

OPEN SESSION
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The Public meeting was called to order by Chairperson Steve Misiura at 7:35 PM. He read the Open Public Meetings Act statement which stated, "Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was advertised in the Trenton Times and the Windsor-Hights Herald, and is posted in the Borough Clerk's office."

The flag salute.

#### Roll Call

	PRESENT	ABSENT	LATE ARRIVAL
Mr. Hahn		✓	
Ms. Laudemberger	✓		
Mr. Montferrat	✓		
Mr. Moraitis	✓		
Mr. Pratt		✓	8:15 PM
Mr. Searing	✓		
Mayor Kirson	✓		
Ms. McGinty	✓		
Mr. Misiura	✓		
Mr. Olsen	✓		
Mr. Byrne		✓	

Also in attendance: Susan Jackson, Planning Board Secretary; Gary Rosensweig, Planning Board Attorney; and Carmela Roberts, Borough Engineer

#### APPROVAL OF AGENDA:

Mr. Montferret made a motion to approve the agenda as presented. Ms. Laudemberger seconded. The agenda was approved with an 8-0 vote.

#### APPROVAL OF MINUTES: November 14, 2011

Mr. Montferret motioned to accept the November 14, 2011 minutes as presented. Mr. Searing seconded. Mr. Misiura asked for a roll call vote.

Roll Call: Ms. Laudemberger; Mr. Montferrat; Mr. Moraitis; Mr. Searing; and Mr. Olsen voted yes. Mr. Misiura; Mayor Kirson and Ms. McGinty abstained. Mr. Hahn; Mr. Pratt and Mr. Byrne are absent. November 14, 2011 Minutes were approved 5-0 with 3 abstentions.

## PUBLIC COMMENT

Mr. Misiura opened the floor to any public comment unrelated to anything on the agenda. As no one came forward from the public, public comment was closed.

### RESOLUTION 2011-14 – DENIAL OF APPLICATION 2011-04 - MINOR SUBDIVISION AND BULK VARIANCES – BLOCK 3 LOTS 18 & 19 – 538 N. MAIN STREET – MR. CHRISTOS KATSIFIS

Mr. Rosensweig said that the Resolution is self explanatory and is based on the denial from the November 14, 2011 meeting. There were no other questions or discussion on the Resolution. Mr. Montferret made the motion to memorialize Resolution 2011-14. Mr. Searing seconded. Mr. Misiura asked for a roll call vote.

Roll Call: Ms. Laudenberger; Mr. Montferrat; Mr. Moraitis; Mr. Pratt; Mr. Searing; and Mr. Olsen voted yes. Mr. Hahn; Mr. Misiura and Mr. Byrne were absent. Mayor Kirson and Ms. McGinty were recused. Application 2011-05 – Americana Hospitality Group – Preliminary and Final Site Plan and Substantial Benefit Variances was approved by an 6-0 vote.

### RESOLUTION 2011-15 – APPROVAL OF APPLICATION 2010-08 - SEYMOUR INVESTMENT, LLC - BLOCK 13 LOTS 24.01 & 24.02 – PERRY L. DREW PL – AMEND PRELIMINARY & FINAL MAJOR SUBDIVISION FOR LOT 24.01 & FINAL SITE PLAN FOR LOT 24.02

Mr. Rosensweig said that the Resolution shows the change of 3 townhouse units to 2 bigger townhouse units and grants the final approval to lot 24.02. There was a change in the overhang issue on the buildings and a general amendment change has been made to the Homeowner documents to accommodate this issue. There was no further discussion. Ms. Laudenberger made a motion to memorialize Resolution 2011-15. Mr. Searing seconded. Mr. Misiura asked for a roll call vote.

Roll Call: Ms. Laudenberger; Mr. Montferrat; Mr. Moraitis; Mr. Pratt; Mr. Searing; and Mr. Olsen voted yes. Mr. Hahn; Mr. Misiura; and Mr. Byrne were absent. Mayor Kirson and Ms. McGinty were recused. Application 2011-05 – Americana Hospitality Group – Preliminary and Final Site Plan and Substantial Benefit Variances was approved by an 6-0 vote.

### RESOLUTION 2011-16 – APPROVAL OF APPLICATION 2011-05 - AMERICANA HOSPITALITY GROUP – PRELIMINARY AND FINAL SITE PLAN AND SUBSTANTIAL BENEFIT VARIANCES

Mr. Rosensweig said that the one major issue is the lease of the Borough property between the Americana Hospitality Group and the Borough. It is one of conditions of the Resolution that must be satisfied. There were no further discussions. Ms. Laudenberger made a motion to memorialize Resolution 2011-16. Mr. Searing seconded. Mr. Misiura asked for a roll call vote.

Roll Call: Ms. Laudenberger; Mr. Montferrat; Mr. Moraitis; Mr. Pratt; Mr. Searing; and Mr. Olsen voted yes. Mr. Hahn; Mr. Misiura; and Mr. Byrne were absent. Mayor Kirson and Ms. McGinty were recused. Application 2011-05 – Americana Hospitality Group – Preliminary and Final Site Plan and Substantial Benefit Variances was approved by a 6-0 vote.

## DISCUSSION: ORDINANCE 2011-13 – STORMWATER CONTROL

Barbara Jones, 215 Greeley St, Hightstown, Chair for Environmental Commission, spoke about why they are looking to update the ordinance for Storm water management. Some of the most recent major issues of Hurricane Irene and Peddie Lake pollution propelled the Commission to look at the ordinance. They are looking at ways to help reduce the effects of the extreme weather conditions and the constant disturbances to the impervious coverage. Jennifer Coffee of the Millstone Watershed also spoke about how the same discussions are happening on the State level and how to deal with Storm Water Management. Currently they work with all new developments on storm water management.

Carmela Roberts went over her letter to the Planning Board about the history of the original ordinance. She explained why some properties can utilize rain gardens and the benefits of it versus other properties where it would be a detriment to the surrounding properties. When an applicant comes in before the Planning Board, all issues are taken into account and then a recommendation is made as to how to handle any storm water issues.

The Board members have questions and concerns about some of the changes made to the ordinance. They feel that the changes would make it more difficult for homeowners to meet the standards and there is an issue of how to enforce the ordinance to any Municipal, County and State level entities. The Board would like to have the opportunity to get together with the Environmental Commission to discuss the changes.

Joan from the Watershed Association stated that this is one of the most proactive ordinances. She feels that this is a global issue and the place to start is on the local level. She entered Exhibit 1 – Aerial of Hightstown Borough.

Dave Zaiser stated that they aren't looking to make things more difficult but to start educating the people on how to get the storm water back into the ground.

After a continued discussion, Mr. Misiura would like to have a subcommittee formed to take the time to sit with Ms. Roberts and the Environmental Commission. There are also legal aspects that need to be looked at. If the Planning Board is willing to recommend the changes to the Borough Council for approval, they want to make sure that they are asking the Council to approve a great ordinance change.

Mr. Montferret and Mr. Misiura will be part of the subcommittee and will meet with the Environmental Commission on January 24, 2012. If others choose to attend that meeting then there will have to be a notice sent to the paper.

#### COMMITTEE AND PROFESSIONAL REPORTS

Mr. Misiura – the Minute Maid Sub-Committee has pushed the meeting to January and he hopes that there is a final decision after that meeting. He also discussed what took place at the East Windsor Planning Board meeting in regards to the East Windsor section of Enchantment. Robertson Douglas applied for a non-age restricted development. East Windsor has denied their request again by an unanimous vote. Robertson Douglas has started the litigation process. Mr. Misiura and Mayor Kirson attended the meeting and stated that the position of Hightstown is that the non-age restricted community isn't wanted because the development was being sold as age-restricted community.

Mr. Montferret – wants to thank Nancy Laudenberger for the many years of services to the Hightstown Planning Board. He also thanked Isabel McGinty for her term on the Planning Board as the Borough Council Liaison.

Ms. Roberts has nothing to report.

Mr. Rosensweig - talked about the permit extension age to 2012 with some exemptions. He will report more as more information comes out.

Mayor Kirson – informed the Planning Board that Greystone has withdrew their litigation against the Borough. We should still look at the development of the property and review the re-development of the property when we do the re-examination of the Master Plan.

Mr. Rosensweig said that Minute Maid was given a revision of the Ordinance but that there hasn't been any response yet. He is also still interested in being reappointed as the Planning Board Attorney.

Ms. Laudenberger motioned to adjourn the meeting at 9:00 PM. Mr. Montferret seconded the motion. All approved.

Respectfully submitted,

Susan D. Jackson,  
Planning Board Secretary  
Hightstown Borough