

**TOWNSHIP OF FRANKLIN
PLANNING BOARD
COUNTY OF SOMERSET, NEW JERSEY**

**REGULAR MEETING
March 16, 2016**

The regular meeting of the Township of Franklin Planning Board was held at 475 DeMott Lane, Somerset, New Jersey and was called to order by Vice Chair Maclvor at 7:30 p.m. The Sunshine Law was read, the Pledge of Allegiance said and the roll was taken as follows:

PRESENT: Councilman Chase (arrived at 7:32 p.m.), Alex Kharazi, Cecile Maclvor, Robert Mettler, Mustapha Mansaray, James Pettit, Robert Thomas, Jennifer Rangnow, Godwin Omolola and Chairman Orsini (arrived at 7:39 p.m.)

ABSENT: Carl Hauck

ALSO PRESENT: Board Attorney Peter Vignuolo, Mr. Mark Healey, Director of Planning and Vincent Dominach, Senior Zoning Officer

RESOLUTIONS:

- **SLIWKA / PLN-15-00018**

Mr. Thomas made a motion to approve the Resolution as submitted. Mr. Mettler seconded the motion and the roll was called as follows:

FOR: Mr. Kharazi, Vice Chair Maclvor, Mr. Mettler, Mr. Mansaray, Mr. Thomas, Ms. Rangnow and Mr. Omolola

AGAINST: None

- **Master Plan Re-Examination**

Mr. Thomas made a motion to approve the Resolution as submitted. Mr. Mettler seconded the motion and the roll was called as follows:

FOR: Mr. Kharazi, Vice Chair Maclvor, Mr. Mettler, Mr. Mansaray, Mr. Pettit, Mr. Thomas, Ms. Rangnow and Mr. Omolola

AGAINST: None

DISCUSSION:

Vouchers:

- **Clarkin & Vignuolo, P.C. – March Retainer - \$833.33**

Mr. Thomas made a motion to approve the Vouchers as submitted. Mr. Mettler seconded the motion and the roll was called as follows:

FOR: Councilman Chase, Mr. Kharazi, Vice Chair Maclvor, Mr. Mettler, Mr. Mansaray, Mr. Pettit, Mr. Thomas, Ms. Rangnow and Mr. Omolola

AGAINST: None

- **Extension of Approval – Estate of Mary Piersanti – PLN-15-00005 – Minor Subdivision**

Mr. Francis P. Linnus, Esq., Attorney, appeared before the Board on behalf of the Applicant, Estate of Mary Piersanti. He reminded the Board that the Planning Board, back in September of 2015, approved a minor subdivision. He noted that the Applicant had 190 days to record the subdivision deed and that there were certain conditions that had to be met and fulfilled before being allowed to record the subdivision deed. Mr. Linnus explained that they were getting close to the deadline of March 24, 2016 for recording the deed. He then discussed the Applicant's endeavor to post the performance bond, and once obtained, they would be able to record the deed. Therefore, they were requesting a 90-day extension in order to record the subdivision deed.

Mr. Thomas made a motion to approve the Extension of Approval as requested. Mr. Omolola seconded the motion and the roll was called as follows:

FOR: Councilman Chase, Mr. Kharazi, Vice Chair Maclvor, Mr. Mettler, Mr. Mansaray, Mr. Pettit, Mr. Thomas, Ms. Rangnow and Mr. Omolola

AGAINST: None

PUBLIC COMMENTS:

Vice Chair Maclvor made a motion to open the meeting to general public comments. The motion was seconded and all were in favor.

Mr. Benjamin Guy, 35 Patton Drive. Somerset, NJ, came forward. He expressed his interest/concern in knowing how the various upcoming developments were going to affect school bus transportation and additional recreational services for the children of the Township. He added that he would like to see better communication between the Township Council and the Board of Education to coordinate the efforts.

Vice Chair Maclvor made comments regarding liaisons from other committees and entities within the Township were represented right there on the Planning Board, including Councilman Chase, who also is a member of the Open Space Committee and Mr. Robert Thomas, who is the Chairman of the Zoning Board. She did agree that Mr. Guy made a good point that there needed to be more communication between the various leaders within the Township for better efficiency.

Seeing no one further coming forward, Mr. Mettler made a motion to close the meeting to the public. Mr. Thomas seconded the motion and all were in favor.

HEARINGS:

- **BENEFIT MALL / PLN-16-00001**

Site Plan with Bulk Variance in which the Applicant proposed to install a pad and emergency generator at 300 Atrium Drive, Somerset; Block 468.01, Lot 21.03, in a CB Zone - **CARRIED TO April 6, 2016– with no further notification required.**

DL 04/07/2016

- **HAMILTON STREET MANAGEMENT, LLC / PLN-15-00017**

Mr. Francis P. Linnus, Esq., Attorney, appeared before the Board on behalf of the Applicant, Hamilton Street Management, LLC. He noted that they were there that evening to present a Site Plan in which the Applicant was proposing a mixed use building at 695-697 Hamilton Street, Somerset; Block 219, Lots 2.04 & 1.01, in the HBD Zone.

Mr. Dominach's Zoning report indicated that the Applicant was proposing a mixed use building in the HBD Zone, and that there were no variances required.

Mr. Linnus explained that they were before the Board that evening to obtain Preliminary and Final Site Plan approval for a mixed use retail/apartment building that would require one variance for de minimus lot impervious coverage. He explained that the Application the Board was going to review that evening had come a long way, with many revisions, after various meetings with Township staff.

Mr. Linnus testified that they would be able to comply with all of the comments in the Township Engineering reports.

Mr. Jimmy Dumas II, Architect/Planner, came before the Board and was sworn in. The Board accepted his qualifications. Mr. Dumas gave the Board an overview of the project as well as testimony regarding the lot's impervious coverage variance. He stated that he met with the Township staff to refine the development plans. Mr. Dumas entered into the record seven (7) exhibits, marking them Exhibit A-1 through A-7. He described Exhibit A-1 as an enlarged version of Sheet 1 of the Site Plan, showing the proposed four-story, mixed used retail/residential building in the middle of the Hamilton Street Business District on a two-acre site. He indicated that the first floor would include the commercial component and the top three (3) floors would include the residential component to the project. He added that the residential floors included 30 one-bedroom apartments, 30 two-bedroom apartments and one (1) studio apartment, for a total of 61 residential apartments. Mr. Dumas then stated that there would be ten (10) commercial units on the ground floor and that the design of the building was such as to fit in with the predominantly two-story and, sometimes, 1-1/2 story buildings surrounding the proposed site even though the zoning allows for four (4) stories. Mr. Dumas went on to describe the proposed property, indicating that it was 350 ft. wide by 250 ft. deep. He then added that they met all the bulk requirements of the zone, with the exception of the impervious coverage, that was 3% over what was allowed in the zone (88% vs. 85%).

Mr. Dumas then drew the Board's attention to the parking requirements, indicating that there were 194 parking spaces required based upon the standards in the HBD Zone. He noted that they were providing 116 residential parking spaces (the exact requirement of the Residential Site Improvement Standard (RSIS)), six (6) parking spaces for the commercial portion of the site (with 78 required), and maintaining the 12 on-street parking spaces for a total of 134 parking spaces. Mr. Dumas stated that the Traffic Engineer would be providing further testimony to explain how the deficiency in

required parking spaces still works with the development. He then stated that the Applicant would be agreeable to make the in lieu contribution to the Township fund for the 60 parking space deficiency.

Mr. Dumas then detailed the commercial portion of the site, utilizing Exhibit A-2, which was a rendering of the possible kinds and sizes of units to be included. He noted that there would be ten (10) units that could include medical office, retail spaces, smaller boutique spaces and the addition on the corner of Hamilton Street and Baier Street of an anchor pharmacy store. He indicated that the anchor pharmacy store was presently located across the street and was the Owner/Developer of this site who was interested in staying with the property for years to come.

He then described the view of the second floor residential portion of the building, as shown in Exhibit A-3, indicating that there were 20 units per floor on the second and third floor of the building, with 21 units on the fourth floor that would include a studio apartment for the on-site manager. According to Mr. Dumas, the mix of units was made up of one- and two-bedroom apartments with state of the art kitchens, some with one bath and others with 1-1/2 baths. He also stated that the apartments would be both ADA accessible and ADA adaptable as required. Mr. Dumas then drew the Board's attention to Exhibit A-4, showing what the exterior of the building would look like. He indicated that it was civic in nature, utilizing durable materials such as stone, brick and commercial grade wood siding. He then introduced Exhibit A-5, which showed a little more detail of the proposed finishes of the building exterior. He then drew the Board's attention to the signage, shown in Exhibit A-6, which he stated met the signage regulations, and actually was slightly smaller than what was allowed in the zone. He then described the type of structure elements that would be utilized in the design to enable a taller ceiling height in the first floor retail spaces. Lastly, he showed Exhibit A-7, which was a depiction of the Landscaping Plan for the project

Mr. Dumas then addressed in more detail the impervious lot coverage variance they were seeking. He then gave Planning testimony by discussing the positive and negative criteria. He reiterated that the variance they were seeking was for impervious lot coverage of 88%, where 85% was the maximum. He spoke of the articulated building design, whereby the end of the project with the pharmacy building is only three feet off the property line and in some places it is as much as 30-32 ft. off the property line in order to allow potential tenants to use the space for possible outdoor seating or decorative garden planters in order to soften the look of the building. He stated that the other reason that they were over the allowed impervious lot coverage was because the aisle widths were 26 ft., where the zone allows for 24 ft.. He stated that the he and the Applicant agree that it would provide for better site circulation and entrance to the back parking area. Mr. Dumas indicated that he did not see any detriments should the Board grant the variance.

Mr. Dumas stated that he reviewed the March 4, 2016 Township Engineer's report and have either already complied or will comply with all comments. He then indicated that they had submitted the plans to the D&R Canal Commission and were awaiting

approvals, have received a report from the Somerset County Planning Board In which the Applicant will comply or has complied with all requests as well as from the Soil Conservation. He added that there was no comment from the Somerset County Health Dept. and that they could be able to comply with the Franklin Twp. Sewerage Authority. Mr. Dumas also testified that they would comply with comments from the Franklin Township Fire Prevention Bureau as well as comments from the Franklin Township Traffic Safety Bureau. He stated that there was no comment from the Water Dept. and noted that the Environmental Commission thought that the proposed project was a desirable development with no environmental impact. In reviewing Mr. Healey's January 5, 2016 Planning Report, Mr. Dumas indicated that they have had a number of face to face conversations as well as a few e-mails back and forth and revised the plan since his January report. He also stated that they could comply with all remaining comments. Mr. Healey indicated that there was a more recent report, dated February 5, 2016, but felt that after reviewing it felt that the Applicant would be able to comply with some of the details listing in this more recent report regarding streetscape.

While Mr. Dumas reviewed the more recent Planning report, Chairman Orsini mentioned to Mr. Linnus that they were in the same situation as another recent hearing regarding storm water management and will have to do some more work on that issue and come back before the Board regarding that issue. Mr. Linnus suggested that in the time between that evening's hearing and the next hearing for the storm water management issue, that they might be able to prepare a draft Resolution. A discussion ensued among the Board and Mr. Kharazi expressed concern in doing that in the event that the storm water management proposal would impact the design and layout of the building. Mr. Dominach indicated that they have had the Board Attorney do just that and the outstanding issue is discussed at a future hearing. Should the Board not be in agreement with the draft Resolution, then Board members could reject the Resolution at voting time.

Mr. Vignuolo, Board Attorney, indicated that he could certainly work with the Mr. Linnus on a Resolution for the Planning Board to consider at the next hearing of this Application if the Board were so inclined for him to do so if the next hearing were not too far out into the future. A discussion ensued among the Board. When questioned by Mr. Pettit why after a year the storm water management system had not been perfected yet, Mr. Dominach indicated that they had not conducted their geo-tech testing that would establish the seasonal high water table.

Vice Chair Maclvor brought up an issue that was also a problem with another project being reviewed by the Planning Board on Hamilton Street. She suggested that both projects included retail proposals and that that component needed adequate parking to be successful. The Vice Chair was concerned that the parking situation would "snowball" because there was at least another project that had the same issues with parking. She also wondered why they would not consider underground parking to provide more parking on the site. Mr. Dumas noted a safety and security issue with having underground parking. Chairman Orsini stated that he agreed with the Vice Chair and stated that the need for a variance for impervious coverage would no longer be an

issue should they include underground parking. Mr. Thomas stated that the Zoning Board just approved a site that had underground parking that worked rather nicely. Mr. Kharazi suggested that the underground parking could be provided for the residents and then there would be space to provide parking for the retail feature and for resident visitors.

Mr. Healey suggested that they hear from the Applicant's Traffic Engineer and listen to her ideas regarding shared parking

Mr. Kharazi asked whether they were going to provide benches for seating along the frontage of the retail space and whether they looked at coordinating their proposed building colors with that of other buildings in the area. He also suggested that the Applicant used LED lighting, not only because they save electricity, but also because they look really nice.

Mr. Dumas showed Exhibit A-7 and indicated where they were calling out benches in the back of the building as well as on the side of the building. He stated that they could add more benches to the plan if it makes sense to do so, but the provided space in front of the retail space was being left flexible, depending up on the desires of the retail tenants. Mr. Dumas then addressed the issue of the building color, stating that he didn't know about other building plan colors in the area, but noting that they were earth tone type colors. He indicated that they could certainly speak to Mr. Healey to ensure that the proposed color scheme for the building was in harmony with other buildings in the area. Mr. Dumas then addressed Mr. Khwarizmi's comments regarding LED lighting by stating that the outdoor wall sconces were proposed to have LED lighting as well as the light poles in the rear parking area.

Mr. Mettler asked whether the Applicant would be willing to stipulate that one of the medical uses not be for a medical laboratory use. Mr. Dumas indicated that he believed the Applicant would be agreeable to that condition.

Mr. Dumas testified that he believed that the project, as proposed, was fully consistent with the Township's vision for the area as an attractive, pedestrian friendly, mixed-use main street area.

Councilman Chase wanted to know if the Applicant would be addressing comments in Mr. Healey's February 15, 2016 Planning report. Chairman Orsini stated that they would be able to discuss those comments when the Applicant came back to present testimony for the proposed storm water management system to give Mr. Dumas time to review the new Planning comments.

Mr. Dumas stated that he had a chance to review the new comments and indicated that they would be able to comply with all mentioned.

Mr. Linnus then addressed a comment made by Mr. Pettit regarding why it had taken so long to produce a storm water management plan by discussing a preliminary report

provided by the project Engineer regarding the seasonal high water table, showing that they have been working on the storm water management plan.

Councilman Chase brought up a concern he had regarding the differences between the plans he was given and the plan before the Board that evening, noting that what was shown that evening did incorporate many of the items that Mr. Healey's Planning report asked for. He did mention, however, that he would have included trees in the parking lot and wondered what kind of vegetation was planned for the north side of the property between the project site and the neighboring property.

Mr. Healey indicated that the Board would get a copy of the latest set of plans before the next hearing.

Mr. Edward S. Dec, Engineer & Principal of Guerrilla & Dec Associates, came forward and was sworn in. The Board accepted his qualifications. Mr. Dec indicated that he reviewed the March 4, 2016 memo from the Township Engineer, made the applicable changes and would be submitting the plan to the Township. He indicated that he was confident that he could satisfy any remaining items and that it would not change anything regarding the design of the overall site that the Board has been reviewing because they had to do with technical issues which have been addressed.

Ms. Elizabeth Dolan, Traffic Consultant and Principal of Dolan & Dean Consulting, came forward and was sworn in. The Board accepted her qualifications. She first described the site and then discussed the parking and site circulation that was planned for the project as well as any traffic impacts resulting. Ms. Dolan addressed the traffic impacts that might result from the construction of the proposed project, focusing on the weekday evening and Saturday mid-day traffic counts due to the inclusion of a retail component. Ms. Dolan indicated that they utilized the ITE apartment and ITE shopping center rates, but did not take any special credits for the downtown mixed use setting which, she explained, sometimes garners credits for the walkability of the area. Her testimony included 37 trips during the evening peak hour and 32 trips during the Saturday peak hour for the apartment use and then 90 trips during the evening peak hour and 120 trips during the Saturday peak hour for the retail use. When combined with actual traffic counts that were performed at the intersection of Hamilton Street and Baier Street, along with background traffic growth for ongoing area development, they found no changes in service levels at the signalized intersection or through the access points along Hamilton Street and Baier Street. She added that the driveway movements would operate at acceptable levels of service, with the lowest level of "D" coming out of the site onto Hamilton Street during the weekday evening peak hours. Ms. Dolan did testify, however, that the site allowed for staging on-site with no impact to the public rights of way due to the on-site queuing. She then explained that there were no negative impacts to the surrounding area with the redevelopment of the site. Ms. Dolan then discussed a request from the Township Engineer in his latest report, dated March 3, 2016, to include an increase in background growth factor since NJDOT had just increased their growth rates from 1% to 1.5% per year. She testified that she would be submitting her revised calculations, but stated that they didn't show any significant

change in the results. At most, she explained, it added at most 15 vehicles to the intersection during a one-hour period. She then discussed the on-site circulation, reiterating what the Architect and Engineer both testified to, with the provision of full movement access on Hamilton Street as far from the intersection as possible with the movement of the current driveway as well as maintaining the full access driveway on Baier Street. She indicated that they were providing basic two-way on-site circulation aisles and parking and allowing for 26 ft. drive aisle width for more driver comfort. Ms. Dolan then drew the Board's attention to the parking calculations that were based upon the Residential Site Improvement Standards (RSIS) requirements for the residential as well as commercial portions of the site. She noted that there was a requirement of 194 parking spaces (78 for retail space and the balance for the residential use) which were based on the Township ordinance. Ms. Dolan testified that the plan allowed for 122 parking spaces on the property and 12 spaces along the frontage along Hamilton Street, which left a balance of 60 spaces in which the ordinance allows for an "in lieu" payment since the Applicant could not accommodate the spaces on site. Ms. Dolan then addressed the shortage of parking spaces, noting that providing the required parking spaces was inappropriate due to a shared parking phenomenon. Referring to language in RSIS, Ms. Dolan noted that in a mixed-use setting shared parking shall apply since the residential parking demand maximizes the overnight use and the commercial portion maximizes the day time use. She went on to explain that when they factored in the shared parking, they did not get a requirement of 194 parking spaces, but they calculated the amount of parking required at 156 parking spaces. She did note, however, that it was still a little bit higher than what they were providing on-site and street parking, but indicated that that demand would occur during one hour on a Saturday based upon roughly two spaces per one residential unit, according to RSIS. She testified that not all hours would require that much parking, but that there was a few hours during the course of a weekday and a couple hours on a Saturday when they would exceed a demand of 134 parking spaces. She then discussed using a lower parking ratio of 1.5 parking spaces per residential unit, the parking requirements would then go to a parking requirement of 140 parking spaces; utilizing a parking ratio of 1 parking space per residential unit, then the requirement would only be 119 parking spaces. She then discussed the zoning for the area, noting that it was supposed to be a main street type, pedestrian friendly interaction. She continued by stating that as the area continues to be redeveloped, with more shopping opportunities and more residences, it is hopeful, both from a zoning as well as a transportation perspective, that there would be more residents walking to nearby retail, commercial and doctor's offices. She explained that she had seen that a 1.5-1.6 ratio had become more common as the trend toward mixed use areas continues.

Vice Chair MacIvor opened a discussion regarding Ms. Dolan's testimony, and Mr. Dominach stated that the issue at hand that evening was whether the Applicant presented a conforming project regarding parking and the Applicant provided testimony by a Traffic Expert saying that they don't need the additional parking. He noted that if the Board were concerned about the overall parking situation for the Hamilton Street Business District, then he indicated that the appropriate time to discuss that issue would be next year when they discuss the Master Plan. Vice Chair MacIvor indicated that she

was bringing up the parking issue now because she felt that the Applicant had the opportunity to put in underground parking now and lessen the demand for on-street parking. A discussion ensued among the Board regarding the appropriate parking ratio to use and the shared parking scenario.

Councilman Chase opened a discussion regarding the peak commercial use on a Saturday at the same time more residents would be home, eliminating the shared parking scenario during that time frame. He did note, however, that he was not overly concerned with the Application they were hearing because the site was directly across from what was generally known as John's Plaza that had a large parking lot that was not generally full. He also suggested that he would bring up a conversation with the Council regarding the parking situation along Hamilton Street as well.

Mr. Healey suggested that the Applicant think about possibly designating some parking spaces as reserved for residents and others left open for shared parking purposes.

Councilman Chase then proposed that the Applicant think about possible parking along Baier Street. Mr. Dumas indicated that they did look at that possibility, however, Baier Street was not wide enough to accommodate the parking on their side of the street. Mr. Dumas added that the doctor's offices proposed as possible tenants by the Applicant would have office hours limited to only during the weekdays and not on the weekends in addition to adhering to the condition of not allowing medical laboratories.

Mr. Mettler made a motion to open the meeting to the public for comment. The motion was seconded and all were in favor.

Mr. Pat Gianotto, Chairman of the Hamilton Street Advisory Board and resident of 602 Hamilton Street, Somerset, NJ, came forward and was sworn in. He expressed his excitement of having the project come to fruition and stated that the owners were located in the Township already and felt confident that they know what their parking needs are because they want to keep their customer's happy.

Mr. Timothy Kelly, Vice Chair of the Hamilton Business District Board and resident of 193 Wilson Road, Somerset, NJ, came forward and was sworn in. Mr. Kelly expressed his desire to have the project approved. He indicated that since the project was in close proximity to RWJ Hospital and St. Peter's Hospital as well as Rutgers University, they were trying to arrange to have shuttle service come down Hamilton Street and they also have a park and ride at the old St. Peter & Paul Church for RWJ and St. Peter's, so residents and employees of both can ride bicycles down there and get on the shuttles for both hospitals. He also indicated that the hope was that the commercial aspects of the project would be utilized by the people in the neighborhood, not just by the residents of the upstairs apartments.

Ms. Karen Smith, 25 Parkside Street, Somerset, NJ, came forward and was sworn in. Ms. Smith was hoping that the Board would approve the project. She also stated that

she noticed that the Township Pharmacy hired people who lived in the neighborhood and is a much needed source of employment to the area.

Mr. Brantley Williams, 324 Ralph Street, Somerset, NJ, came forward and was sworn in. Mr. Williams indicated that he felt the project would be a welcomed addition to the area.

Ms. Rose Marie Pena, 54 Henry Street, Somerset, NJ, came forward and was sworn in. Ms. Pena stated that she was thrilled with the project and felt it would bring jobs to the area and encouraged the Board to approve the project.

Mr. Gary Christman, 750 Hamilton Street, Somerset, NJ, came forward and was sworn in. He indicated that he was a business owner in the area and felt this was a great project that would help other businesses on the street as well. He encouraged the Board to approve the Application.

Mr. Pat Gianotto, Chairman of the Hamilton Street Advisory Board and resident of 602 Hamilton Street, Somerset, NJ, came forward again and continued to be sworn in. He expressed his concern that the Board might be delaying the project due to the storm water plan and Mr. Dominach stated that they did not as yet have all the details of the storm water management plan ironed out yet, but they were hearing all of the other testimony that evening to get a head start on moving the project forward.

Seeing no one else coming forward, Mr. Mettler made a motion to close the meeting to the public. The motion was seconded and all were in favor.

The Board agreed to carry the hearing to the first meeting in May - **CARRIED TO MAY 4, 2016– with no further notification required.**

DL - 05/04/2016

COMMITTEE REPORTS

No reports discussed.

WORKSESSION/NEW BUSINESS:

Chairman Orsini opened up a discussion with the Board to let the new members know that he has always directed the staff to make sure that the Application was very complete before it is heard before the Board because he did not feel qualified to discuss engineering items, etc. He did say that tonight's hearing was an exception so that they could keep moving forward on the project while the Applicant worked on getting the storm water calculations done. The Chairman also brought up the subject of having the most up-to-date plans before them because otherwise the Board looks unprofessional when hearing an application otherwise. He discussed moving forward with having plans

accessible and available on their computers or having Vince project plans from his computer at the hearing. Mr. Mettler indicated that he didn't believe anyone would have a computer capable of projecting the large CAD drawings, so they have to have the latest paper plans to review.

Councilman Chase discussed the plans for the Boards to have access to I-pads for use at the meetings only for 8-1/2 x 11 size pages. Mr. Dominach indicated that they were required to receive everything in digital format so that IT can find a way to project the plans at the meetings.

Mr. Pettit indicated that the only sheets of the plans needed were the parking plans, site plan, architectural plan, landscaping and lighting plans. He suggested that Township staff should determine the types of plans that both boards needed and eliminate giving copies of things that include technical issues, etc. Mr. Healey suggested that staff speak with IT and find out the status of these items and that plans might soon be placed on the Township website. He suggested that maybe the board members from both boards only get reduced plans and only the sheets that were necessary, possibly incorporating them into the staff reports that were received by the board members. Mr. Healey also suggested that they discuss the topic at a future work session meeting to determine what was essential for the Board to have before them at the hearings.

Vice Chair MacIvor suggested they also discuss at a future work session the "in lieu" parking fees and how much they have already accumulated in that fund and what a lot currently sells for in the off Hamilton Street area. A discussion ensued among the Board regarding the parking issues, and they also discussed having a municipal parking authority set up as well to run/manage municipal parking lots.

- **Historic Ordinance Amendment**

Mr. Dominach indicated that what was before the Board included some minor modifications to the Historic Preservation Advisory Commission Ordinance. He explained that about three (3) years ago, the Township applied for certified local government status for the Historic Commission that enables the Township to do certain reviews and apply for certain grants. He went on to state that as part of the review, they needed to make certain changes to the ordinance, which included:

- changing the definition of the Historic District
- Stop referring to everything as the Historic Preservation Commission and using the term "Commission".
- the deletion of Section I where it stated that at least 51% of the people in the district must approve the designation of "historic" and was not something that the Municipal Land Use Law (MLUL) allowed
- Certificate of Appropriateness Application needing clarification
- the statement that required digital submissions
- when the Commission approves a demolition, drawings of the building are required

- a change in wording from it “must” be required to it “may” be required that any new construction can commence after conducting a Phase I archeological study.

Councilman Chase suggested that they change the wording from “historic” site to “historic structure” since only a building can be removed and not a site. Mr. Dominach stated that the accepted language was historic site, which encompassed land and structures. He also added that since they wanted to get the amendment before the Township Council the following week, they could discuss the issue at another date. A discussion ensued among the Board.

Mr. Dominach stated that he hoped that the Planning Board would recommend the changes to the ordinance so that they could get it on the agenda of the Township Council.

The Board agreed to forward the ordinance changes on to Council.

ADJOURNMENT:

Chairman Orsini made a motion to adjourn the regular meeting at 9:30 p.m. The motion was seconded and all were in favor.

Respectfully submitted,

Kathleen Murphy, Recording Secretary
April 30, 2016