

## OPEN SESSION

### Hightstown Borough Planning Board Meeting December 12, 2005

#### Call to order

Mr. Stults called the Planning Board meeting to order at 7:45 p.m.

Mr. Stults read the open public meetings act.

#### Flag salute

#### Roll Call

Name	Present	Absent			
Mayor Patten	X				
Mr. Montferrat		X			
Mr. Sikorski	X				
Mr. Searing	X				
Mr. Cuddy	X				
Mr. Jurgens	X				
Mr. Pratt	X				
Mr. Stults	X				
Mr. Misiura		X			
Alternates					
Mr. Emigholz	X				
Mr. Byrne	X				

Members present: Mayor Patten, Mr. Sikorski, Mr. Searing, Mr. Cuddy,  
Mr. Jurgens, Mr. Stults, Mr. Pratt, and Mr. Byrne.

Members absent: Mr. Montferrat, and Mr. Misiura.

.

## **Approval of Agenda**

Mr. Stults added the following item to the agenda:

1-Literature on the Rocky Brook Water Shed

Mayor Patten added a discussion on the Sign Ordinance portion with Real Estate Signs being placed.

A motion was made by Mr. Cuddy, seconded by Mr. Jurgens, to approve the agenda. Roll call vote was all in the affirmative. Motion carried.

## **Approval of Minutes**

As per Mr. Rosenweig's request, the approval of the November 14 Planning Board Minutes was postponed, pending confirmation of information that was not reflected on the Minutes.

## **Adoption of Resolutions**

**A. Resolution #2003-12 – Old Hights Overlook, granting an amended Preliminary and Final Site Plan with Use Variances to convert one unit into 2 COAH regulated apartments, and build one COAH apartment in the warehouse along with one Non-COAH apartment.**

A motion was made by Mr. Cuddy, seconded by Mr. Jurgens to adopt Resolution #2003-12. Roll call vote was all in the affirmative, with the exceptions of Mayor Patten, Mr. Pratt & Mr. Sikorski, who abstained. Motion carried.

## **Public Hearings**

- 1. Application #2005-13 - Back Porch Associates, LLC, 315 Second Avenue, Block 47.01, Lot 26, two lot Minor Subdivision with bulk variances with existing home on one proposed lot 26.02 with variance for side yard and aggregate side yard, and construction of single family home on proposed lot 25.02.**

Mr. Leonard Coates appeared representing the applicant, Back Porch Associates, LLC, in relation to 315 Second Avenue. There is an existing house at 315 Second Avenue that would remain on Lot 26.01. The new

construction lot would be proposed lot 26.02. The proposed lot would need a side yard variance where 5 feet is required, and 4.03 feet is provided . The aggregate side yard requires 18 feet, and only 10.43 feet would be provided.

Carmela Roberts mentioned that she suggested a straight line from the front to the rear of the property instead of an angled one, because she thought it would be a better arrangement to have more room in the deck, rather than to save the variance & make the lot fully conformant.

The lot area requirements in the R-4 zone are 7500 sq ft. The proposed lots would be 17,698 sq ft & 17,180 sq ft respectively. The lot depth is 300 ft. The two dwellings would be 18 feet apart.

The applicant mentioned that they will comply with the 5 foot side yard setbacks, and that the only variance they would be dealing with is the aggregate side yard.

Mr. Pratt suggested to keep the angled line and get the property line from the street to the house more towards the proposed lot than over the sidewalk. The applicant's architect & planner, Mr. Daniel Doran, said that the line can certainly be moved away from the back left hand corner of the existing dwelling, so that they can have better than 5 feet there, and then bring it to the back center point of the lots itself.

The only Bulk Variance requested is the aggregate side yard for each of the lots, which constitutes a C-2 Variance. The applicant feels that the purpose of the landuse law would be advanced by the deviation of the zoning ordinance, and that the variance, if granted, would represent no substantial detriment to the public good.

The applicant understands that, in order to connect to the water & sewer in Second Avenue, he would have to refurbish it, as Carmela Robert's letter suggested.

Mr. Tom Sullivan, sole owner of Back Porch Associates, testified describing the existing home.

Carmela Roberts suggested a soil test, before the applicant submits a plot plan.

Mr. John Balog, an area resident, testified stating that, in his opinion, the house is too big for the lot & is out of character.

Mr. Gary Stevens, 319 Second Avenue, also testified against the proposed application.

A motion was made by Mr. Cuddy, seconded by Mr. Pratt, to approve this subdivision. The approval would be subject to the pending plot plan, the ARC review & the lot line. Roll call was all in the affirmative. Motion carried.

## **Continuations**

**A. Application #2005-12 - DM Properties, Inc. 225-232 South Academy Street, Block 40, Lots 22, 23 & 24 for Preliminary and Final Major Subdivision with Use Variances is requesting a continuation until the January 9, 2006 Planning Board Meeting.**

The applicant has to reengineer the application, and requests a continuance in order to prepare for the hearing. There were questions regarding the need for the applicant to re-notice, pending clarification of what took place in the November meeting.

## **Concept Plan.**

**A. Application #2005-14 - Back Porch Associates, LLC, Block 48.01, Lots 22,23,24 and 7.01 - 406, 408 & 410 Summit Street for the construction of two new triplex units, creating one affordable unit in one of the two triplexes.**

Mayor Patten & Mr. Sikorski recused themselves from this application.

The applicant presented his proposal, explaining to the Board Members their openness to any suggestions that may improve their project. They presented two different ideas, one involving a cul-de-sac road, with a 40 feet radius, & the other a dead end street. The two proposed buildings would be Victorian looking, with marked parking.

Carmela Roberts commented, mentioning how storm water was not being addressed on the layouts.

One of the six units would be a COAH unit. According to Mr. Rosenweig, the applicant is not required to provide a COAH unit.

Concept Plan & Escrows fees were submitted by the applicant.

The Board members expressed their concerns about the proposed lots, such as design, storm water, home owner's association, emergency vehicle's turnaround, among other things.

Mr. Sullivan requested a meeting with the Architectural Review Committee, to explore the possibilities for this piece of property. Mr. Pratt explained to him that

he needs a plot plan first.

## **Discussions**

### **A. Committee Reports**

Mr. Pratt reported about a meeting with DM Properties about South Academy Street. He mentioned they tried not to touch site plan issues & stay in the line of architecture. He suggested the creation of a book that exposes Hightstown's architecture, broken down in styles, to help homeowners & new buyers with reference of what's already been done in the town.

### **B. Rocky Brook Water Shed**

Mr. Byrne reported about a free program that would provide the survey & assessment of town professionals. He distributed a report for review.

### **C. Real Estate Signs**

Mayor Patten expressed his concern about real estate signs being posted all over town. Signs are posted by realtors but they are not removed. The Board Members discussed the situation and considered recommending the Council restricts the posting of these signs.

## **Adjournment**

The meeting was adjourned at 10:06 p.m.

Respectfully submitted,

Katherine Peniche

