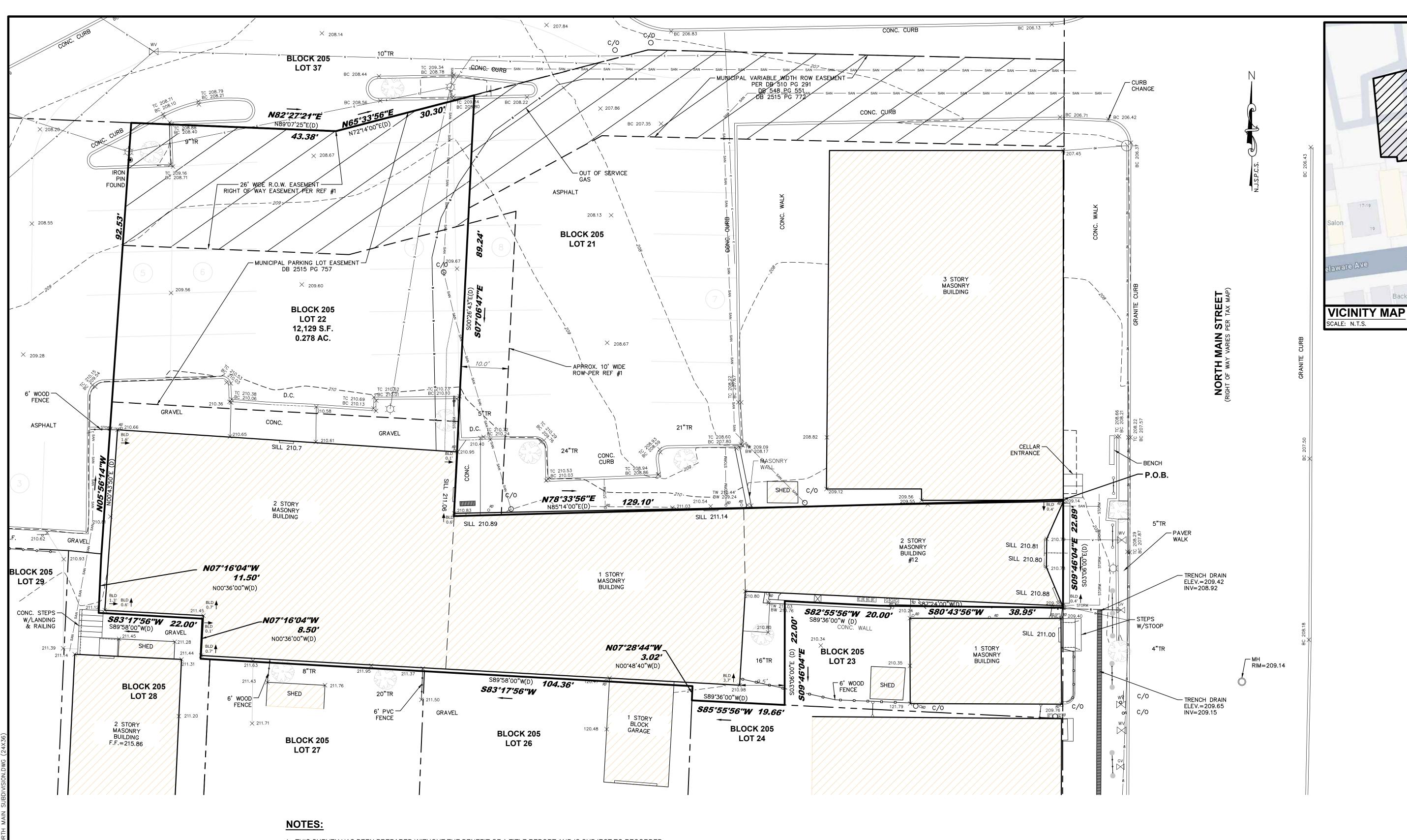
ec: Edwin Schmierer, Esq., Mason, Griffin & Pierson, P.C. (e.schmierer@mgplaw.com) James Kyle, AICP/PP, Borough Planner (jkyle@kylemcmancus.com)

La Unica, Mexican Eatery

The Village Salon

W Delaware Ave

Backes & Backes



THE USE OF THIS SURVEY IN ITS PRESENT FORMAT IS SUBJECT TO THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS ADMINISTRATIVE RULES AND REGULATIONS TITLE 13 CHAPTER 40 SUBCHAPTER 8 SECTION 13:40-8.2(e) "NO PERSON SHALL REMOVE A TITLE BLOCK FROM ANY PRINT OR REPRODUCTION" AND SECTION 13:40-8.3(a)5 "THE HANDWRITTEN SIGNATURE OF THE PERSON(S) IN RESPONSIBLE CHARGE AND DATE WHEN SIGNED".

## <u>LEGEND</u>

X 123.45

SPOT ELEVATION

X BC 123.45

BOTTOM OF CURB ELEVATION

TC 123.45

TOP OF CURB ELEVATION

X BW 123.45

BOTTOM OF WALL ELEVATION

TW 123.45

TOP OF WALL ELEVATION

TW 123.45 TOP OF WALL ELEVATION

FF 123.45 FINISHED FLOOR ELEVATION

MINOR CONTOUR

— — — MAJOR CONTOUR

O—— O—— FENCE LINE

→ SIGN

WV

WATER VALVE

LIGHT POLE

OVERHEAD WIRES

---- UTILITY POLE

DUE TO INHERENT ERRORS IN REPRODUCTION METHODS, ERRORS MAY OCCUR WHEN SCALING THIS DRAWING

- THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO RECORDED AND UNRECORDED EASEMENTS AND ANY OTHER PERTINENT FACTS WHICH A COMPLETE AND ACCURATE TITLE SEARCH MIGHT DISCLOSE.
- 2. TOPOGRAPHIC INFORMATION SHOWN HEREON WAS OBTAINED IN THE FIELD BY FRENCH & PARRELLO ASSOCIATES ON MARCH 2024.
- 3. THE HORIZONTAL AND VERTICAL DATUM REFERENCED ON THIS SURVEY ARE BASED ON GPS OBSERVATIONS AND ARE RELATIVE TO NAD 83/NAVD 88 ADJUSTMENT.
- 4. THE NORTH ARROW AND METES AND BOUNDS INDICATED ON THIS PLAN ARE BASED ON GPS OBSERVATIONS AND ARE RELATIVE TO THE NEW JERSEY PLANE COORDINATE SYSTEM (NAD83); THESE MAY DIFFER FROM THE METES AND BOUNDS OF THE INDIVIDUAL PROPERTY DEED DESCRIPTIONS.
- 5. ANY UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON ABOVE GROUND OBSERVATIONS, UTILITY MARKING FOUND IN THE FIELD AND MARKED BY GEOSEEK LLC, ON APRIL 2024. SINCE NO PHYSICAL LOCATION OF THE UNDERGROUND FACILITIES HAVE BEEN MADE BY THE UNDERSIGNED, NO GUARANTEE IS BEING MADE FOR THEIR COMPLETENESS OR ACCURACY.
- 6. IF THIS DOCUMENT DOES NOT CONTAIN THE RAISED SEAL OF THE UNDERSIGNED PROFESSIONAL, IT IS NOT A VALID COPY OF THE SURVEY AND NO LIABILITY IS ASSUMED FOR THE INFORMATION SHOWN HEREON.
- 7. A WRITTEN WAIVER AND DIRECTION NOT TO SET CORNER MARKER' HAS BEEN OBTAINED FROM THE ULTIMATE USER PURSUANT TO P.L. 2003, c.14 (N.J.S.A. 45:8-36.3) AND N.J.A.C. 13:40-5.1(d).

### **MAP REFERENCES:**

1) A MAP ENTITLED "PLAN OF SURVEY FOR S&A PENNINGTON, L.L.C., A NEW JERSEY LIMITED LIABILTY COMPANY, 12 NORTH MAIN STREET, PENNINGTON BOROUGH, MERCER COUNTY, NEW JERSEY" PREPARED BY A-1 LAND SURVEYS, INC., DATED 11-09-2007.

No.	Date		Revision			Revised By	Checked By
		10'	0	10'	20	'	
			SCALE	1" = 10 '			

Corporate Office:
700 Grand Avenue, Unit 5A
Hackettstown, New Jersey
07840 908.850.0977

FPAengineers.com
ASSOCIATES

New Jersey A New York A Pennsylvania A Georgia

WAYNE INGRAM, PLS

PREPARED FOR

12 NORTH MAIN STREET

LOT 22, BLOCK 205

SITUATED IN THE

BOROLIGH OF PENNINGTON

BOROUGH OF PENNINGTON
MERCER COUNTY, NEW JERSEY

DATE: DESIGNED BY: SCALE: PROJECT NUMBER:

 DATE:
 DESIGNED BY:
 SCALE:
 PROJECT NUMBER:

 05-02-2024
 1"=10'
 21857.001

 DRAWN BY:
 CHECKED BY:
 FIELD BOOK
 SHEET:

 KFC
 WJI
 1 of 1

PROFESSIONAL LAND SURVEYOR, NJ LIC. No. 24GB04258200 KFC WJI

DOCUMENT, OR PORTIONS THEREOF, WITHOUT THE WRITTEN PERMISSION OF FRENCH & PARRELLO ASSOCIATES, PA IS PROHIBITED.

App# <u>25-002</u>

Date Received 3-10-25

#### **PENNINGTON BOROUGH**

30 North Main Street Pennington, NJ 08534

#### **PLANNING & ZONING BOARD APPLICATION**

To be completed by all applicants

Address: 31		Block: <sup>706</sup>	Lot: 5	100
Modicas.	19 Hale Stree, Pe	ennington, NJ	Zone: R-80	
Property Ov	wner Name:	CJ & Mary Peters		
Property Ov	wner Address:	Same as above		,
Property Ov	wner Phone # ai	nd Email: (732) 379-0455 ; Te	eachercjpeters3@gmail.com; mcpeters06	@gmail.co
I have review	wed this applica	ation and supporting docum	nentation and consent to the filing if t	he
		Borough Planning/Zoning B		
	wner Signature:			
Applicant N	ame: CJ and	d Mary Peters		
Applicant A	G01 C041	as above		
Applicant Pi	hone Number 8	Email: Same as above		
Contact or A	Agent's Name (	primary point of contact for	application) Jason Kliwinski, AIA, Princ Designs for Life LLC	cipal
Contact or A	Agent's Address	: 67 Bridge Street, 2nd Fir		1
. Contact or A	Agent's Phone N	Number & Email: (908) 255-5	769 ; jason@designs4life.net	
I do hereby	consent to the f	filing of this application and	appoint Jason Kilwinski	to
	1 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	1 . 1	the street buffers the Departmenton Day	ar al
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Application Type-Check all that apply:
☐ Appeal of Zoning Officer Decision
☐ Request for Interpretation of Zoning Ordinance
Sketch Site Plan Review (see Sketch Site Plan form and Borough Code 169.9 for details)
☐ Technical Review with Professionals
☐ Resubmittal Due to Incompleteness
☐ Extension of Time
Conditional Use Permit
☑ Variance –Bulk or "C"
☐ Variance-Use or other "D" (please specify)
☐ General Development Plan
☐ Major Sub-Division
3 Minor Sub-Dîvîsion
☐ Preliminary Site Plan
3 Site Plan Amendment
3 Site Plan Waiver
3 Final Site Plan
Other (specify)
las there been a prior application to the Planning and Zoning Board regarding
his property? VES or NO If yes, please indicate date, nature and disposition of
pplication.
lease provide a description of the current project or the reason for an appeal.
ttach additional sheets if necessary. he Owner is proposing to expand the house to the rear within the setback and FAR regulations.
A 2 story addition to the rear is proposed, rear deck expansion, generator and new HVAC,
ormers on both the front and rear of the existing home, and a new wrap-around porch connected
o the existing front porch. The existing front proch is within the front yard setback. Expanding it
equires a variance. The project is withing keeping with the quality and style of the neighborhood
by renovating and upgrading this existing home and will increase the aesthetic appeal of the street is well as the property values of neighbors. The proposed wrap around porch will connect the ear addition with the front porch to give this home more of the same scale and imagery of the urrounding properties. A craftsment style blends with the character of the neighborhood and reates an often covetted amenity in the covered front porch where the community comes together

#### Provide a description of any requested variances. Attach additional sheets if necessary.

Ordinance Section Cited	Description of variance requested with justification for request
215, Attachment 2, Front Yard Setback	The existing front porch is within required setback. Expansion of this to make a wrap around requires a variance. The proposed does not make the front yard setback any worse than the existing condition and improves the aesthetics of the home and property values.

General Building/	Project Information	Zone: R-80	
	Existing	Proposed	Allowed in Zone*
Lot Size	12,680sf	No Change	Yes (12,000sf min.)
Lot Width	80.01ft	No Change	Yes (80' min.)
Lot Length	159.17ft	No Change	Yes
Building Height	2 story	No Change	Yes (3 story/35' max.)
Front Setback	40ft (Avg. 36')	32.9ft	No
Rear Setback	59ft	No Change	Yes (25' min.)
Distance from: Right property line Left property line	28.8ft	No Change	Yes (15' min.)
% of lot coverage	18%	27%	Yes (34%)
Height side yard ratio	NA	NA	NA
Floor area ratio	813sf	1,246sf	Yes (900sf min. 1st Flr)
Gross floor area	1,293gsf	1,935gsf	Yes

<sup>\*</sup>Refer to Pennington Code, Section 215, Attachment 2, "Schedule of Area, Yard and Building Regulations" or Attachment 3, "Schedule of Area and Bulk Regulations for MU-3 Mixed Use Zone."

#### ALSO COMPLETE AND SUBMIT THE APPLICATION CHECKLIST AND ALL SUPPORTING DOCUMENTS

1.3.2023

# PENNINGTON BOROUGH PLANNING/ZONING BOARD APPLICATION CHECKLIST

Name of Applicant: CJ & Mary Peters Application #\_\_\_

	Block: 706 Lot: 5 Date Filed		
	An Application shall not be considered complete until all of the materia specified below have been submitted, unless a waiver is requested. The granted or denied within 45 days of receipt of said request. If an item is applicant to be "Not Applicable", a waiver request (W) should be made.	waiver reque considered b	st shall be
ALL A	APPLICATIONS	X=Provided W=Waiver Request	ARC Recommendation
1.	Applicable fees and escrow (2 separate checks), Escrow Agreement Form. W-9 Form, Consent to Entry Form and Checklist (1 copy of each)	X	
2.	Applications for certified list of property owners within 200 feet and taxes paid statement from tax collector. (\$10.00 fee, may be included in check with fees) (1 Copy)	{ <b>X</b>	
3.	If the applicant is a corporation or partnership, a list of the names and address of all persons having a 10% or more interest, in accordance with NJ Statute. (1 digital and 6 hard copies for initial submission)	NA	
4.	Fully completed application form (1 digital and 6 hard copies for initial submission)	X	
5.	Original sealed survey showing present status of property, prepared by a NJ licensed land surveyor (1 original & 6 copies for initial submission)	X	
6.	Copies of all easements, covenants & deed restrictions with metes & bounds descriptions, including right of way dedications, on or affecting the property in question. (1 digital and 6 hard copies for initial submission)	X	
7.	Plans showing the following information: (1 digital and 6 hard copies for initial submission)  A. Dimensions & lot area of existing lot and lot areas if new lot is proposed	A_X	Α
	B. Zoning district of subject property & surrounding lots; bulk requirements applying to subject property in table form & displayed graphically	В	В
	C. The location & purpose of all easements or rights-of-way on the subject property & adjoining lots	, cX	C
	D. Location of adjacent streets, existing & proposed buildings, structures, driveways & parking areas on the subject property, indicating setbacks from all lot and road lines	DX	D

			D:		n
***		a and the analysis of the anal	۱۰ ۹۰—		h.
		ne district and adjoining zones	a.		i a.
		nes of adjoining owners			
In addit	ion I	to requirements above for ALL applications the plans MUST include:	5		
Book at	pen	mingtonboro.org or request a copy from the Land Use Administrator	1	NA	
Code Bo	ook i	for specific submission details that are required. You can find the Code	iu	NI A	
See Site	Pla	n Review, Chapter 163 or Subdivision, Chapter 181 in the Pennington			
		SUBDIVISION	1		
propose	⊵d.				
should	be p	rovided indicating requirements of the zone district and what is			
surrour	ding	properties and the existing buildings thereon. Basic bulk information	1		
importa	nt f	eatures, and a key map showing the entire project, and its relation to the			
areas a	nd d	rives, the location of proposed plantings, utilities, fences, signs and other		NA	
indicate	the	size, shape and location of existing and proposed buildings, parking			
Plans sh	nouh	d be preliminary in form but should be true to scale. The plans should			
SKETCI					
		Lot area if new lot is proposed	-		
		helping the Board make an informed decision	F	NA	E
	d.	Photograph(s) of the subject premises that may prove useful in	U	Carlo Carlo	
		Floor plans	D	X	D
		Architectural elevations	C	X	C
	L		В	X	В
		could be used.	,		
	a.	adjacent properties & structures thereon. An aerial or Google map			28
		A current key map with north arrow showing the subject &	Α	X	Α_
o,		omission)			
Я	Cor	pies of the following: (1 digital and 6 hard copies for initial			1
		readable.	7		
	1.	Plans and elevations should be accurate, true to scale and	1	X	1
		designated spaces should be shown		V	
			H	NA	T H
		property lines, street & structures. Existing parking areas with		NIA	
	1.19	of parking, including dimensions from parking spaces to the			ì
	Н.	IF COMMERCIAL, parking requirement calculations & the location			1
		prepared & the date and substance of each revision.	G		- 6
		number, signature & seal, existing lot and block numbers, the date	_	X	G
		address & telephone number of the plat preparer, license			
	G,	Title block containing the name of the applicant, the name			
		structure. (n/a if no basement)	٠		
		table, based on soil borings taken at the locations of the proposed	F	NA.	F
		provide information regarding the depth to seasonal high water			
		single family and multi-family dwellings, the supplicant shall			
	100	Where a basement or cellar is proposed for any building, including			Ţ.
	<b>.</b>				I
		basins, outfalls, ditches, streams or other water courses	E		E
		dry wells, storm water inlets, manholes, piping, stormwater		Χ	
	- 50	measures, including, but not limited to, roof drains, down spouts,			i
	E.	Location & details of all existing & proposed stormwater control			

Item 1.

#### **TRANSMITTAL**



Date: March 28, 2025

To: Robin Tillou, Land Use Administrator, HPC Secretary, Pennington Boro

planning@penningtonboro.org

Address: 30 North Main Street, Pennington NJ 08534

Phone: 609.737.0276

From: Jason Kliwinski, AIA, LEED Fellow, WELLap

Project: 319 Hale Street, Pennington NJ (Peters Residence)

Re: Zoning Variance Application`

☑ Herewith ☐ Under separate cover	☐ For your information☐ For review and approval☐ For your use, as requested	☑ Via Mail ☐ Hand Delivered ☐ Priority Overnight delivery ☐ Rush AM ☐ Standard AM ☐ Email
Items Enclosed:		

An electronic copy of this application is included as requested. Please find the following items included in this package:

- 1. 1 Zoning Application signed
- 2. 1 Existing Property Survey (signed and sealed copy is on file with the Town)
- 3. 1 copy of architectural and site drawings (signed and sealed copies are on file with the Town)

Should you have any concerns or questions please do not hesitate to contact us.

Sincerely

Designs for Life, LLC

Jason Kliwinski, AIA, LEED Fellow/Faculty, WELLap/Faculty, BECxP

Principal

(609) 460-4787 Office; (908) 255-5769 Cell

jason@designs4life.net; www.designs4life.net

_				
	lo Wa	aivers are requested		
ch	ecklis	nt: Please explain why you believe each requested waiver should be g it item for which you are requesting a waiver. Use a separate sheet if		r to each specific
	p.	Signature block	p	_ p
V.		Name of person or firm responsible for plan preparation	0	0
1	n.	Names of owner and applicant	n	n
	m.	Soil erosion and sediment control plans	m	m
1	J.	Sign details; locations and dimensions	1.	l L
	-	Lighting details	k.	k.
	i.	Landscape plan	j	
	,,	fire prevention, etc.	1	11
fi	1.	Location and design of storm water, sewer system refuse disposal,	n	_   h
	_	Road cross sections; design details	8·	_   g
	f.	Setbacks, yards and lot line dimensions  Location and design of all utilities	1 T.	
i		Existing natural features; existing & proposed contours	e	- e
Į		Location of structures and streets surrounding site	d	
		elevations	C	
Ŧ	۲.	Location of site structures, outside dimensions and architectural	1	

#### 1 COPY

# PENNINGTON BOROUGH PLANNING/ZONING BOARD

#### PENNINGTON BOROUGH CONSENT TO ENTRY

Date: 2/17/25	
The undersigned property owner hereby gives consen	t to entry onto the property known as
319 Hale Street and also know	m as Block(s) 706 Lot(s) 5 on the
Tax Map of Pennington Borough by members of the B	orough Joint Zoning/Planning Board, the
Environmental Commission, the Historic Preservation	Commission, or any Borough employees,
appointed agents or appointed consultants to perform	n inspections / observations of the property, at
reasonable times, in connection with the developmen	t application submitted. This consent permits
entry onto the property only by the above-mentioned	Representatives for the purpose of conducting
visual inspections / observations while the application	is active with the Borough. This right of entry
anta the subject property is limited only to those pers	ons listed above.
CJ & Mary Peters	732-379-0455
Property Owner (Print)	Property Owner Phone #
Mary At	
Property Owner (Signature)	
Jason Kliwinski	
Witness (Print)	
Witness (Signature)	
MILLIE SYSTEMENTEL	

#### 1 COPY

### PLANNING/ZONING BOARD PENNINGTON BOROUGH

#### **ESCROW AGREEMENT**

Application #:	,	
Applicant's name:(property owner)	CJ & Mary Peters	
Applicant's address:	319 Hale Street	
	Pennington, NJ 088	534
Application for the fol	lowing property:	
Block: 706	Lot(s):	5
Street address: - S	ame as above	
undersigned hereby a including, but not limit	agrees to pay for the ted to engineering, p o review the develor	Pennington Borough Code, the cost of professional services, professional planning and legal per's (property owner's)
	hote	lary Peters (print or type legibly)
	Proper	y owner's signature
	Date	2/17/2025

#### 1 COPY

	TO:	Assessor
	DATE:	2/17/25
	I hereby	y request a certified list of property owners within 200 feet of the property as:
	Block_	706 Lot(s) 5
	Address	319 Hale Street, Pennington NJ
	oses of notification.	
FROM	: :	CJ & Mary Peters
	I have e	nolosed the required fee of \$10.00.
		Mary Att

TO:	Tax Collector
DATE	2/17/25
I hereb	y request a certified list of property owners within 200 feet of the property known as:
Block.	706 Lot(s) 5
	319 Hale Street, Pennington NJ
for pur	poses of notification.
FROM	
I have	enclosed the required fee of \$10.00.
	Mary At

#### MASON, GRIFFIN & PIERSON

A PROFESSIONAL CORPORATION COUNSELLORS AT LAW

#### MEMORANDUM

via Electronic Mail

To: Mary Mistretta, Secretary

Pennington Borough Planning Board

From: Edwin W. Schmierer, Esq.

Board Attorney

Date: October 8, 2020

Re: Resolution Adopting Remote Public Meeting Procedures

In March 2020, the New Jersey Department of Community Affairs, Division of Local Government Services issued guidelines for conducting remote Land Use Board Meetings. The Division of Local Government Services is now in the process of codifying those guidelines and incorporating them into the New Jersey Administrative Code. We recently received a directive from the State that the remote public meeting guidelines should be formally adopted by Land Use Board to be in compliance with State guidelines.

To this end, I have prepared and enclose herewith a proposed resolution. Attached to the resolution as Exhibit A are the guidelines for the Pennington Borough Planning Board to conduct remote public meetings.

I would suggest therefore, that the Board consider adopting the enclosed resolution at its meeting on October 14, 2020.

Encl.

#### BOROUGH OF PENNINGTON PLANNING BOARD

#### RESOLUTION ADOPTING REMOTE PUBLIC MEETING PROCEDURES

WHEREAS, Section 8 of P.L.2020, c.34 provides that whenever a public health emergency, pursuant to the *Emergency Health Powers Act*, P.L.2020, c.11 (N.J.S.A. 26:13-1, et seq.), and/or a state of emergency pursuant to P.L.1942, c.251 (C.App.A.9-33 et seq.), or a state of local disaster emergency has been declared by the Governor and is in effect, a local public body may conduct a public meeting remotely by electronic means, provided that reasonable public notice and provision for public input is made under the circumstances; and

WHEREAS, P.L.2020, c.34 also provides that the Director of the Division of Local Government Services in the Department of Community Affairs ("DLGS") shall adopt rules and regulations concerning the conduct of remote public meetings during a public health emergency or state of emergency that are necessary to implement the provisions of the law, which shall include minimum procedures to be followed to provide reasonable public notice and allowance for public input; and

WHEREAS, DLGS promulgated emergency regulations codified as N.J.A.C. 5:39-1.1 through -1.7 that implement P.L.2020, c.34; and

WHEREAS, DLGS issued Local Finance Notice LFN 2020-21 on September 24, 2020 to accompany and explain the new regulations; and

WHEREAS, N.J.A.C. 5:39-1.4(h) requires local public bodies to adopt, by resolution, standard procedures and requirements for public comment made during a remote public meeting and for public comments submitted in writing ahead of a remote public meeting; and

WHEREAS, the Pennington Borough Planning Board ("Board") desires to establish and adopt the procedures and requirements attached hereto as Exhibit A as its standard procedures and requirements for public comment during a declared public health emergency and/or state of emergency.

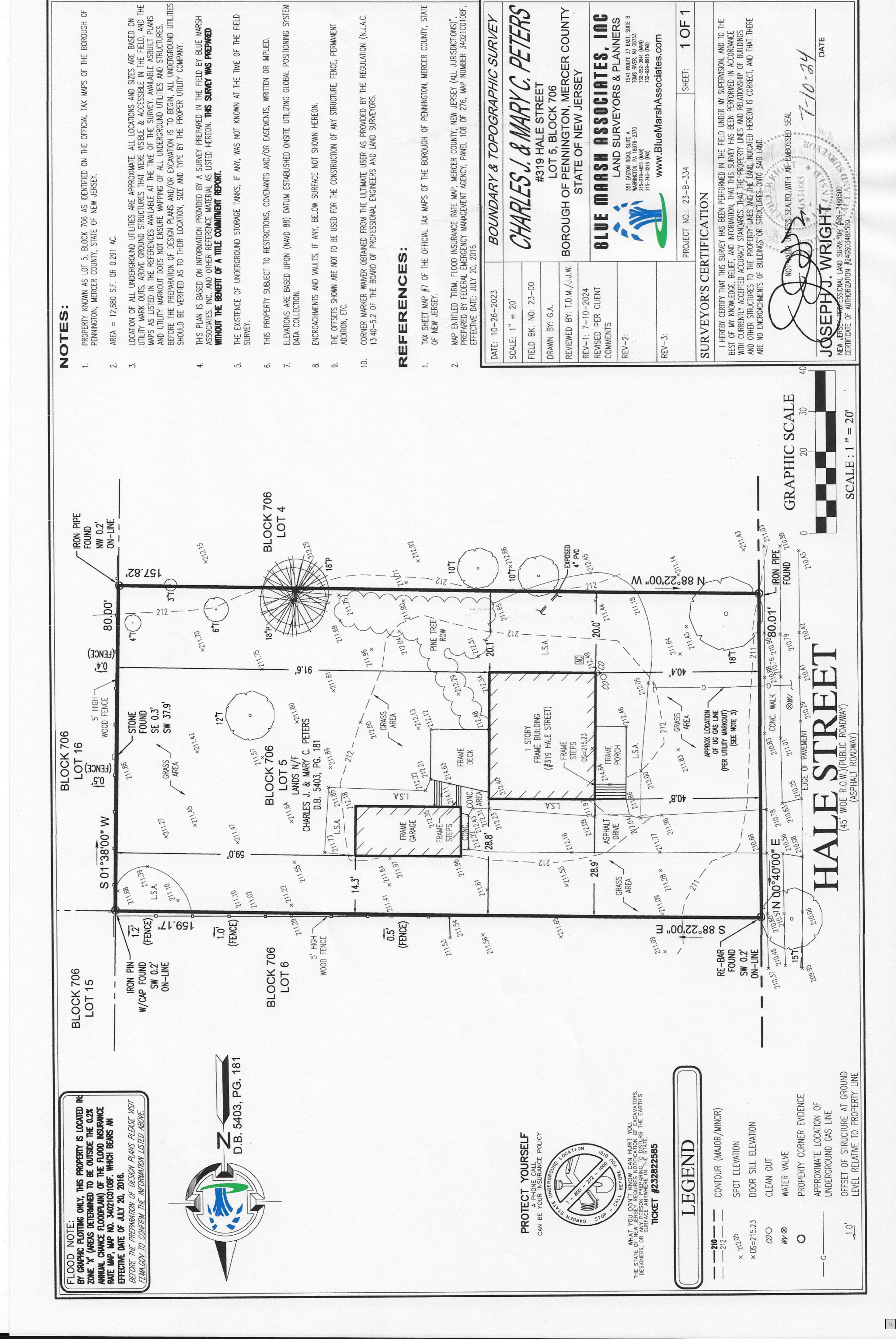
NOW, THEREFORE, BE IT RESOLVED by the Pennington Borough Planning Board in Mercer County, New Jersey, that the Procedures and Requirements for the Conduct of Remote Public Meetings during a Declared Public Health Emergency and/or State of Emergency, attached hereto as Exhibit A, are hereby adopted as the standard procedures and requirements for public comment during a declared public health emergency and/or state of emergency.

#### CERTIFICATION

I, Mary Mistretta, do hereby certify that this Resolution was adopted by the Pennington Borough Planning Board at its meeting on October 14, 2020.

1

Mary Misyretta, Board Secretary



# PETERS RESIDENCE 319 HALE STREET, PENNINGTON NJ

BLOCK 706, LOT 5

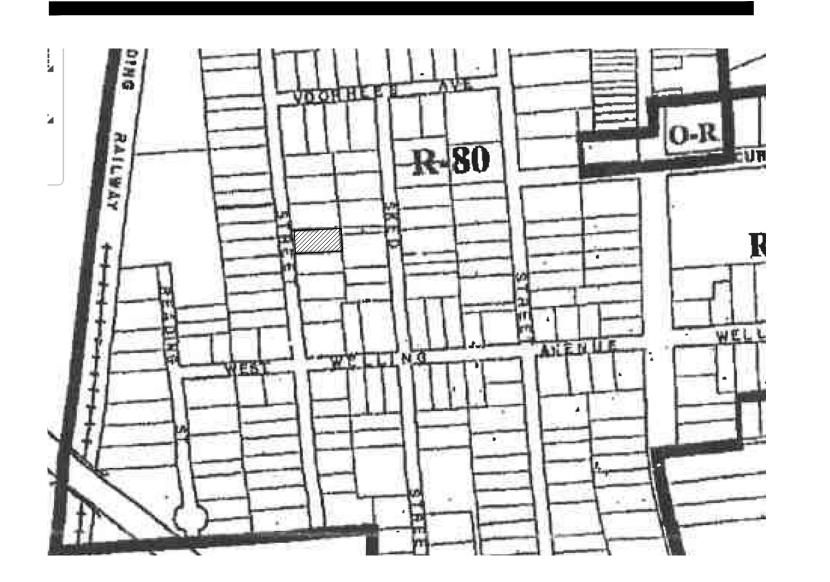
DETAIL OR ENLARGED PLAN

# DRAWING LIST

### ARCHITECTURAL DRAWING LIST

CS COVER SHEET EXISTING, DEMO PLANS & ELEVATIONS A-1PROPOSED PLANS & ELEVATIONS A-2POLT/GRADING/SESC PLAN

## LOCATION MAP



# CODE INFORMATION

ZONE: R80 USE GROUP: R CONSTRUCTION TYPE: 5B RISK CATEGORY: II

SEISMIC ZONE: B EXPOSURE TYPE: B DESIGN WIND SPEED: 115 mph DESIGN SNOW LOAD: 30 LB/SQ.FT.

ROOF LIVE LOAD (1:1 AND GREATER): 12 LB/SQ.F ROOF LIVE LOAD (FLAT): 16 LB/SQ.FT.

PROJECT DESCRIPTION

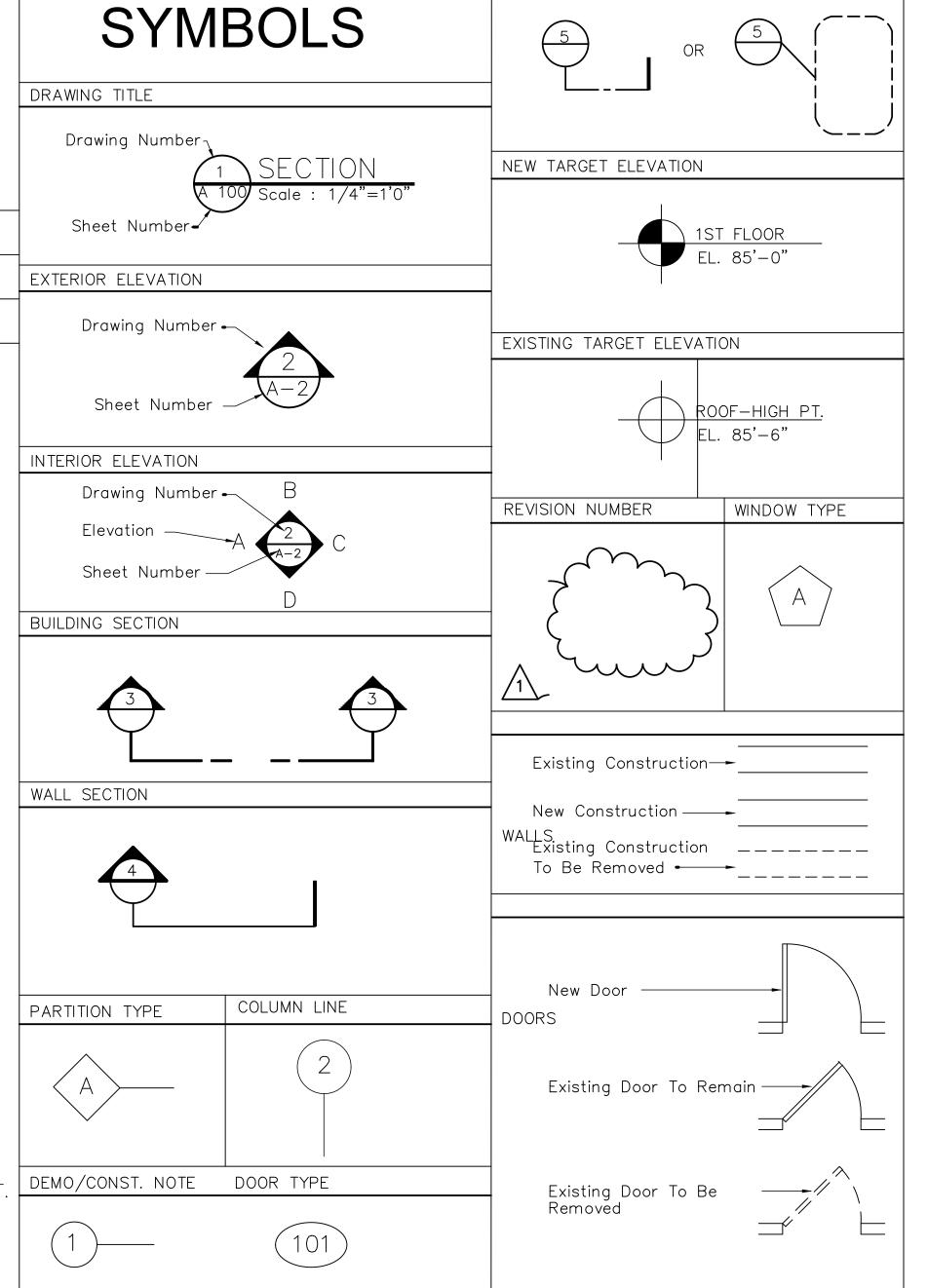
THIS SUBMISSION FOR ZONING APPROVAL IS FOR A 2 STORY REAR ADDITION TO THE EXISTING RESIDENCE. IT ALSO INCLUDES THE RAISING OF THE EXISTING ROOF LINE BY ADDING DORMERS ON THE FRONT AND REAR, EXPANSION OF THE EXISTING FRONT PORCH TO MAKE IT WRAP AROUND THE RIGHT SIDE, EXPANSION OF THE EXISTING REAR DECK WITH NEW ACCESS, RELOCATION OF MECHANICAL EQUIPMENT & ADDING OF NEW EQUIPMENT AND

INTERIOR RENOVATIONS OF THE EXISTING HOME.

IRC 2021

APPLICABLE CODES

NJUCC REHAB Subchapter 6



Guardrails and handrails 200 Guardrails in-fill components 50 Passenger vehicle garages 50 Rooms other than sleeping rooms 40

USE LIVE LOAD

Fire escapes 40

Sleeping rooms 30

Decks 40

Stairs 40

Attics with storage 20

Exterior balconies 60

Attics without storage 10

ALLOWABLE STRUCTURAL MEMBER DEFLECTION Rafters having slopes greater than 3/12 with no finished ceiling attached to rafters L/180 Interior walls and partitions H/180Floors and plastered ceilings L/360 All other structural members L/240 Exterior walls with plaster or stucco finish H/360 Exterior walls.wind loads a with brittle finishes L/240Exterior walls.wind loads a with flexible finishes L/120

# GENERAL NOTES

- ALL CONTRACTORS MUST VISIT THE SITE AND VERIFY ALL AREAS AND CONDITIONS PRIOR TO COMMENCING WORK. THE CONTRACTOR MUST NOTIFY THE ARCHITECT OF ANY DISCREPANCIES AND/OR OMISSIONS IN WRITING. FAILURE TO SO NOTIFY THE ARCHITECT INDICATES THAT ANY ADDITIONAL COSTS ASSOCIATED WITH THE DISCREPANCIES AND/OR OMISSIONS ARE INCLUDED IN THE CONTRACTOR'S WORK AND THAT NO CHANGE TO THE CONTRACT AMOUNT WILL BE MADE AFTER THE RECEIPT OF BIDS OR THE AWARD OF CONTRACTS. CONCEALED OR UNFORESEEN CONDITIONS THAT COULD NOT BE REASONABLY ASCERTAINED DURING VISUAL INSPECTIONS ARE NOT THE CONTRACTOR'S RESPONSIBILITY.
- 2. ALL PLUMBING, MECHANICAL, OR ELECTRICAL WORK & DISCONNECTS SHALL BE MADE BY THE RESPECTIVE TRADES. EXISTING HVAC TO BE REUSED, MODIFY/REOLCATE AS REQUIRED.
- 3. UNLESS NOTED OTHERWISE, ALL DEMOLITION MATERIAL SHALL BE REMOVED OFF SITE BY THE CONTRACTOR'S AT NO ADDITIONAL COST TO THE OWNER & PROVISIONS FOR RECYCLING BUILDING MATERIALS MADE TO THE FULLEST EXTENT POSSIBLE WITH A GOAL OF 95% CONSTRUCTION WASTE RECYCLING.
- THE CONTRACTOR SHALL MAKE EVERY EFFORT TO PROTECT ADJACENT EXISTING REPAIRED AT THE CONTRACTOR'S SOLE EXPENSE.
- F IF NOT OTHERWISE NOTED OR DETAILED, ALL SURFACES EXPOSED TO VIEW, SHALL BE PATCHED TO MATCH ADJACENT SURFACES AND FINISHES.
- 6 EACH CONTRACTOR IS RESPONSIBLE FOR THE CUTTING AND PATCHING REQUIRED FOR THE INSTALLATION OF THEIR OWN WORK, UNLESS SPECIFICALLY NOTED OTHERWISE AT A SPECIFIC CONDITION. EACH PRIME CONTRACTOR IS RESPONSIBLE TO PATCH, FILL, FIRESTOP/BLOCK AND REPAIR PENETRATIONS REQUIRED FOR HIS WORK IN BOTH NEW CONSTRUCTION AND EXISTING CONSTRUCTION. THIS INCLUDES AREAS NOT EXPOSED, SUCH AS AREAS ABOVE A SUSPENDED CEILING. THE ARCHITECT HAS THE RIGHT TO REJECT WORK NOT AESTHETICALLY ACCEPTABLE.
- Q NO WORK SHALL BEGIN UNTIL PROPER PROTECTION IS IN PLACE TO ENSURE THE SAFETY OF THE PUBLIC AND WORKMEN.
- 1 O THE CONTRACTORS SHALL COMPLY WITH ALL LAWS REGARDING THE REMOVAL AND DISPOSAL OF ALL MATERIALS AND EQUIPMENT.
- 11 CONTRACTOR TO SUBMIT DIAGRAMS, SKETCHED, AND/OR EQUIPMENT AND PRODUCT CUT SHEETS AS REQUIRED BY THE OWNER, ARCHITECT OR CODE OFFICIAL FOR APPROVAL FOR ALL MECHANICAL, ELECTRICAL & PLUMBING SCOPE OF WORK..
- 1 ) FINISHES, PLUMBING FIXTURES AND LIGHTING TO BE PROVIDED BY THE OWNER FOR CONTRACTOR INSTALLATION. CONTRACTOR TO PROVIDE ALL OTHER MATERIALS AND LABOR NECESSARY TO MAKE A COMPLETE AND FINISHED PROJECT AS NEEDED.
- 13 ALL INTERIOR ADHESIVES AND SEALANT TO BE GREENGUARD CERTIFIED OR EQUIVALENT TO MEET CDPH VOC MAX LEVELS. PROVIDE PRODUCT DATA OF ALL SUCH MATERIALS TO BE USED TO THE ARCHITECT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION. FAILURE TO COMPLY WILL RESULT IN REMOVAL AND REPLACEMENT OF MATERIALS AT CONTRACTORS EXPENSE.

STRUCTURAL MEMBER ALLOWABLE DEFLECTION

Exterior walls with plaster or stucco finish

Rafters having slopes greater than 3:12 with no finished ceiling attached to rafters L/180 Interior walls and partitions H/180 Floors and plastered ceilings L/360All other structural members L/240

Exterior walls—wind loads with brittle finishes H/240Exterior walls—wind loads with flexible finishes L/120d Lintels supporting masonry veneer wallse

DESIGNS for LIFE

LAMBERTVILLE, NJ 08530 908-255-5769 Email: designs4life.jason@gmail.com

JASON KLIWINSKI, AIA NJ LIC. # 15814

03/10/25 ZONING ZONING 01/06/25 ISSUE/REVISION DATE

ANY UNAUTHORIZED USE OF THIS DOCUMENT WITHOUT WRITTEN CONSENT OF

C COPYRIGHT 2025 DESIGN FOR LIFE, LL

PROJECT TITLE:

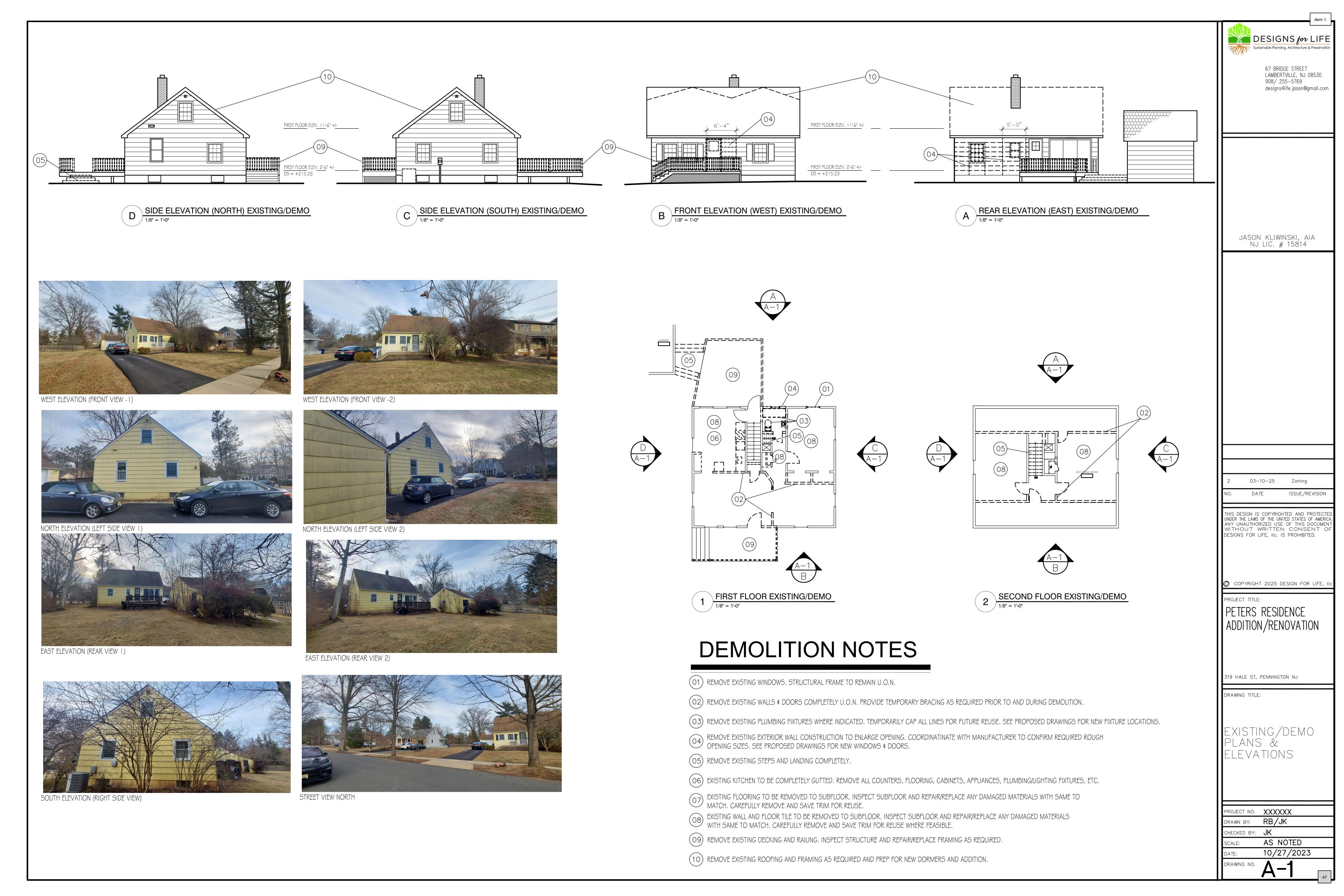
PETERS RESIDENCE RENOVATIONS & ADDITION

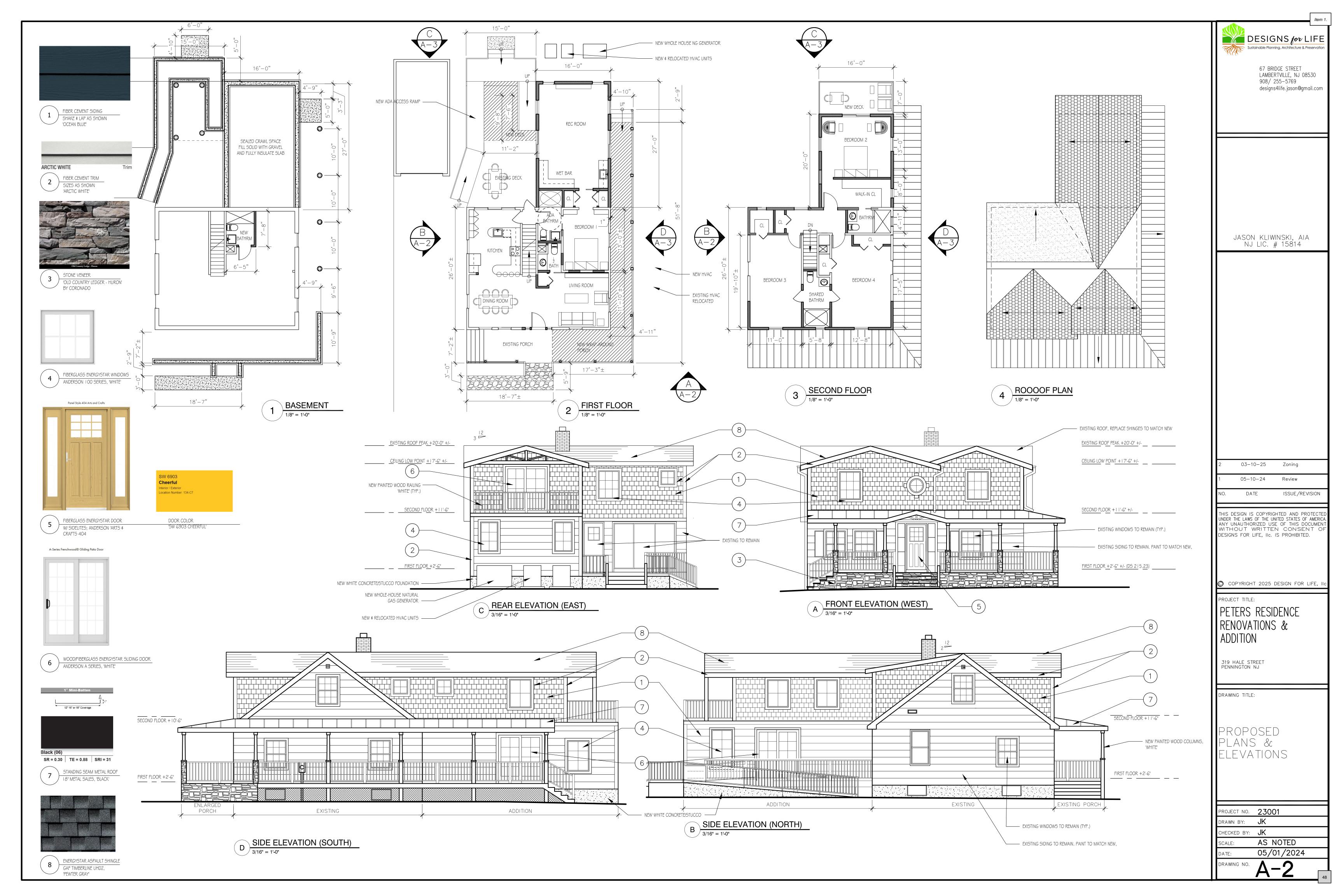
519 HA;E STREET PENNINGTON NJ

DRAWING TITLE:

COVER SHEET

PROJECT NO.	23001
DRAWN BY:	JK
CHECKED BY:	JK
SCALE:	AS NOTED
DATE:	1/6/25
DRAWING NO.	CS





**GENERAL NOTES:** THIS PLOT PLAN REFERENCES A "BOUNDARY & TOPOGRAPHIC SURVEY, CHARLES J. & MARY C. PETERS, #319 HALE STREET, LOT 5, BLOCK 706, BOROUGH OF PENNINGTON, MERCER COUNTY, STATE OF NEW JERSEY", PREPARED BY BLUE MARSH ASSOCIATES, INC., DATED OCTOBER 26, 2023. THESE PLANS ARE NOT FOR CONSTRUCTION AND ARE FOR MUNICIPAL REVIEW AND APPROVAL ONLY. THESE PLANS SHALL NOT BE USED FOR CONSTRUCTION UNTIL THEY HAVE BEEN STAMPED APPROVED BY THE MUNICIPALITY AND ALL CONDITIONS HAVE BEEN SATISFIED. THIS PLAN MAY SHOW ITEMS NOT SPECIFICALLY INCLUDED IN THE CONTRACT BETWEEN THE CONTRACTOR AND THE HOMEOWNER. EXAMPLES OF SUCH ITEMS MAY INCLUDE, BUT ARE NOT LIMITED TO, DRAINAGE, RECHARGE SYSTEMS, RETAINING WALLS, UTILITIES, TREE REMOVAL, AND ADDITIONAL FILL OR GRADING. . ANY DAMAGE TO PROPERTY IMPROVEMENTS OR PUBLIC IMPROVEMENTS SHALL BE REPAIRED OR REPLACED BY PROPERTY OWNER. 7. POOL TO BE SECURED BY A FENCE COMPLYING WITH APPLICABLE BUILDING CODE. 8. ALL ELECTRICAL WORK MUST COMPLY WITH THE LATEST

5. NO WETLANDS OR WETLANDS BUFFER HAVE BEEN LOCATED. 6. ALL ROOF LEADERS SHALL BE DIRECTED AWAY FROM THE POOL.

EDITION OF THE NATIONAL ELECTRIC CODE. 9. ALL DISTURBED AREAS SHALL BE STABILIZED WITH SEED OR LANDSCAPING WHERE THE BUILDING AND OTHER IMPROVEMENTS ARE NOT LOCATED.

0. THE CONTRACTOR AND PROPERTY OWNER SHALL VERIFY THE LAYOUT AND ALL DIMENSIONS PRIOR TO CONSTRUCTION. THE IMPROVEMENTS, IMPERVIOUS AREAS, AND WALLS SHALL BE 23. THESE CONSTRUCTION DOCUMENTS ARE BASED ON STAKED OUT BY A PROFESSIONAL SURVEYOR. IT IS

INFORMATION PROVIDED AT THE TIME OF PLAN PREPARATION. STAKED OUT BY A PROFESSIONAL SURVEYOR. IT IS RECOMMENDED THAT THE HOMEOWNER AND CONTRACTOR STAKEOUT THE PROPOSED POOL PRIOR TO CONSTRUCTION TO ENSURE THE POOL AND CONCRETE IS NOT CONSTRUCTED WITHIN A SETBACK LINE OR EASEMENT

THE PROPERTY OWNER IS RESPONSIBLE FOR OBTAINING ANY NECESSARY ENVIRONMENTAL PERMITS, TREE CLEARING PERMITS, SOIL DISTURBANCE PERMIT, STEEP SLOPE PERMITS, ETC. PRIOR TO CONSTRUCTION.

2. BY USE OF THE PLOT PLAN AND GRADING PLAN FOR MUNICIPAL APPROVAL, THE PROPERTY OWNER AND POOL CONTRACTOR AGREE AND ACCEPT THE PROPOSED POOL LOCATION AND OTHER IMPROVEMENTS AS SHOWN. ANY DEVIATION FROM THE PLANS SHALL BE THE SOLE RESPONSIBILITY OF THE HOMEOWNER FOR REGULATORY COMPLIANCE.

3. CONTRACTOR SHALL COMPLY WITH ALL NOTES, DETAILS, AND SPECIFICATIONS CONTAINED WITHIN DRAWING SETS AND THE DOCUMENTS REFERENCED BELOW. ALL CONSTRUCTION AND INCIDENTAL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE CONSTRUCTION DOCUMENTS AND ALL APPLICABLE REQUIREMENTS AND STANDARDS OF ALL GOVERNMENTAL ENTITIES HAVING JURISDICTION OVER THIS PROJECT. 4. CONTRACTOR SHALL PERFORM ALL CONSTRUCTION AND MEANS AND METHODS IN ACCORDANCE WITH REQUIREMENTS

STANDARDS, SPECIFICATIONS, AND DETAILS OF SEC. 3704, CONTRACT WORK HOURS AND SAFETY STANDARDS ACT (40 U.S.C. 3701 ET AL.); SECS. 4, 6, AND 8, OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 (29 U.S.C. 653, 655, 657); SECRETARY OF LABOR'S ORDER NO. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 6-96 (62 FR 111), 5-2007 (72 FR 31160), 4-2010 (75 FR 55355), AS APPLICABLE; 29 CFR PART 1911.SEQ.), THE NEW JERSEY UNDERGROUND FACILITY PROTECTION ACT (NJSA 48:2-73, ET SEQ.) AS AMENDED, AMERICANS WITH DISABILITIES ACT (ADA) CODE (42 U.S.C. § 12101 ET SEQ. AND 42 U.S.C. § 4151 ET SEQ.) OR THE LOCAL REQUIREMENTS WHICHEVER IS MORE RESTRICTIVE APPLICABLE MUNICIPALITY, COUNTY, NJDOT, UTILITY AUTHORITY, AND OTHER APPLICABLE AGENCIES.

.5. PRIOR TO AND DURING CONSTRUCTION CONTRACTOR

SHALL AT A MINIMUM; CONTRACTOR SHALL REVIEW ALL CONSTRUCTION DOCUMENTS PRIOR TO THE INITIATION OF CONSTRUCTION. SHOULD CONTRACTOR FIND A CONFLICT WITHIN THE CONSTRUCTION DOCUMENTS RELATIVE TO ITSELF OR APPLICABLE CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY ENGINEER IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF WORK AS DEFINED BY CONSTRUCTION DOCUMENTS AND FULL COMPLIANCE WITH LOCAL AND STATE REGULATIONS AND CODES, OBTAIN ALL REQUIRED PERMITS AND MAINTAIN THE SAME ON SITE FOR REVIEW BY THE ENGINEER AND OTHER PUBLIC AGENCIES HAVING JURISDICTION, NOTIFY THE MUNICIPAL ENGINEER, ENGINEER, AND LOCAL SOIL CONSERVATION DISTRICT 72 HOURS PRIOR TO THE START OF WORK CALL THE BOARD OF PUBLIC UTILITIES ONE CALL

DAMAGE PROTECTION SYSTEM OR OTHER APPLICABLE NOTIFICATION SYSTEM FOR UTILITY MARK OUT IN ADVANCE OF ANY EXCAVATION. UTILITIES SHOWN ARE APPROXIMATE BASED ON PRIOR MARK-OUTS, INSTALL THE REQUIRED SOIL EROSION AND SEDIMENT CONTROL MEASURES PRIOR TO SITE DISTURBANCE, COORDINATE WITH APPLICABLE UTILITY COMPANY TO DISCONNECT, MAINTAIN, AND/OR REROUTE ANY UTILITY SERVICE REQUIRED TO CONSTRUCT THE PROJECT IN ACCORDANCE WITH THEIR APPLICABLE RULES AND REGULATIONS.

6. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SHORING REQUIRED DURING EXCAVATION AND ANY ADDITIONAL PRECAUTIONS NECESSARY TO ENSURE THE STABILITY OF ADJACENT AND CONTIGUOUS STRUCTURES, PROVIDE ALL "MEANS AND METHODS" NECESSARY TO PREVENT MOVEMENT SETTLEMENT, OR COLLAPSE OF EXISTING STRUCTURES, AND ANY OTHER IMPROVEMENTS ARE TO REMAIN ON OR OFF-SITE, BE RESPONSIBLE FOR JOB SAFETY INCLUDING, BUT NOT LIMITED, TO INSTALLATION AND MAINTENANCE OF BARRIERS FENCING AND OTHER APPROPRIATE SAFETY ITEMS NECESSARY TO PROTECT THE PUBLIC FROM AREAS OF CONSTRUCTION AND CONSTRUCTION ACTIVITY, PROCEED WITH ALL CONSTRUCTION IN A SYSTEMATIC AND SAFE MANNER, SAFEGUARD SITE AS NECESSARY TO PERFORM THE CONSTRUCTION IN SUCH A MANNER AS TO PREVENT THE ENTRY OF UNAUTHORIZED PERSONS AT ANY TIME, RETAIN COPIES OF ALL PERMITS AND APPROVALS ONSITE FOR REVIEW, MAINTAIN ON-SITE SOIL EROSION CONTROL MEASURES WHERE MORE THAN 5,000 SF OF

POLLUTION PREVENTION PLAN (SWPPP) IN COMPLIANCE WITH IS DISTURBED BY CONSTRUCTION ACTIVITIES, MAINTAIN AND CLEAN ADJACENT STREETS AND PROPERTIES OF CONSTRUCTION DEBRIS AND DUST DURING THE CONSTRUCTION PROJECT, REVIEW ALL PLANS AND IDENTIFY ANY CONSTRUCTION ISSUES PRIOR TO INITIATING CONSTRUCTION. THEN NOTIFY ENGINEER IN WRITING OF ANY CONSTRUCTION ISSUES AND WORK TO RESOLVE THOSE

ISSUES, NOTIFY ENGINEER IN WRITING OF ANY PLAN

SOIL IS DISTURBED BY CONSTRUCTION ACTIVITIES OR SHALL MAINTAIN THE MEASURES WITHIN ON-SITE STORMWATER

MODIFICATIONS THAT WILL BE REQUIRED BASED ON SUBMITTALS OR ANY OTHER REASON, DISPOSE OF ALL CONSTRUCTION DEBRIS IN ACCORDANCE WITH ALL GOVERNING MUNICIPAL, COUNTY, STATE, AND FEDERAL LAWS AND APPLICABLE CODES. DEBRIS SHALL NOT BE BURIED ON-SITE AND SHALL BE REMOVED FROM THE SITE AT THE TIME OF EXCAVATION OR CONSTRUCTION. STOCKPILING OF DEBRIS IS

18. CONCRETE SHALL HAVE A MIN SLOPE OF 0.50%. MAX CROSS SLOPE OF 2% FOR SIDEWALKS. 19. VEGETATIVE COVER SHALL HAVE A MIN SLOPE OF 1.00%

AND MAX SLOPE OF 3 TO 1. 20. GRADE FINISHED SURFACES TO PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS AND TOWARDS DRAINAGE

21. UTILITIES - CONTRACTOR SHALL COMMENCE CONSTRUCTION AT THE LOWEST INVERT AND/OR POINT OF CONNECTION TO STREET AND PROGRESS UP GRADIENT, INSTALL ALL STORM SEWER AND SANITARY SEWER COMPONENTS WHICH FUNCTION BY GRAVITY PRIOR TO THE INSTALLATION OF ALL OTHER UTILITIES, PROTECT AND MAINTAIN ALL ACTIVE SYSTEMS THAT ARE NOT BEING REMOVED/RELOCATED DURING SITE ACTIVITY, ENSURE THAT ALL UTILITY TRENCHES LOCATED IN EXISTING PAVED ROADWAYS SHALL BE REPAIRED IN ACCORDANCE WITH APPLICABLE UTILITY COMPANY, MUNICIPAL, COUNTY AND/OR NJDOT DETAILS, CONSTRUCT ALL NEW UTILITIES/SERVICES UNDERGROUND UNLESS OTHERWISE NOTED.

CONTRACTOR SHALL FIELD VERIFY EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY ENGINEER IF CURRENT SITE CONDITIONS VARY FROM CONSTRUCTION DOCUMENTS OR PROPOSED WORK CONFLICTS WITH ANY SITE FEATURES. 24. ENGINEER IS NOT RESPONSIBLE FOR JOB SITE SAFETY OR SUPERVISION. CONSTRUCTION METHODS/MEANS FOR COMPLETION OF THE WORK DEPICTED ON THE CONSTRUCTION

FEATURES WITH A POSITIVE OUTLET OR AN APPROVED RETENTION SYSTEM. 22. ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3,000 PSI AT 28 DAYS UNLESS OTHERWISE DOCUMENTS NOR FOR ANY REVISIONS RESULTING FROM BLOCK 706 K 706 LOT 16 S 01°38'00" W BLOCK 706

LOT 5 LANDS N/F BLOCK 706 OCK 706 CHARLES J. & MARY C. PETERS LOT 4 LOT 6 D.B. 5403, PG. 181 WOOD FENCE PORTION OF VEGETATION TO BE REMOVED PORTION OF **DECK & STEPS T** BF RFMOVED AC UNIT TO BE RELOCATED I FRAME PORCH RECONSTRUCTED 80.01' N 00°40'00" E CONC. WALK DEMOLITION PLAN 1"=20'

**ZONING INFORMATION** THIS PLOT PLAN REFERENCES THE FOLLOWING "BOUNDARY & TOPOGRAPHIC SURVEY, CHARLES J. & MARY C. PETERS, #319 HALE STREET, LOT 5, BLOCK 706, BOROUGH OF PENNINGTON, MERCER COUNTY, STATE OF NEW JERSEY", PREPARED BY BLUE MARSH ASSOCIATES, INC., DATED DOCUMENTS: OCTOBER 26, 2023.

BLOCK 706, LOT 5 PARCEL INFORMATION OWNER CHARLES J & MARY PETERS CHARLES J & MARY PETERS APPLICANT SINGLE FAMILY RESIDENCE PRINCIPAL USES ALOWED:

PRINCIPAL USE PROPOSED: SINGLE FAMILY RESIDENCE FLOOD ZONE: ZONE X PER FIRM MAP NUMBER 34021C0108F, EFFECTIVE DATE JULY 20, 2016

**BULK TABLE** REQUIREMENT **EXISTING PROPOSED** 12,000 SF 12,680 SF 12,680 SF MIN. LOT AREA 80 FT 80.01 FT MIN. LOT WIDTH 80.01 FT MIN. FRONT YARD SETBACK 40 FT (AVG 36 FT+/-) 32.9 FT (EN) 33.00 FT (EN) 15 FT MIN. SIDE YARD SETBACK 20.0 FT 15.0 FT 30 FT MIN. COMBINED YARD SIDE SETBACK 38.8 FT 43.8 FT 25 FT 59 FT 60.0 FT MIN. REAR YARD SETBACK 4,036 SF MAX. LOT COVERAGE 2,293 SF 3,431 SF 3 STORIES/35 FT 1 STORY/COMPLIES 2 STORIES/21.08 FT MAX. BUILDING HEIGHT MIN. FLOOR AREA FIRST FLOOR MULTISTORY 900 SF 1,246 SF 813 SF (EN) TOTAL FLOOR AREA FIRST FLOOR MULTISTORY 1,200 SF

WOOD FENCE WOOD FENCE ON-LIIRON PIN-CAP FOUND SW 0.2 L.S.A. 5 ON-LINE BLOCK 706 LOT 5 BLOCK 706 CHARLES J. & MARY C. PETERS LOT 6 D.B. 5403, PG. 181 PROP. AC TS:214.40 UNITS & PROP. STAIRS & HIGH — 5' HIGH -GR:212.05 **GENERATOR CONCRETE PAD** FENCE WOOD FENCE PROP. BUILDING GR:214.40 ADDITION. AC AC GENI TS:215.20 GR:214.40 PROP. \$TAIRS (FENCE) FRAME **GARAGE GARAGE** PINE TREE ROW GR:215.20 PROP PROP. RAMP **EXPANDED** GR:212.30 **DECK** FRAME BUILDING FRAME BUILDING (#319 HALE STREET) ×511.601 PROP. COVERED PORCH AREA AREA PROP. CONCRETI GR:212.40 PROP. STAIRS GR:212.30  $\infty$ APPROX LOCATION OF UG GAS LINE RE-BAR -(J) FOUND SW 0.2 ON-LINE 80.01' CONC. WALK N 00°40'00" E FOUND  $\otimes WV$ EDGE OF PAVEMENT (ASPHALT ROADWAY) (ASPHALT ROADWAY) GRADING PLAN 1"=10' PLOT PLAN 1"=10 **GRAPHIC SCALE** 

BLOCK 706

EXISTING NON-CONFORMITY (EN)

5' HIGH —

NW

GR:212.00

TS:214.64

GR:212.15

GR:212.00

GREENSITE ENGINEERING & CONSULTING, LLC 526 ROUTE 206, TRENTON, NJ 08610

C (609) 751-8479 O (609) 751-0287 F (609) 228-8319

CERT. OF AUTHORIZATION 24GA2819600

LAURENCE G. MURPHY

PROFESSIONAL ENGINEER

NEW JERSEY LICENSE # 44495

DRAWN BY: LGM | SCALE: PLAN

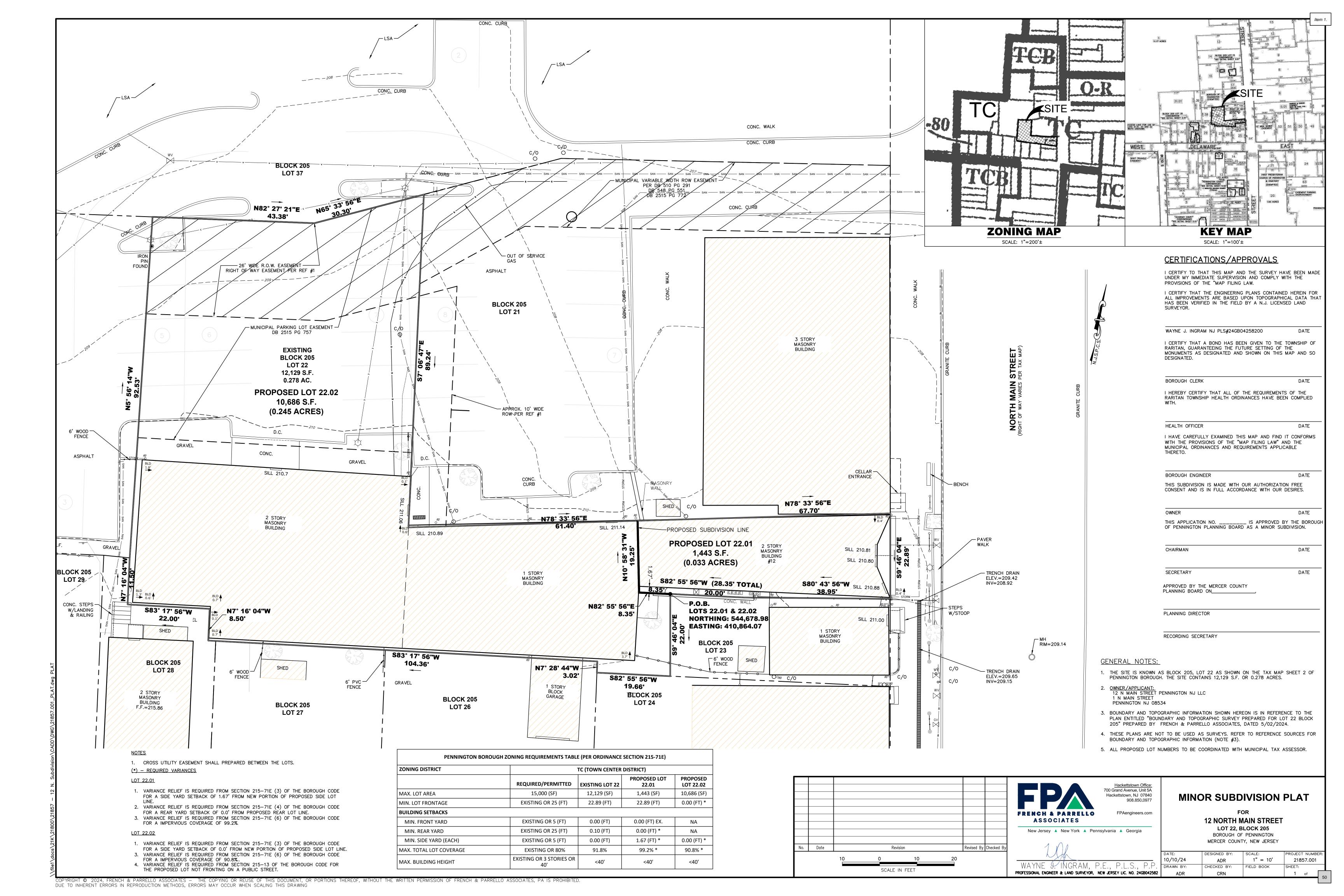
PLOT/GRADING/SESC

PLAN

PREPARED FOR LOT 5, BLOCK 706

#319 HALE STREET BOROUGH OF PENNINGTON

MERCER COUNTY, NJ



### Master Plan 2025 – 6. Community Facilities and Services Plan Element Draft 7a

Released on March 25, 2025 by element writing team Chair Ryan Schwab for consideration for adoption by the Planning Board.

Thanks go to the following people who helped create the draft Community Facilities and Services Plan element: Chair Ryan Schwab, Suzanne Elliott, Allison Neary, Kate O'Neill, Rob Ingram, Roger Demareski, and Andy Jackson.

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- 4. Relationship with Regional Community Facilities and Services Plans
  - a. Hopewell Township
  - b. Mercer County
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#### 1. Introduction

The Municipal Land Use Law (MLUL) includes a Community Facilities Plan as a permitted Master Plan element. N.J.S.A. 40:55D-28(4) describes the element as follows:

"A community facilities plan element showing the existing and proposed location and type of educational or cultural facilities, historic sites, libraries, hospitals, firehouses, police stations and other related facilities, including their relation to the surrounding areas."

We have chosen to name the element the Community Facilities and Services Plan element to act as a guide to facilities and services available to Borough Residents and to present goals on how to improve or enhance both. We benchmarked the Community Facilities Plans in the Master Plans of nearby communities. We also reviewed the Community Facilities Plan of the 1998 Pennington Borough Master Plan and in the 2005, 2013 and 2023 Master Plan Reexamination reports. These can be accessed on the Borough website.

The vision and goals for the Community Facilities and Services Plan element are a subset of the overall Master Plan 2025 vision and goals developed by the Master Plan Committee (MPC) and the Citizens Advisory Committee (CAC). The CAC is composed of 15 resident volunteers appointed by the Mayor on October 4, 2023. The role of the CAC is to assist the Planning Board in any area assigned to it, as detailed in NJ MLUL 40:55D-27a. In this case, the CAC is assigned to help the Planning Board develop Master Plan 2025 Their role is to work with the MPC and

with the Committees and Commissions developing draft elements for the Master Plan. CAC members serve as community contacts, obtaining feedback and buy-in as the Plan elements develop.

In the fall of 2023, the MPC and CAC worked together to develop the vision and goals for the updated Master Plan. Their report was reviewed, modified and endorsed by the Planning Board in a public meeting on January 10, 2024. The modified vision and goals were presented to the public at an Open House at Borough Hall on April 10, 2024. Revisions were made based on feedback from Borough residents. The resulting list of draft goals was distributed to the teams developing the Master Plan elements as a guide for their discussions. The community facilities and services goals in that report were the starting point for the Community Facilities and Services Plan element writing team.

#### 2. Community Facilities and Services Plan Vision, Goals and Strategies

This Community Facilities and Services Plan Element includes data on existing and proposed municipal and other public facilities, semi-public facilities, parks and recreation, schools, utilities services, stormwater management and recycling.

Pennington Borough provides an excellent range and quality of community facilities to serve its population. The Borough undertakes a review of its community facilities needs on an annual basis by the Borough Administrator in collaboration with the Hopewell Valley Office of Emergency Management and Borough Council to ensure facilities are properly functioning and have the capacity for the forecasted annual usage. Many of the existing facilities have been upgraded over the course of the last decade to reflect Americans with Disabilities Act requirements and other needs.

According to the 2020 Census, Pennington Borough has a population of 2,802 people. With limited opportunity for new development in the Borough, major additions to or expansions of the existing community facilities are not anticipated.

Pennington Borough's vision is to ensure equitable access to community facilities, parks, services, and other amenities for people who are diverse in age, race and ethnicity, gender identity, religion, abilities, and socioeconomic status. The Borough will enhance the physical and mental wellness of its residents by creating meaningful opportunities for social connections, culture, learning, and leisure, and by supporting the availability of public and commercial facilities in the community.

#### Goals for community facilities and services:

1. To support community activities, the Borough should keep an updated list of public, semi-private and private indoor and outdoor facilities that are willing to host volunteer activities, such as community events, youth and adult sports, meetings of volunteers, book clubs, art shows, etc. Helping residents find facilities that meet their needs will bring the community together in shared activities.

- 2. With the refurbishing of Borough Hall and the modern Public Works facility, the community is well positioned to provide municipal services. However, space is limited and may not be adequate for the proper functioning of some departments. The Borough should consider its current inventory of space and how upcoming changes to the uses of buildings can best support all services. It may be necessary to consider renting some nearby space or repurposing other borough buildings.
- 3. The Borough should keep the community apprised of the services it provides, such as the library, police department, public works department, courts and more, and what is their role in an emergency along with clear and transparent communication via multiple modes of communication.
- 4. In addition to routine maintenance, the Borough will continue to improve energy efficiency and reduce greenhouse gas emissions from its buildings. Establish redundant energy systems, where it is feasible, to allow community facilities to maintain operations during public emergencies.
- 5. A long-term replacement for the Emergency Medical Services and expansion of our Emergency Services should be prioritized through a review of the Pennington Fire Company and Hopewell Valley Emergency Services to ensure capacity to service the regional needs.
- 6. Pennington Borough should become a National Weather Service StormReady municipality and work with our regional municipalities and the Hopewell Valley OEM to offer a comprehensive StormReady environment in Hopewell Valley. A strong consideration should be made to the implementation of Outdoor Warning Sirens to ensure multiple layers of alerts.
- 7. The Senior Center on Reading Avenue may become redundant when the regional Community Center on Reed Road is opened. Plans should be developed for the future of that site to support local needs and increase services within Pennington Borough.
- 8. Pennington should have a place that provides opportunities for learning, social connections, culture, and leisure for all. It should be rich in arts, community activities, and entertainment. The proposed new community center on Reed Road may provide this but its distance from the Borough center may be a discouragement and public transportation from the Borough may be needed for young people and others who do not drive.
- 9. Church attendance is in decline and some of the churches in the Borough may close or consolidate. These buildings are often historic, and the Borough should encourage repurpose for other uses instead of demolition.
- 10. The Borough should encourage the development or revitalization of daycare services to help families be able to live in Pennington.

#### 3. Information on Community Facilities and Services

#### a. Borough-Operated Facilities and Services

#### 1. Pennington Municipal Building (Borough Hall)

Borough Hall houses offices and conference rooms for the Mayor, Council, Borough officials, and the various municipal agencies and departments, including Public Works, Planning & Zoning Board, Parks & Recreation Commission, Environmental Commission, Economic Development Commission, Historic Preservation Commission, Open Space Committee, Shade Tree Committee, Board of Health, and Office of Emergency Management. In addition, there are offices for the Tax Collector, Tax Assessor, Zoning officer, Building and Construction officials, Borough Administrator and Borough Clerk. Borough Hall also houses the Police Station and the Municipal Court, a local court created by state law, whose procedures are governed by New Jersey Court rules.

#### 2. Police Department

(<a href="https://www.penningtonboro.org/police">https://www.penningtonboro.org/police</a> )

The Pennington Police Department is responsible for enforcing local and state laws with respect to motor vehicle and New Jersey criminal code. Police headquarters is located within the Municipal Building on North Main Street. This space houses offices, a holding cell, an evidence room and break rooms for the station.

Police equipment in 2025 included the following:

- 4 Marked police vehicles
- 1 Unmarked police vehicles
- 1 Mobile Speed Monitor

Pennington Borough has shared service agreements with Hopewell Township and Mercer County for Emergency 911 and Dispatch. The Department's authorized complement of officers and dispatchers is supplemented by civilians and crossing guards.

#### 3. Emergency Management

(https://www.hopewellpolicenj.gov/divisions/oem)

Hopewell Valley has a regional Office of Emergency Management (OEM) including Hopewell Township, Hopewell Borough and Pennington Borough. Each municipality has an emergency Management Coordinator. The OEM is responsible for planning for, responding to and coordinating efforts during major emergency events in Hopewell Valley. The office has developed and constantly updates a comprehensive emergency operations plan. Periodically the office conducts drills involving the police departments, fire departments, emergency medical units, communications centers, health department and other government agencies such as the public works departments.

The OEM uses an emergency operations center located in the Hopewell Township Police headquarters. This center is activated several times a year for incidents such as floods, major snowstorms, and other large-scale events. The Hopewell Valley OEM works closely with the Mercer County and New Jersey State Emergency Management Offices.

#### 4. Department of Public Works

(https://www.penningtonboro.org/department-public-works)

The Department of Public Works is located on North Main Street on a lot in Hopewell Township owned by Pennington Borough. The lot also includes a PSE&G solar farm, which provides electric power to the grid and provides power to the Public Works building. The building and parking lots store all equipment for garbage and other refuse collection, and for the maintenance of roads, water and sewer systems, buildings & grounds, parks, streams and catch basins, and shade trees. The maintenance of vehicles and equipment is conducted in the Public Works building. Further information on Public Works services and facilities, including the sites of water wells and sewer pumps can be found in the Utilities Plan element of the Master Plan.

#### 5. Pennington Public Library

(<a href="https://www.penningtonlibrary.org">https://www.penningtonlibrary.org</a>)

Pennington Public Library has been a community institution since its founding in 1876. The mission of the Library is to celebrate reading in all formats and provide a warm, welcoming place where community members of all ages can interact, engage in public discourse, and pursue lifelong learning for personal growth and entertainment. The library offers a variety of quality programming, knowledgeable staff, dedicated volunteers who staff the circulation desk, a comfortable physical environment and coffee and tea station courtesy of the Friends of the Library. The Library's current collection of books, e-books, DVDs, newspapers and magazines exceeds 34,000 titles. The circulation is over 44,000 titles checked out annually. The Library also provides access to the world through free Wi-Fi, offers frequent programs for education and entertainment, and builds a strong community by sharing information from local organizations.

To ensure fiscal parity among municipalities that support a local or joint library and those that support a county library, on March 21, 2011, Governor Chris Christie enacted P.L. 2011, c. 38 (S-2068). The law provides a dedicated line item on the property tax bill for the minimum funding to municipal and joint free public libraries. In 2025, the Pennington Municipal Library tax was 0.039 cents per \$100 of valuation. The library receives a budget from the Borough based on taxes collected and this is supplemented by donations from the community to the Friends of Pennington Library. Library cards can be obtained at no charge for people who live in the Hopewell Valley Regional School District. The library trustees have completed a strategic plan and a building program plan. An evaluation is currently being undertaken to determine future library needs.

#### 6. Board of Health

(https://www.penningtonboro.org/board-health) (https://www.hopewelltwp.org/190/Board-of-Health)

The Board of Health provides health services to Borough residents through a shared services agreement with the Hopewell Township Health Department. The mission of the Township Board of Health is to protect, improve, and promote the health, productivity, and well-being of all Hopewell Township residents. There are also shared service agreements with the Township for animal control and senior services.

#### 7. Senior and Community Center

The Hopewell Valley Senior Center on Reading Street serves seniors from Pennington Borough, Hopewell Borough and Hopewell Township. Activities are organized by Hopewell Township and those at the Reading Street facility include Artists' Choice and Collage, Social Bridge, Games, Knitting Club, and Mahjong. Other activities open to Pennington seniors take place at the Hopewell Township Building, the Mercer County Library and the Hopewell Borough Library. Additionally, the Mercer County Nutrition Program for Older Adults provides ready-to-eat meals at the Reading Street facility.

Hopewell Township is in the design stage of a multipurpose building off Reed Road to serve primarily as a senior and community center, with integrated fitness & wellness facilities for residents of the Hopewell Valley municipalities of Hopewell Township, Hopewell Borough and Pennington Borough. It is envisioned as a single multi-story building with outdoor amenities that will serve as a senior services center, a community center, and a fitness and wellness facility, with additional support office space for area non-profits. Outdoor amenities envisioned include an outdoor pool, passive and active recreation areas, a walking nature trail, and a community garden. No date has been set for completion, but when it is opened, the current Senior Center on Reading Street in Pennington Borough will become obsolete and will need to be repurposed or replaced.

#### 8. Parks and Recreation

As shown in Table 1, Pennington has four public park and playground facilities for active and passive recreational use, covering 11.8 acres of Borough land. Educational facilities in the Borough contribute an additional 34.3 acres of land that is available for public use. These include Toll Gate School rear field and playground, the Board of Education's Administration Building rear field, Pennington Schools sports fields and lake on Burd Street and its fields and woodlands on both sides of Green Street. In addition, the Pennington African Cemetery contributes 1.3 acres and there are 5.4 acres of open space north of the Senior Center on Reading Street. The total area of open space available to the public in Pennigton is about 53 acres.

The National Recreation Association has determined that about 10 acres of parkland is needed for each 1000 persons of population. With a population of about 2,800, the Borough should have 28 acres of recreational open space so it is well served by the 53 acres of combined open space as indicated in Table 1. In addition, the Borough is surrounded by large tracts of open space including Baldwin Lake, The Watersheds Institute, Rosedale Park, Mercer Meadows and Curlis Woods and is connected to additional resources via the Lawrence Hopewell Trail.

The Pennington Parks & Recreation Commission, with its regional partner Hopewell Township Parks & Recreation Department, sponsors recreational programs from youth to senior levels. Included are summer concerts, Art in The Park, Hopewell Valley Night Out and the 4th of July Races. Theme events include the Memorial Day Parade, home run derby and the Easter Egg Hunt.

Table 1. Parks and Other Open Space in Pennington

Use/Facility	Location	Size (Acres+/-)
Parks and Recreation		
Kunkel Park	King George Rd.	7.5
Mini-park	Sked St.	1.1
Veterans Memorial Park	Broemel / Knowles	0.5
Arboretum	E Curlis	2.7
		11.8
Educational Facilities		
Tollgate rear field and playground	South Main	3.3
HVRSD Admin rear field, excl. bus park	South Main	2.9
Pennington School sports fields and lake	Burd Street	15.9
Pennington School woods walk and field	Green Street, east side	5.7
Pennington School field and tennis courts	Green Street, west side	6.5
		34.3
Other Open Space		
African Cemetery and the lot to the south	South Main	1.3
Senior Center, excl. building and parking	Reading Street	5.4
		6.7
	Total area	52.8

The annual Pennington Day in May is organized by the non-profit company Pennington Day Inc. Pennington Day's stated mission is to further the borough's spirit and identity as a community, and enhance its quality of life, while providing community groups, civic organizations and businesses of Hopewell Valley an opportunity to inform the community of their mission, to allow community organizations to raise funds through their sponsorship of Pennington Day events and/or the booths, and to make grants to non-profits, civic organizations, schools and municipalities for specific projects that serve Pennington Borough and Hopewell Valley.

#### **b.** Other Facilities and Services

#### 1. Emergency Services

Pennington Borough Fire District No. 1 is an autonomous entity responsible for providing fire protection and extinguishing fires within the geographic boundaries of Pennington Borough and, pursuant to an agreement with the Hopewell Township Board of Fire Commissioners, for

providing primary fire protection and extinguishing fires to the central and southern portions of Hopewell Township, New Jersey. The Fire District is funded through a fire tax, currently about 1.5% of real estate taxes, and is governed by a five-member Board of Fire Commissioners. Its mission is to protect life, property and the environment from damage due to fire and environmental emergencies in the district, and to assist neighboring communities in their mission to do the same. The Fire District's administrative office is located in the Pennington Fire Company (PFC) building on Broemel Place in Pennington.

Pennington Fire Company is a 100% volunteer organization that has provided volunteer fire services and emergency services to Pennington Borough, Hopewell Borough, and Township, as well as the surrounding areas, since 1891. It is one of only four 100% volunteer fire companies left in Mercer County. (<a href="https://penningtonfire.org">https://penningtonfire.org</a>)

The Pennington First Aid Squad (PFAS) stopped responding to emergency calls on February 28, 2022, after 68 years of continuous 911-response to the community. The squad has gone out of business due to steadily declining numbers of volunteer EMTs. Squad leadership pursued several avenues to help ease staffing difficulties, including ramping up recruitment and retention efforts, and trying to expand the use of paid EMTs to supplement the volunteers. These were not enough to overcome the challenges, and the squad was left with no other option than to disband. In its February 7, 2022, regular meeting, the Borough Council authorized the Mayor to enter into a Shared Services Agreement with Mercer County for the provision of EMS dispatch services (Resolution 2022-2.13).

#### 2. Post Office

The United States Post Office occupies a building on a 0.5-acre site on Broemel Place across from the Pennington Fire Company. Post Office employees provide window and P.O. Box services and all carriers and vehicles for the delivery of mail in the 08534 Zip Code operate out of the building.

#### 3. Churches

There are five churches, and one active cemetery located in Pennington. These are identified in Table 2 below. Partnership with these churches to have their buildings be safe houses as part of the emergency management plan is recommended. Some of their playground or green space could be added to community assets. If the churches were to offer public parking outside church hours it could alleviate the chronic parking problem in the Borough and help town center businesses. They could also add fee-based electric charging infrastructure to their community services.

The Pennington Historic Commission recognizes the importance of preserving historic structures while repurposing them to meet evolving community needs. Many buildings within the Historic District, including its five churches, offer unique opportunities to serve as community facilities. The adaptive use and reuse of these structures can provide venues for cultural, educational, and recreational activities while maintaining their historical integrity.

Given the potential for church closures or consolidations due to declining attendance, the Commission advocates for proactive measures to repurpose these historic buildings. These spaces could accommodate a range of services, such as daycare centers, meeting halls, or cultural hubs, ensuring their continued contribution to the community fabric. Integrating these historic facilities into the Borough's service offerings allows Pennington to honor its architectural heritage while meeting modern needs, fostering a sense of continuity and shared purpose.

**Table 2. Churches and Active Cemeteries** 

Use/Facility	Location	Size (Acres+/-)
Pennington United Methodist Church	South Main Street	1.0
First Baptist Church of Pennington	Academy Street	0.3
St. Matthew's Episcopal Church	South Main Street	1.2
St. James Roman Catholic Church	Eglantine Avenue	5.0
Pennington Presbyterian Church and Cemetery	South Main Street	1.9
Pennington Cemetery Association	South Main Street	4.8
	Total Area	14.2

#### 4. Howe Commons

Named for a very influential member of the community, who developed many of Pennington's neighborhoods and served twice as Mayor, the William P. Howe Commons at 65 South Main Street is made up of five buildings that fit with the Colonial feeling of the town. The oldest building, Abey House, started life as a farmhouse in the early 1800's and after a few ups and downs, was restored to its current state by Dr. William Abey as his residence in 1942. Building E, the last of the five, was completed in 2009. Building D is occupied Howe Commons' principal owner, the Electrochemical Society. The grounds of the Commons add to the aesthetic appeal of the Borough streetscape. Hosting various public events in the Borough has been a long-standing tradition of Howe Commons. These include concerts for the Parks & Recreation Committee, use by the Pennington Business & Professional Associations for The Holiday Walk and to host the Borough Christmas Tree and Menorah, as a gathering place for dignitaries for the Memorial Day Parade and for Pennington Day.

#### 5. Trenton Cyrus #5 Freemasons Lodge

The Freemason Trenton Cyrus #5 Lodge has a Temple at 131 Burd Street in Pennington. It holds regular Communication Meetings at 7pm on the 3rd Wednesday of the month. The Temple was dedicated and open for business on September 23, 1961. It hosts several events open to the public, including Octoberfest, a Santa Claus visit before Christmas, and various events to celebrate local citizens, who do not need to be freemasons.

### 6. Public Schools, Hopewell Valley Regional School District

(https://www.hvrsd.org)

The Hopewell Valley Regional School District (HVRSD) has been in operation since 1965 when voters of Hopewell Township, Hopewell Borough and Pennington Borough approved a plan to consolidate their schools. A history of schools in Hopewell Valley can be found on the HVRSD website. The District School Tax takes up 57% of the real estate taxes paid by Borough residents. (HVRSD) operates six schools, Central High School (grades 9-12), Timberlane Middle School (grades 6-8) and four elementary schools (pre-K to grade 5). Pennington resident children may attend Toll Gate Grammar School, Timberlane Middle School and Central High School.

Toll Gate Grammar school is located at 275 South Main Street in Pennington Borough and has a student population of around 300. It was built in the 1920's along with the original Central High School at 425 South Main Street, which now houses the HVRSD administration offices. These two buildings are well-preserved landmarks in the historic landscape of Pennington and if either were to be vacated by HVRSD, the Historic Preservation Commission would like to see adaptive reuse to preserve the historic architecture.

#### 7. Private Schools

#### **The Pennington School**

The Pennington School was founded in 1838. It is a private, coeducational school with day and boarding programs for students in grades 6 through 12. Boarding is offered for grades 8-12. The Pennington School has an enrollment of about 535 students. Currently about half of whom live on campus. School grounds are located on both sides of West Delaware Avenue. Approximately 33 acres are located on the south side of West Delaware and 17 acres on the north side, including staff housing. As shown in Table 1, about 12 acres on either side of Green Street are open space.

#### **Cambridge School**

Cambridge School is an independent grade 1-12 day school that specializes in helping students with language-based learning differences such as dyslexia, ADHD, or just struggling to read. The school is located at 100 Straube Center Boulevard in Pennington Borough and serves around 130 students with a teacher-to-student ratio of about 4.

#### 4. Relationship with Regional Community Facilities Plans

#### a. Hopewell Township Master Plan

https://www.hopewelltwp.org/DocumentCenter/View/8614/Community-Facilities-Plan-Element---Adopted-April-12-2007

Hopewell Township adopted a Community Facilities Plan element in 2007. It covered

- 1. Hopewell Township Municipal Complex
- 2. Fire Protection and Emergency Services
- 3. Police Protection
- 4. Hopewell Valley Regional School District
  - a. Enrollment
  - b. Elementary Schools

- c. Secondary Schools
- 5. Library
- 6. Senior Citizens
- 7. Youth Activities

Facilities and services recommendations were made in five areas in the 2007 element:

#### 1. Municipal Operations

The addition of more bays at the public works building is recommended, because the bays are undersized for some of the existing equipment and some equipment is stored outside. Given the size of the tract and its location, the public works site also presents further opportunities for expansion.

#### 2. Township Fire District

The Fire District is developing a plan for the construction of a building in the Municipal Services Complex to house Fire District administrative offices, equipment storage, rescue vehicles and emergency response. As residential and non-residential development proceeds towards build-out, the Fire District may also need to re-evaluate its operations and the need for additional facilities.

#### 3. School District

After a population growth analysis, it appeared that future school enrollments, combined with programmatic requirements established by the N. J. Department of Education (DOE), will create a need for a new school site or substantial reconfiguration of existing school sites. In the HVRSD planning process an early childhood center also is being considered.

#### 4. Hopewell Valley Senior Advisory Board

A proposal by the Hopewell Valley Senior Center Planning Committee (later constituted as the Senior Advisory Board) recommended the construction of a Hopewell Valley Senior Center with a full-time director.

#### 5. Youth Activities and Youth Advisory Committee

It was recommended that the Youth Advisory Committee meet with interested parents, community leaders, government officials, health professionals and youth to determine the feasibility of a teen/youth center in Hopewell Valley.

No significant changes were recommended for the 2007 Community Facility Plan element in the 2021 Master Plan Reexamination report.

#### b. Mercer County Master Plan

https://www.mercercounty.org/home/showpublisheddocument/1242/636058423221200000
The Mercer County Master Plan framework document of 2010 and amended in 2016 discusses County assets, strengths and challenges in Section III. Regional Vision: Goals, Policies, and Strategies (page. The assets are discussed at a very high level, rather than at the facilities or services level.

https://www.mercercounty.org/departments/planning/mercer-at-play-3-test

A 2024-25 \$450k grant program called Mercer County at Play for All enables non-profits and municipalities to provide programming and facility improvements that benefit vulnerable populations. Funding is available in three eligibility categories:

- 1. Equipment purchases and programming for Municipal Senior Physical Recreation programs.
- 2. Inclusive Playground improvement grants to Municipalities
- 3. Programming support grants for Non-profits that provide after school mentoring and Sports programming to underserved youth

This and similar future programs could be tapped for resources to improve certain Borough recreational facilities and services.

#### 5. Relationship with Other Plan Elements in Master Plan 2025

The Community Facilities Plan impacts and is impacted by other Master Plan elements as follows:

<u>Land Use Plan Element.</u> This plan relates to the Borough's zoning and potential redevelopment areas. Community facilities and services may be impacted by the Borough's development and redevelopment plans.

<u>Housing Plan Element.</u> The borough has identified areas of redevelopment which have the opportunity for high density housing, including affordable. The impact of these developments on the need for additional community facilities should be considered.

<u>Economic Development Plan Element.</u> This Plan considers all aspects of commerce and economic development in the Borough. Some of the commercial facilities in the Borough may be willing to offer space for community activities.

<u>Open Space and Recreation Plan Element.</u> Open space and recreation was combined with community facilities in the 1998 Master Plan. Although they are now separate plans, it is necessary to review both plans to ensure the goals or consistent.

#### **Historic Preservation**

Historic preservation aims to maintain the Borough's historic character. Some of the preserved buildings may be of interest for a variety of community activities, both historical and recreational.

#### PENNINGTON BOROUGH PLANNING BOARD MINUTES REGULAR MEETING March 12, 2025, 7:30 PM

#### TIME AND PLACE OF MEETING

The Meeting of the Pennington Borough Planning Board was held on March 12, 2025 at 7:30 p.m. via Zoom.

#### **CALL TO ORDER**

Jim Reilly, Chairperson to the Planning Board, called the meeting to order at 7:30 p.m. and announced compliance with the provisions of the Open Public Meetings Act.

#### MEMBERS IN ATTENDANCE

Mark Blackwell; Gian Paolo Caminiti; Mayor James Davy; Andrew Jackson – Vice-Chair; Amy Kassler-Taub; Kate O'Neill; Jim Reilly – Chair; Nadine Stern – Borough Council; Jennifer Tracy; Nazi Rex, Alt I

#### **ABSENT MEMBERS:**

Casey Upson, Alt II

#### PENNINGTON BOROUGH PROFESSIONALS IN ATTENDANCE:

Jim Kyle, Kyle McManus Associates - Board Planner Edwin Schmierer, Mason Griffin & Pierson, PC - Board Attorney Robin Tillou, Pennington Borough PB Secretary/Land Use Administrator

#### PLANNING BOARD SECRETARY

MOTION TO APPOINT ROBIN TILLOU AS PB SECREATRY: Mr. Blackwell

SECONDED: Mr. Caminiti

ROLL CALL: AYES: Mr. Blackwell, Mr. Caminiti, Mr. Davy, Mr. Jackson, Ms. Kassler-Taub, Mr. O'Neill, Ms. Stern, Ms. Tracy and Mr. Reilly. NAYS: None. ABSTAIN: None.

The Pennington Borough Planning Board selected Robin Tillou for the remaining of 2025 as their secretary.

#### PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Chair Reilly opened the meeting to the public.

Demetri Stylianou, 144-148 W Franklin Avenue, asked of the status of the Housing Plan element of the Master Plan.

Mr. Kyle explained that the housing plan is required to be written and adopted by June 30, 2025. The Borough has not produced the housing plan element yet.

With no other public comments for items not on the agenda Chair Reilly closed the public forum.

#### PB 2024 ANNUAL REPORT

MOTION TO APPROVE 2024 ANNUAL REPORT: Mr. Blackwell

SECONDED: Mr. Caminiti

ROLL CALL: AYES: Mr. Blackwell, Mr. Caminiti, Mr. Davy, Mr. Jackson, Ms. Kassler-Taub,

Mr. O'Neill, Ms. Stern, Ms. Tracy and Mr. Reilly. NAYS: None. ABSTAIN: None.

#### MASTER PLAN COMMITTEE UPDATE

#### **Mobility Plan Element**

Vice-Chair Jackson explained that the 1998 Master Plan will be removed and the Master Plan that is currently under development will replace that Master Plan. The mobility plan element was worked on by the Master Plan Committee (MPC), which is an advisory committee of 15 members. Of the MPC, Meredith Moore (Shade Tree Commission), Allison Neary, Roger Demareski (Fire Chief), Rick Smith (Director of DPW) and Daryl Burroughs (Chief of Police) gave their input to the Mobility Plan.

Vice-Chair Jackson went over the drafted Mobility Plan Element update that has been posted and available to view on the Pennington Borough website at <a href="https://www.penningtonboro.org/planning-zoning/pages/master-plan-2025-under-development">https://www.penningtonboro.org/planning-zoning/pages/master-plan-2025-under-development</a>.

Mr. Blackwell asked if electric bicycle chargers should be incorporated into the mobility plan.

Mr. Jackson stated he will add that by rewording item #1 b.

Ms. Rex stated regarding the Broemel Place Bridge language on item #4 d., stronger language should be incorporated rather than "encourage" due to the issues surrounding that bridge.

Mr. Jackson will incorporate "prioritize."

Mr. Jackson advised he received feedback from Daniel So-Schoos of 300 N. Main Street regarding the Broemel Place Bridge as well and Mr. So-Schoos indicated he would like to have a safer bridge for pedestrians. His suggestions are a lower speed limit, speed bumps on the curve and a flashing pedestrian warning sign like the crosswalk by Pennington School or Toll Gate School as a temporary solution.

Vice-Chair Jackson completed his review to the Board regarding the mobility plan.

MOTION TO CONDITIONALLY ADOPT THE PROPOSED MOBILITY PLAN:

Mr. Jackson

SECONDED: Mr. Blackwell

ROLL CALL: AYES: Mr. Blackwell, Mr. Caminiti, Mr. Davy, Mr. Jackson, Ms. Kassler-Taub,

Mr. O'Neill, Ms. Stern, Ms. Tracy and Mr. Reilly. NAYS: None. ABSTAIN: None.

#### **MINUTES**

#### February 12, 2025

Upon a motion from Ms. O'Neill and Mr. Caminiti offering a second, February 12, 2025 minutes were unanimously approved by those eligible to vote.

#### **ZONING ORDINANCE AMENDEMENT RECOMMENDATIONS**

Mr. Kyle advised of the ordinance updates that was distributed to the Board members that the Ordinance Committee has worked on.

Mr. Kyle went over the amendments that were incorporated since the last discussion at the November 13, 2024 PB meeting such as: the definitions in §215-8 of patio and backup generator, details of backup generator and being a permitted use in all zones, § 215-52 and § 215-57 regarding non-conforming buildings, § 215-12 regarding accessory structures, and § 215-12 item #12 regarding regulations on poultry.

Mr. Kyle received feedback from Meredith Moore, a resident, regarding § 215-12 a. and suggesting that properties over one acre should be allowed to have more than three accessory structures. She suggested that properties over one acre should be allowed four accessory structures.

It was suggested to take patios out of being considered an accessory structure in ordinance 215-12 a.

Mr. Kyle will massage the language for the patio portion of the update for § 215-12.

A discussion was had as to what poultry could be defined as. The Board agreed that chickens should be the only allowed poultry.

Mr. Kyle advised that he will clean up the language in the updates in the ordinance and then once it is finalized it will then be proposed to the Town Council.

#### ADJOURNMENT OF MEETING

There being no further business, Mr. Blackwell made a motion to adjourn the meeting with Mr. Jackson offering a second. By unanimous vote, the meeting was thereupon adjourned at 9:00 p.m.

#### CERTIFICATE OF SECRETARY

I, the undersigned, do at this moment certify;

That I am the duly elected secretary of the Pennington Borough Planning/Zoning Board and that the minutes of the Planning Board, held on March 12, 2025, consisting of four (4) pages, constitute a true and correct copy of the minutes of the said meeting.

IN WITNESS of which, I have hereunto subscribed my name to said Planning Planning Board Meeting this April 10, 2025

Robin Tillon

Robin Tillou, Administrative Office



January / February 2025

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### State Development and Redevelopment Plan – Public Information Meetings

n December 6, 2024, the New Jersey State Planning Commission published the Draft Preliminary State Development and Redevelopment Plan. This action launched the Cross-acceptance process, a statutorily mandated (15:30-3.1 (c)) public process for comparing and negotiating local, county, regional, and state agency plans with each other, and with the Draft Preliminary State Development and Redevelopment Plan.

The State Planning Commission will host a public meeting in the 21 counties between February 12 and April 16. The purpose of these public meetings is to educate the public on how the Cross acceptance process will work and to give members of the public, state, local, and county officials, and all other interested parties an opportunity to learn about, comment on, and discuss the proposed changes to the Development Draft Preliminary State Redevelopment Plan. March and April dates have been announced. You can find the complete listing of dates, times, locations and even snow days at https://www.nj.gov/state/bac/planning/ or at www.NJPO.org.

#### DATE/TIME

#### LOCATION

Mar. 10, 2025, 2-4 PM

Paterson

Mar. 11, 2025,6-8 PM

Westampton Township

Mar. 13, 2025, 9:30-11AM

Toms River

### Mandatory Courses for New Board Members Winter/Spring of 2025

All classes are virtual. You will need access to a computer for the entire five hours.

Monday, March 31

5:30 pm

Saturday, April 26

8:30 am

Saturday, May 31

8:30 pm

Monday, June 30

5:30 pm

#### NJPO Lunch & Learn

Leadership from the Chair (April 25)

Mini Cox Symposium (May 16) Ask land use attorneys any question!

Visit www.NJPO.org for registration



DATE/TIME

LOCATION

Mar. 13, 2025, 5-7 PM

Egg Harbor

Mar. 24, 2025, 6-8 PM

New Brunswick

Mar. 25, 2025, 6-8 PM

Sewel1

Mar. 26, 2025, 2-4 PM

Cape May Court House

Mar. 28, 2025, 2-4 PM

Newton

Mar. 31, 2025, 6:30-8:30 PM Freehold Apr. 1, 2025, 12-2 PM

Hackensack

Apr. 9, 2025, 5-6:30 PM

Jersey City



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### A Legacy of Service New Jersey's Longest Serving Planning Board Member

n an era where community engagement and urban planning are more crucial than ever, one individual stands out for their extraordinary commitment to local governance.

Julius Lauber, Jr. serving for 63 years, has become a cornerstone of the Planning Board in the Borough of Franklin Lakes, New Jersey. This article explores his journey, contributions, and the impact of his work on the community.

While serving unselfishly for 63 years on the Planning Board (Chairman for 18 years, Vice Chairman for 27 years, and a member for the remainder), Julius served on many committees, coached several sports teams, served as President of the Passaic County Engineering Society and President of the Franklin Lakes Republican Club.

When asked what made him want to join the Planning Board, he replied, "My dad had been talking about it and I just liked what they were doing. They were building things and that was what I was good at."

Better said, his background in construction and as a Civil Engineer made him the ideal candidate to provide a hands on approach to town infrastructure problems.

Julius participated in the orderly growth of the Borough from a small town to the great place it is today by challenging the applicants to prepare the very best plans they could. He participated in numerous Master Plans that continue to define the character of the Borough.



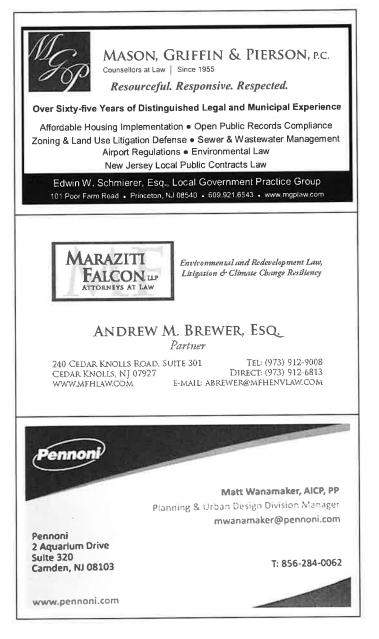


Early in his tenure he oversaw the development of the IBM property in the 1960's that brought in a worldrenowned company, substantial tax revenues and as important negated a major housing development. He was there when Becton Dickinson was developed and challenged the developer to make sure the building would not have a visual effect on surrounding properties. During his tenure he worked with seven mayors. As the Borough grew and faced problems of development Julius helped solve them in an equitable manner. He was there when the Mount Laurel decision was handed down in the 1970's and worked with the rules to meet the Borough's obligation but in a way that was not detrimental to the Borough. Apartment were constructed but with careful buildings consideration of density, setbacks and screening.

Urban Farms, the Borough's largest development, was administered during his time and Julius's input made it the great development it is. The development of the High Mountain Golf Course, a very large development, was accomplished in a manner that has not detracted from the beauty of the Borough. There are requirements for development that may seem small but are important such as requirements for building height being defined from existing grade, steep slope ordinances that limit uncontrolled building coverage, buffer zones and screening, all of which originated during Julius's time.

Julius and his wife Jan demonstrated their love for the town by riding around town and observing the developments. He would report to the Borough if he observed any inconsistencies. Jan was his "partner" and became an expert in understanding the Borough ordinances.

But maybe most important is that Julius as Chairman challenged board members to study and understand the



applications. He led by example as he studied and understood the applications and could quote what was done on similar applications in the past. During one application, a question arose as to why a section of town had varying widths of roadways. Without missing a beat, Julius chimed in, "The developer walked the land with an excavator behind him, when there was a tree or something in the way, the road got smaller."





When it was time for him to step down as chairman in 1985, he did so without bitterness and worked with subsequent chairs just as hard as when he was the chair.

In summary, Julius had a major role in making Franklin Lakes the great town it is by his great knowledge of construction, hard work, attention to detail and most important his love for the town.

Julius Lauber, Jr.'s dedication to the Planning Board and the community of Franklin Lakes exemplifies the

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importance of local governance. His unwavering commitment over 63 years serves as an inspiration to others in public service and sets a standard for future planning initiatives in New Jersey.

# Jersey City residents can now receive food delivery via robots

If you live or work in downtown Jersey City, your next Uber Eats order may arrive via a sidewalk robot.

Now customers in Jersey City can choose a robot for their meal delivery. Before finalizing an order, customers have the option to decline the delivery robot and select a traditional courier instead.

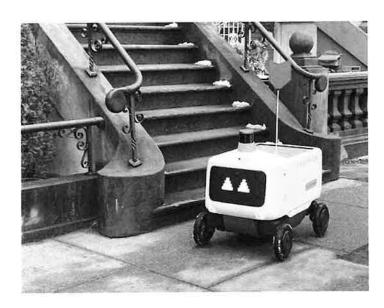
As part of a multiyear partnership between Uber Eats and an autonomous vehicle startup company, Jersey City is set to be the first location on the East Coast to test robot food delivery.

Customers can use the Uber Eats app to track the robot's location in real-time and receive notifications upon its arrival. Once they are with the robot, they can tap "unlock" in the app to open the hatch and retrieve their order. According to Uber Eats, the robot will wait for up to 10 minutes at the delivery location, providing ample time for customers to collect their food.

Equipped with advanced software and cameras, these robots navigate city streets, and crosswalks, and avoid obstacles. According to the autonomous vehicle company, robots have a range of over 30 miles on a single charge, can travel at speeds of up to five miles per hour, and are designed to operate in all types of weather conditions



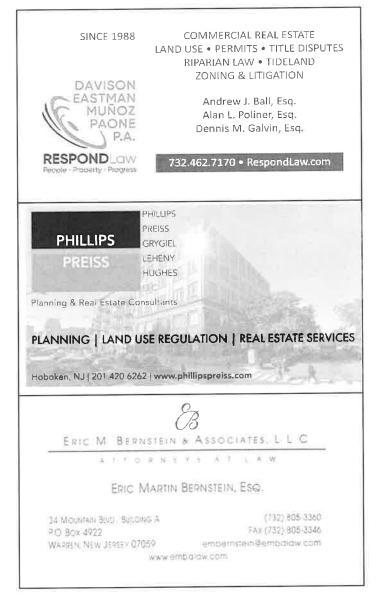




The robot is roughly the size of a large suitcase, featuring six wheels and the capacity to carry up to 44 pounds of cargo in a specially designed hatch. the autonomous vehicle company has also emphasized privacy as the robot's cameras are programmed to blur faces and license plates.

# Connecting Communities needs public input

he North Jersey Transportation Planning Authority (NJTPA) is updating its Long Range Transportation Plan, called Connecting Communities. This plan will set a vision for the future of transportation in the region and identify priority projects. The plan makes the region eligible for federal transportation funding. NJTPA staff are studying current trends and using computer models to predict changes up to the year 2050. This analysis will help shape the updated plan. The NJTPA Board is expected to adopt the plan in September 2025.



This plan is a comprehensive transportation plan that addresses future needs, prioritizes sustainability, accessibility, and innovation, and guides transportation investments in the region. The NJTPA is a metropolitan planning organization (MPO) that represents 13 counties in northern New Jersey.

Its board consists of elected officials from each county, representatives from state agencies, and other





stakeholders. MPOs are federally mandated to provide a forum for regional transportation planning.

The NJTPA is responsible for developing the plan and allocating federal transportation funds. They work with local partners and state agencies, distributing over \$3 billion annually. A long-range plan is required every four years to maintain eligibility for federal funding.





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#### Leadership from the Chair

4.25.25

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#### Mini Cox Symposium

5.16.25

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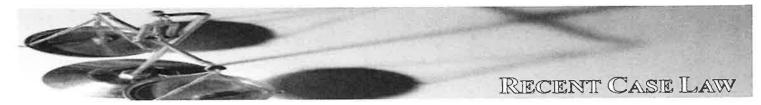




Credits Available







# Kaja v. Borough of W. Long Branch Planning Bd.

he developer was a property owner of a single-family home on a lot in a residential zone. He sought to subdivide the property into two non-conforming lots. His proposal was to renovate the existing structure and build a second home on the newly created lot. His planner argued that the proposal would create investment and housing variety asserting the variances were justified under N.J.S.A. 40:55D-70(c)(2).

The planning board members and the public expressed concerns about traffic and zoning plan impairment. The planning board found that he failed to satisfy the positive and negative criteria to support bulk variance relief and denied the subdivision request.

Trial court found planning board had substantial evidence to support its denial. The applicant appealed the decision arguing that the Board and trial court failed to properly assess the negative criteria. The Court upheld the trial court's decision and agreed plaintiff did not demonstrate the criteria necessary for a (c)(2) variance. Court concluded there was sufficient support in the record that plaintiff's proposed improvements did not advance the purposes of municipal land use and might be a detriment to the intent and purpose of the residential zoning ordinance.

Twp. of Jackson v. Getzel Bee, LLC.

Township of Jackson sought to acquire certain properties through eminent domain. The Township indicated that the use of eminent domain was to acquire the property for open space. However, the lots were intended to be utilized in a land-swap with a private developer,

The property owners challenged the condemnation, arguing the eminent domain lacked a proper public purpose and that the trial court erred in relying on *White Road HOA, LLC v. Township of Jackson*. The trial court had previously upheld the township's condemnation authority, relying on the ordinances and the *White Road* decision.

On appeal, the property owner argued that the township failed to demonstrate a valid public purpose for the condemnation, as required by the Eminent Domain Act. The property owner also argued that they were not precluded from challenging the condemnation. The court agreed with property owners, finding the township's condemnation lacked a stated public purpose, as the land was not intended for open space but rather as an asset for a land-swap. The court found that the record lacked support for the township's claimed purpose of constructing student dormitories. The court stressed that eminent domain required a clear public use for the property, which was absent in this case.

The court reversed the trial court's orders, concluding the township's condemnation was invalid due to the lack of a valid public purpose and the failure to adhere to statutory requirements.



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# Monarch Community v. Twp. of Montville

n applicant proposed a 165-unit senior housing facility on a property that had been a farm. The lot was in one of the township's single family residential zone that did not permit senior housing. The application sought c variances to build a three-story building. The project also required multiple variances for building height, lot overage, parking setbacks and building coverage. The Township design review committee approved the plan but the Board found respondent failed to prove that the use variances could be granted without substantial detriment to the public good and would not substantially impair the intent and purpose of the zone plan and zoning ordinance. Board also referenced a nearly identical application, some years back, which was denied.



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Counsellor at Law Planning, Zoning, Environmental, Municipal & Real Estate Law

101 Eisenhower Parkway | Roseland, New Jersey 07068 t. 973.403.3157 | srubright@bracheichler.com www.bracheichler.com Trial court reversed the denial, finding the proposed use was "inherently beneficial" and the evidence did not support the Board's conclusion that the project was too large, too noisy and would create too much traffic.

The zoning board held a remand hearing and approved the application imposing over 30 conditions of approval and reserved its right to appeal the trial court's ruling. Board argued the trial court usurped the power of the planning board and that the Board properly applied the Sica balancing test. The Court rejected the argument finding that there was no credible argument to why the requested variances to allow senior housing would substantially deviate from the current zoning. The Court concluded that trial court correctly found the board acted unreasonably as the use was an undisputed inherently beneficial use.

### Westerhold v. Normandy Beach Assoc

he Normandy Beach Associates subdivided its oceanfront property and created Normandy Beach back in the early 1920s. This became a community of individually owned properties with the beach land owned by Normandy Beach. The subdivision plan created in 1925 did not explicitly include provisions for easements connecting the individual lots to the beach.

The homeowners owned two beachfront lots which they accessed the beach from their property until a fence was constructed after Superstorm Sandy and subsequent dune construction.





Homeowners constructed a walkover to cross over the dunes in 2018 and the township issued notices of violation. The walkover was removed and a wooden fence was erected between homeowners property and Normandy Beach property.

The homeowners claimed that an implied and express easement has been created and argued nuisance, trespass, inverse condemnation and fraud. Trial court found that an implied easement was created relying on historical use, property advertisements and deed restrictions. The homeowners obtained a permit to build a new dune walkover.

Normandy Beach argued there were genuine disputed issues of material fact concerning the claimed easement. The Court agreed and noted trial court's holding granting an implied easement relied upon several inferences that favored the homeowners and were not supported by undisputed material evidence. Nothing in the law required courts to find that a deed restriction implied that the property owner was receiving a compensatory benefit beyond what they paid for the property.

# SB Bldg. Assoc. v. The Planning Bd. of the Borough of Milltown

B Building Associates possesses a parcel of land in Milltown Borough that spans just over 22 acres. In October 2022, the Borough enacted an ordinance that amended the redevelopment plan for this property. This ordinance resulted in a 15 percent reduction in the number of residential units permitted on the site, while preserving the original allocation for Affordable housing. Additionally, it increased the open space requirements from four acres to eleven acres.



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The property owner contested the ordinance's alignment with the municipality's master plan, as mandated by N.J.S.A. 40A:12A-7(d) and N.J.S.A. 40:55D-62(a). The trial court determined that the ordinance was largely consistent with the land use component of the master plan. The court highlighted that both the Municipal Land Use Law and the Local





Redevelopment and Housing Law permit such alterations if they are in accordance with the goals of the master plan. It also noted that the ordinance was backed by expert testimony and was not deemed arbitrary, capricious, or unreasonable. The trial court concluded that the changes were implemented to enhance environmental considerations and to preserve essential aspects of open space and affordable housing.

On appeal, the plaintiffs contended that the Planning Board and the borough should have offered more substantial justification for the changes. However, the court found that the language of the master plan allowed for a degree of flexibility. The appellate court upheld the trial court's ruling, agreeing that the plaintiffs failed to demonstrate sufficient grounds to invalidate the ordinance and that the ordinance was indeed in line with the objectives of the master plan.

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# Gloucester Solar I, LLC v. Twp. of Franklin Zoning Bd. of Adjustment

loucester Solar I filed an application for an interpretation of the Franklin Zoning Code. Gloucester Solar intended to build a commercial solar project in a business district and argued that the district should be considered an "industrial district". The applicant argued that permitted uses in the business district were industrial in nature and therefore permitted under the MLUL.

The Zoning Board argued that the ordinance restricted the zone to "light industrial" uses only, thereby prohibiting the solar facility. The trial court interpreted the business district zone as an industrial district under the MLUL, and therefore permitted the solar facility. The court relied on dictionary definitions of "industrial" and "industry" and emphasized the legislative intent to promote renewable energy.

On appeal, the zoning board argued that the court erred in its interpretation. The court concluded that the trial court erred in its interpretation. The court found that the MLUL specifically refers to "industrial districts" and does not include "light industrial" or mixed-use districts. The court found that the township's ordinance intended to limit the business district to mixed uses, not industrial. The court reversed the trial court's decision and remanded the case, affirming the Zoning Board's original determination.





# Hoboken for Responsible Cannabis, Inc. v. City of Hoboken Planning Bd.

Blue Violets, LLC obtained a conditional use application to operate a cannabis retail business in the City of Hoboken. Blue Violets submitted its application to the City of Hoboken Cannabis Review Board before a new ordinance restricting the opening of cannabis retailers in proximity to schools came into effect.

The parties accordingly disputed whether the Time of Application Rule should apply, which would entitle Blue Violets to have its application considered under the zoning regulations in effect at the time Blue Violets filed its conditional use application.

The trial court concluded that the Time of Application Rule did not apply, ruling that the application submitted did not constitute an "application for development" within the meaning of the Municipal Land Use Law. The trial court accordingly vacated the approval of Blue Violets' application.

On appeal, the court ruled that the Cannabis Review Board review of Blue Violets' application was part of the land development application process. Thus, the Time of Application Rule was triggered by Blue Violets submitting its application to the review board. The court reversed the trial court's judgment and reinstated the planning board's approval of Blue Violets' application. The court ruled that applying the Time of Application Rule to this application served the principles of the Rule, which protected land developers from changing zoning laws during the pendency of developers' applications to defeat those applications.

# Breakwater Treatment & Wellness Corp. v. The City of Asbury Park

Breakwater Treatment and Wellness Corp. (Breakwater) sought to open a satellite treatment center in Asbury Park. Breakwater is a licensed medical cannabis business and applied for zoning approval and variances. Municipal officials contended that cannabis sales were banned.

Breakwater argued it deserved a hearing and submitted an application to the zoning board. The zoning board denied the application citing the municipality's cannabis sales ban. Breakwater stated that the denial was part of an unfair scheme that helped its competitors. As a result, Breakwater filed a lawsuit claiming violations of due process and equal protection under §1983. A Section 1983 claim is a civil lawsuit filed under federal law to enforce civil rights. It allows people to sue state and local employees for violating their government constitutional rights.

Asbury Park maintained that Breakwater did not specify a violated constitutional right, with which the court agreed. The court stated that even if there was a protected property interest, Breakwater didn't show that Asbury Park's actions "shocked the conscience," and that decisions such as controlling the sale of cannabis relate to legitimate government purposes and is not typically handled in federal court.





## Taylor v. Zoning Bd. of the Twp. of Neptune

he Taylors owned property located within a Historic Zone District that originally featured two concrete walkways for access. After a hurricane damaged the property they replaced the original walkways with concrete pavers and added a third walkway. The township zoning officer claimed that these walkways violated three local ordinances. The property owner then requested a zoning permit to replace the walkways which was denied.

The following year, they submitted an application for a Certificate of Appropriateness (COA), seeking retroactive approval for the three existing concrete paver walkways. The Historic Preservation Committee determined that the walkways were historically inappropriate and did not comply with design guidelines. Consequently, the Board denied the application.

The plaintiffs argued that certain township ordinances were ultra vires and not sanctioned by the Municipal Land Use Law, asserting that the zoning board's interpretation of these ordinances was flawed. The court concluded that the plaintiffs did not prove that the ordinances conflicted with the MLUL and upheld the zoning board's decision, affirming that the board's interpretation regarding walkway limitations in the historic area was reasonable.

#### Bills to Watch

### S4048/A5241 Historic Protection from Warehouses

his bill would prohibit any approving authority from approving a site plan for the construction of a large warehouse on property

located within 1,000 feet of a historic district. This bill defines both "large warehouse" and "historic district". Under this bill a planning board with jurisdiction over a historic district may waive the provisions of the bill if a developer petitions the planning board for a waiver in a form and manner determined by the planning board.

# S116/A2623 Permitting Certain Home Based Businesses as Accessory Uses

his act is intended to establish State guidelines for municipalities to follow in their treatment of home businesses, in order to carefully balance the interests of home businesses with the needs of the residential area in which they operate.

As amended, this legislation provides guardrails to ensure that the activity is compatible with the residential use, including the volume of visitors, prohibition of outside appearance of a home business including signage, no equipment in use that creates noise or odors, and the volume of deliveries is compatible with the area.

A municipality may by ordinance establish standards to apply to home businesses within residential districts but is limited to the volume of visitors, the volume of deliveries, and parking acceptable for home businesses in a residential area. The bill stipulates that a "home business within a residential zone shall be permitted as an accessory use, not requiring a use variance pursuant to section 57 of P.L.1975, c.291 (C.40:55D-70" with the following provisions:





- 1) the activity is compatible with the residential use of the property and surrounding residential uses;
- 2) the volume of employees, invitees, or guests who visit the home business is not in excess of what is compatible with residential use in the neighborhood;
- 3) there is no outside appearance of a home business including, but not limited to, parking, signs, or lights;
- 4) the volume of deliveries, or truck and other vehicular traffic, or parking, is not in excess of what is normally associated with residential use in the neighborhood;
- 5) the activity uses no equipment or process that creates noise, vibration, glare, fumes, odors, or electrical or electronic interference, including interference with radio or television reception, detectable by any neighbors;
- 6) the activity does not generate any solid waste or sewage discharge, in volume or type, that is not normally associated with residential use in the neighborhood;
- 7) the activity does not involve any illegal activity
- 8) the home business complies with the provisions of P.L.2022, c.92 (C.40A:10A-1 et seq.) which deals with liability and insurance.

# High Bridge Recognized as a Transit Village

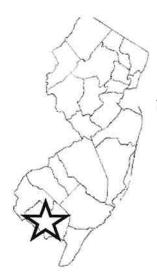
The New Jersey Department of Transportation (NJDOT) has officially recognized High Bridge Borough in Hunterdon County as a transit village. This designation grants the municipality priority access to specific funding opportunities and signifies the state's support for its redevelopment initiatives.

In its Transit Village District plan, the borough aims to maintain and promote a bikeable, walkable, and transit-oriented environment that revitalizes downtown and fosters a lively community. The High Bridge Rail Station, located on Main Street, serves as the western terminus of the NJ TRANSIT Raritan Valley Line.

The Transit Village Initiative offers municipalities grant opportunities to redevelop areas near train stations or other transit hubs, thereby encouraging economic development and increased public transportation usage. Additionally, the initiative provides valuable planning support. For the Fiscal Year 2025 Capital Program, the Department has allocated \$1 million in competitive funding for the 36 municipalities recognized as Transit Villages. In FY24, the governor and Legislature approved an extra \$1.6 million, enabling eight municipalities to receive grants, as reported by NJDOT.







SPOTLIGHT ON:

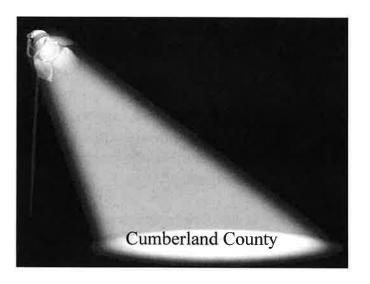
Cumberland County

umberland County is located on the Delaware Bay. As of the 2020 census, the county was the state's 16th-most-populous county with a population of 154,898. Its county seat is Bridgeton.

#### **Delsa Drive In Movie Theatre**

New Jersey's sole drive-in movie theater was established in 1949, ceased operations in 1987, and made a comeback in 2004. Situated in Vineland, it stands as the only drive-in theater in the state. The total number of drive-in theaters has dramatically decreased from more than four thousand to under four hundred in recent decades, primarily due to rising real estate prices and the growing appeal of the fast food sector. The Concession Stand plays a crucial role in covering the operational costs of the drive-in.

East Point Lighthouse East Point Lighthouse, constructed in 1849, is a functioning lighthouse located along the scenic Southern Bayshore in Cumberland County, New Jersey. Thanks to the dedication and stewardship of the Maurice River Historical Society, this lighthouse has been fully restored. Its beacon shines each night, continuing to



serve as an essential navigational aid, maintained by the United States Coast Guard.

#### **New Jersey Motorsports Park**

Occupying over 500 acres in Millville, Motorsports Park stands as the leading motorsports entertainment venue in the Northeast. Its strategic location near Philadelphia and New York City provides a variety of exciting attractions both on and off the track. The facility features two exceptional road courses, Thunderbolt and Lightning, along with Tempest Raceway, recognized as one of the premier outdoor karting facilities in the United States.

#### **Wheaton Arts**

Wheaton Arts and Cultural Center, originally established as Wheaton Village in 1968, is a nonprofit 501(c)(3) organization dedicated to fostering artistic engagement and audience participation through a dynamic exploration of creativity. This mission is pursued through the curation of collections and exhibitions, educational programs, culturally diverse public initiatives, artist residencies, and various opportunities for creative professionals. Over its five-decade history, WheatonArts has gained regional, national, and international acclaim for its distinctive





collections and programming. Central to the Center is the Museum of American Glass, which boasts the most extensive collection of glass produced in the United States. Situated in Millville, the birthplace of the nation's first glass industry, the Museum is one of only nine institutions in New Jersey accredited by the American Alliance of Museums.

#### **Odd Names**

The Palace of Depression, also referred to as Palace Depression, was an unconventional structure constructed from discarded materials in Vineland, New Jersey. It was created by the quirky George Daynor, a former gold miner from Alaska who experienced financial ruin during the Wall Street crash of 1929. This unique attraction was famously dubbed "The Strangest House in the World" and "Home of Junk," serving as a symbol of resilience in the face of the challenges posed by The Great Depression.

#### Wild & Scenic Maurice River

The Maurice River corridor is designated as a National Scenic and Recreational River, recognized for its exceptional natural beauty and significant ecological resources. This pristine Atlantic Coastal river plays a crucial role in the Atlantic flyway, providing clean waters and essential habitats for the migration of various species, including shorebirds, songbirds, waterfowl, raptors, rails, and fish.

Additionally, it is home to rare and endangered species such as joint vetch, shortnose sturgeon, and striped bass, as well as a prehistoric settlement site. Historically, the Maurice River has been integral to fishing, boating, and oystering activities. It supports

New Jersey's largest population of wild rice and is home to 53 percent of the state's recognized endangered animal species, excluding marine mammals.

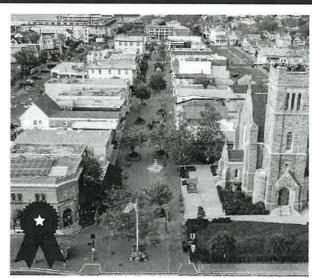
The river serves as a vital connection between the Pineland National Reserve and the Delaware Estuary, both of which hold national and international significance. The Maurice River also marks the western boundary of the Pinelands. The designated corridor encompasses the cities of Vineland and Millville, along with the townships of Maurice River, Commercial, and Buena Vista. Due to limited public access, the best vantage point to appreciate the river is from the bridge in Mauricetown, while boat access can be found at Millville's Fowser Road Boat Ramp or at a nearby marina.

#### **Bridgeton**

Step into the past and explore a city rich in history, where homes, taverns, and churches have stood for over 300 years and remain in use today. The essence of antiquity envelops you as you appreciate the allure of this genuinely historic town. Bridgeton boasts the largest historic district in the United States, featuring more than 2,200 homes and buildings listed on the National Historic Register of Places. It has been a witness to nearly every era of American history. As a year-round destination, Historic Bridgeton presents a diverse array of attractions to engage its visitors. Among the region's premier attractions is the operates year-round. Cohanzick Zoo. which Established in 1934, it holds the distinction of being the first zoo in the United States and continues to captivate audiences of all ages. The zoo is home to a variety of exotic animals, including two Bengal tiger cubs added in the winter of 2017.







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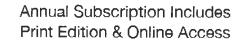
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