

**ROCKY HILL PLANNING BOARD**  
**Minutes of the January 13, 2004 Meeting**

Present: Bristol, Baralt, Harris, Hayden, Muser, Nolan, Roshetar, Whitlock, Yuchmow

Absent: Cann

Also present: G. Muller, S. Kimball, and K. Philip

Statement Of Adequate Notice

Pursuant to the Sunshine Law, a notice of this meeting's date, time, place and agenda was mailed to the news media, posted on the Municipal bulletin board and filed with the Municipal Clerk. The meeting was called to order at 7:35 p.m.

Swearing in New Members

G. Muller opened the meeting by swearing in J. Hasser as the Alternate 2 member of the Planning Board for 2004.

Reorganization

Chairman 2004 - Motion was made by T. Roshetar and J. Yuchmow seconded the motion to appoint S. Bristol as Chair for 2004. The vote was 7-0 in favor. Motion carried.

Vice Chairman 2004 - Motion was made by B. Nolan and P. Harris seconded the motion to appoint J. Yuchmow as Vice Chair for 2004. The vote was 7-0 in favor. Motion carried.

Planning Board Secretary 2004 - Motion made by T. Roshetar and J. Yuchmow seconded the motion to appoint J. Muser as Secretary for 2004. The vote was 7-0 in favor. Motion carried.

Professional Agreements

A motion was made by T. Roshetar and C. Baralt seconded the motion to appoint Miller Porter & Muller as legal consultants for 2004. The vote was 7-0 in favor. Motion carried.

A motion was made by T. Roshetar and C. Baralt seconded the motion to appoint Kimball & Kimball as planning consultants for 2004. The vote was 7-0 in favor. Motion carried.

Approval of Minutes:

October 14, 2003 – Motion made by R. Whitlock and T. Roshetar seconded the motion to approve the minutes of October 14, 2003 as amended. The vote was 9-0 in favor of those eligible to vote. Motion carried.

November 11, 2003 – Motion made by R. Whitlock and P. Harris seconded the motion to approve the minutes of November 11, 2003 as amended. The vote was 6-0 in favor of those eligible to vote. Motion carried.

Chairperson's Comments: S. Bristol thanked the board members for her appointment as Planning Board Chair. In addition, she passed on thanks to Councilman Ed Zimmerman for the time he served on the Planning Board. S. Bristol then noted all subcommittee appointments for 2004. She gave an update on the Somerset County Planning grant for our guide to historic preservation and advised that a new graphics person is being hired to work on the pamphlets. She then advised that the Planning Board has not received any response from Mr. O'Brien or Ms. Sherry regarding the letter mailed to Borough residents. Regarding the rezoning of a portion of Montgomery Township, an area north of the Princeton Airport is being considered for rezoning and S. Bristol stated that she attended a Montgomery Zoning Board meeting and expressed her concern about traffic impacts

that may affect Route 518. S. Bristol stated that she was pleased to announce that the Borough received a 2003 award from the Somerset County Planning Board on the preservation of Lyric Hall. S. Bristol announced that following the Lovering resolution, the Board will be going into closed session.

Open Public Comment Period: The meeting was opened to the public. George White, 49 Washington Street, addressed the board and stated that he was concerned about legal notices received regarding his father's property and legal fees incurred. He asked which individual should be approached in for answers. S. Bristol asked Mr. White to prepare a statement of his concerns and the Board will review the document and respond accordingly. She asked that the Borough Clerk, Planning Board Chair and Planning Board attorney receive copies of the statement.

Karen Alexander, 146 Washington Street, addressed the board and asked about plans to raze the firehouse on Washington Street, reconstruction is being considered for additional space and she asked how the reconstruction will be funded and what has been reviewed. B. Nolan stated that this item has been discussed by Council on several occasions, no decision has been made and the discussions are still ongoing. Media coverage of the reconstruction is inaccurate.

George White, 49 Washington Street, asked the legal rates for the Planning Board attorney since the attorney's office will be involved in discussions about renovations and additions within the historic district. G. Muller provided his fees for 2003 and 2004.

Being that there were no further comments, a motion was made by B. Nolan and seconded by P. Harris to close the public comment period. The vote was 7-0 in favor. Motion carried.

**RESOLUTION:**

**LOVERING RESIDENCE:** Preservation Plan

P. Harris made a motion and J. Muser seconded the motion to approve the resolution. The vote was 6-0 in favor of those eligible to vote. Motion carried.

**CLOSED SESSION**

A motion was made by B. Nolan and P. Harris seconded the motion to go into Closed Session. The vote was 7-0 in favor. Motion carried. The meeting was back in session at 9:00 p.m.

**DISCUSSION:**

**ZONING ORDINANCE REVIEW:** Continuation of Board Discussion of Master Plan Implementation including consideration of rezoning on the Schafer tract.

S. Bristol acknowledged that a letter from Henry Hill, Esq. dated 10/24/03 and three conceptual plans were provided to B. Nolan. B. Nolan stated that several discussions have taken place in 2003 pertaining to the Schafer tract. The three conceptual plans for the site were described in detail and copies of the plans were made available to the public. The first conceptual plan depicts a 28-lot subdivision, this concept plan was discussed in 1997 but it was never formally submitted to the Borough. The second conceptual plan is for 54 units including age-restricted housing and affordable housing. The third conceptual plan is for 24 three-story buildings providing a total of 240 units with underground parking. B. Nolan stated that in 2003 Borough Council secured the services of an attorney to do an independent review of the tract and has

determined that the sewer capacity was the sole focus of the agreement, there was no legal commitment to the zoning of that parcel. B. Nolan stated that the zoning scheme under review should be consistent with the intent of the Master Plan and he stated that the zoning scheme is consistent and sensible.

MASTER PLAN AMENDMENTS REVIEW: Continuation of Board discussion of Master Plan Amendments including consideration of rezoning of the Schafer Homestead and Schafer tract.

S. Kimball stated that the language has been modified in order to meet the goals of the Master Plan and COAH obligations. She advised that the COAH obligations must be met by 2007 and three options for rezoning of the Schafer tract are being considered. She stated that of the remaining vacant lands in the Borough, there appears to be no space for COAH units. G. Muller, Esq., advised that the Planning Board will be reviewing the ordinances at their February meeting. He stated that a greenbelt is recommended along Princeton Avenue adjacent to the village. In July, 2003 the Board had recommended a 275-foot setback for lands in the R-1 zone and the Schafer homestead is 275 feet from Princeton Avenue. A formal landscaping scheme within the setback was not recommended in order to retain the village character of the area. G. Muller stated that the R-1 density results in approximately 13 units per acre, and the Schafer tract should be plotted out with the R-1 standards in order to determine the density recommended for this parcel.

D. Dobromilsky, landscape architectural consultant, prepared illustrative sketches dated 12/03 and distributed the sketches to the Board. He stated that modifications to the sketches are relative to previous discussions. One change to the illustrative sketch for the Scassera tract is a 150-foot setback. S. Kimball advised that the line behind the residences is not consistent with the line on the land use plan and consistency was recommended.

The meeting was then opened to the public.

Constance Greiff, 60 Princeton Avenue, provided information about the history of the zoning for the Schafer tract and homestead. She was the chair of the Planning Board in 1997, due to the Mt. Laurel obligation and an increase of the airport hazard zone clustering was considered for the tract but not the homestead. Once most of the Schafer tract had been preserved, the zoning on the two parcels was irrelevant. She stated that a plan for a larger development had been considered but a formal plan was never presented before the Planning Board.

Karen Alexander, 146 Washington Street, stated that a document pertaining to the Schafer tract was signed by R. Whitlock when he was mayor. She asked R. Whitlock to detail what he understood about the zoning for that parcel. She then asked Mayor Nolan the number of units they had envisioned. B. Nolan stated that the agreement addressed concerns about excess sewer capacity, but there was no guarantee on the zoning of that parcel when considering future development. B. Nolan then read into the record the paragraph within the agreement pertaining to the sewer capacity. K. Alexander then stated that the third illustrative sketch (RRPV-3) for the Schafer tract provides a 275-foot setback. A clustered development is considered providing high density housing with affordable housing. She stated that this design could be problematic

because the access road is not tied in to the village, therefore it could not be viewed from the roadway because of the 275-foot setback.

Motion was made by C. Baralt and J. Yuchmow seconded the motion to close the public portion of the meeting. The vote was 7-0 in favor. MOTION CARRIED.

Board discussion then took place. Motion was made by C. Baralt and T. Roshetar seconded the motion to include the ordinance pertaining to the Schafer homestead and Schafer tract with the other ordinances scheduled for review at the February 10, 2004 meeting.

Motion was made by R. Whitlock and seconded by T. Roshetar to adjourn the meeting at 10:35 p.m. All members present were in favor. MOTION CARRIED.

The next meeting is scheduled for Tuesday, February 10, 2004.

Respectfully submitted,

Kerry A. Philip  
Recording Secretary