

ROCKY HILL PLANNING BOARD
Minutes of the January 13, 2009 Meeting

Present: R. Ayrey, T. Bremner, C. Cann, T. Corlis, L. Goldman, G. White, R. Whitlock, E. Zimmerman

Absent: M. Blasch, D. Kluchinski, C. Pihokken

Also present: V. Kimson 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 7:30 p.m.

Reorganization

The following individuals were sworn in:

Raymond Whitlock, Timothy Corlis, Linda Goldman, Ed Zimmerman

a) Nomination of Chairman

Motion was made by E. Zimmerman and C. Cann seconded the motion to appoint C. Pihokken as Chairman of the Planning Board for 2009. The vote was 7-0 in favor. Motion carried.

b) Nomination of Vice Chairman

Motion was made by L. Goldman and E. Zimmerman seconded the motion to appoint C. Cann as Vice Chairman of the Planning Board for 2009. The vote was 7-0 in favor. Motion carried.

c) Nomination of Board Secretary

Motion was made by L. Goldman and C. Cann seconded the motion to appoint R. Ayrey as Board Secretary for 2009. The vote was 7-0 in favor. Motion carried.

d) Designation of Official Newspaper

Motion was made L. Goldman and C. Cann seconded the motion to approve the resolution designating the Courier News as the official newspaper. The vote was 7-0 in favor. Motion carried.

e) Approval of Calendar of Annual Meetings

Motion was made by E. Zimmerman and L. Goldman seconded the motion to approve the resolution of the Annual Calendar for 2009. The vote was 7-0 in favor. Motion carried.

f) Appointment of Board professionals

Motion was made by R. Whitlock and G. White seconded the motion to approve the appointment of Valerie Kimson as legal counsel for 2009. The vote was 7-0 in favor. Motion carried. Motion was made by R. Whitlock and G. White seconded the motion to appoint Kimball and Kimball as the Planning Consultants for 2009. The vote was 7-0 in favor. Motion carried. Motion was made by R. Whitlock and G. White seconded the motion to appoint Van Cleef Engineering as the Engineering Consultant for 2009. The vote was 7-0 in favor. Motion carried.

g) Appointment of Subcommittee Members – postponed

h) Appointment of Recording Secretary

Motion was made by R. Whitlock and E. Zimmerman seconded the motion to approve the appointment of Kerry A. Philip as Recording Secretary to the Planning Board for 2009. The vote was 7-0 in favor. Motion carried.

Approval of Minutes

- a) November 11, 2008 – Motion made by L. Goldman and R. Whitlock seconded the motion to approve the minutes of November 11, 2008 as amended. The vote was 7-0 in favor. Motion carried.
- b) November 11, 2008 (closed session) – Motion made by R. Whitlock and L. Goldman seconded the motion to approve the closed session minutes of November 11, 2008. The vote was 7-0 in favor. Motion carried.
- c) December 9, 2008 – Motion made by L. Goldman and R. Whitlock seconded the motion to approve the minutes of December 9, 2008. The vote was 7-0 in favor. Motion carried.

Chairperson's Comments: Vice Chair Cann stated that she had no comments. Valerie Kimson, Esq., stated that all members of the Planning Board are required to attend a mandatory training course on land use law within 18 months of their appointment. Board members were advised to pay for the session and reimbursement will be provided. E. Zimmerman advised that Charlie Pihokken and Mark Blasch were also appointed to the board for 2009.

Open Public Comment Period: The meeting was then opened to the public. Being that there was no one who wished to address the board, the open public portion of the meeting was closed.

APPLICATION:

- a) Rocky Hill Inn
Historic Preservation Plan with variances
Washington Street; Block 7, Lot 15

Bruce Blomgren, applicant, was sworn in and advised that one of the individuals on the property owners list was not notified of this meeting because the post office advised that the address does not exist. V. Kimson, Esq. reviewed the documentation to determine if the proof of publication is in order. After review, it was determined that the list was prepared by the tax assessor therefore the Borough may be the faulty party so the notice was done properly and the Board has jurisdiction. The Board also notes that the individuals for whom the address is incorrect on the mailing list, are in fact attending the meeting tonight, so were aware of the meeting date. Mr. Blomgren stated that the proposal is for the construction of a retaining wall around the main "Rocky Hill Inn" identification sign, construction of a pathway, lighting for the pathway and window replacement. The variance request is associated with the proposed pathway and existing retaining wall. The retaining wall is considered impermeable and the property already exceeds the permitted impervious coverage ratio. A pathway, proposed to be approximately 50 feet in length, is also impervious. He advised that the retaining wall and lighting were installed so the business could open up, he stated that he did not know permits would be needed. Mr. Blomgren stated that he feels the retaining wall is attractive and it prevents mulch from washing onto the sidewalk during rainstorms. The style of lighting proposed for the pathway are post lamps and low voltage lighting is also considered for security purposes. Mr. Blomgren advised that they are also proposing several new windows and he asked for guidance on the style of windows preferred.

William Tanner, Engineer for the Board, was sworn in and stated that the retaining wall and the walkway improvements require a variance. The site is well over the permitted impervious coverage so any impervious improvement requires a variance. He stated that the sidewalk is approximately 50 square feet and although this is not a lot of coverage, it impacts the Maximum Impervious Coverage (MIC). He stated that he has no concern with the impervious coverage because it is de minimus and will not impact the stormwater. The wattage of the two pole lights are needed along with detail of all the lighting. If possible, he requested isolux patterns for the lighting on the plans. The applicant was advised that the lights should be shielded to reduce the impact to the surrounding properties. The applicant was instructed to file these details with Mr. Tanner's office.

E. Zimmerman asked if the design of the retaining wall is appropriate to the architectural style of the property. G. White stated that he did not think the design is appropriate and noted the natural stone wall constructed by a previous applicant (Lewis) as being much nicer. He stated that the blocks used for the retaining wall is not in keeping with the time period of the building and there appears to be a large gap. Mr. Blomgren stated that the same type of stone is being used for other properties in the area and he feels that this should be acceptable. E. Zimmerman stated that the wall was built without Board approval and the style may not have been recommended. Mr. Blomgren stated that post lighting is being considered, approximately six feet in height. Mr. Tanner stated that detail of the lighting is needed for review and approval.

L. Goldman stated that detail of the walkway should be provided. Mr. Blomgren stated that the meandering pathway is 50 feet long and 4 feet wide. E. Zimmerman asked that the property line setback and the pathway be shown on the plan to make sure that there is no encroachment. Mr. Tanner stated that the sidewalk does not require a setback from the property line but the plans should be revised to show the pathway. C. Cann questioned why the post lamps do not match the security lighting for the sidewalk and Mr. Tanner stated that ground lighting is not historically appropriate but the proposed ground lights will offer a softer feel to the lighting. Post lights can also provide low level lighting. Mr. Tanner stated that safety is the applicant's main concern so the lighting should be muted and not impact the surrounding properties. Mr. Blomgren stated that they would like to propose windows similar to the windows in the yellow house across Princeton Avenue. He advised that the windows on the second floor will be replaced as well as the windows facing Washington Street and the two side windows facing the lawn area. R. Ayrey stated that the second floor windows should be the same as the other windows.

The meeting was opened to the public.

David Maccarone and Joseph Maccarone, owners of Azzuro Salon, stated that they did not receive a copy of the notice. It was determined by V. Kimson that the applicant sent notices to all individuals listed on the property owners list. Joseph Maccarone stated that the walkway is proposed between their two properties. David Maccarone stated that they are concerned about the liability issue since Rocky Hill Inn's patrons park in the Azzuro parking lot and because the parking is unauthorized, their insurance does not cover the Inn's patrons. He stated that the sidewalk will encourage use of their parking lot. In addition, there are some hedges between the two properties but some landscaping has been cleared from the site by the owners of the Rocky Hill Inn making it easier for the patrons to access the Azzuro parking lot. He also noted that the parking arrangement is a concern, during the last presentation the applicant was asked to provide valet parking when large events are scheduled. He stated that he is aware of a very large party

for Montgomery Township and he does not believe a valet parking plan or a plan to provide parking in another area is in place.

Being that no one else wished to address the board, the public portion of the meeting was closed.

The applicant was asked to provide the exact location of sidewalk on the plan. Also, alternatives for lighting including low lighting and pole lighting should be provided for consideration. Regarding the retaining wall, G. White stated that the wall may not need to be disassembled and he recommended the block be cut to appear as natural stone or cut into wedges in order to fill in the gaps in the radius and make it appear somewhat historic. The applicant was advised that detail of the retaining wall will be needed for the file. The applicant was also asked to bring in details of the lamp posts, lighting fixtures and windows. The light emission pattern in the parking area should be shown on the plan and pictures of the building would be beneficial. It was also recommended that the applicant bring back plans with "as built details". R. Ayrey felt that the applicant should provide some type of buffer between this property and the Azzuro Salon property.

Motion was made by R. Whitlock and T. Bremner seconded the motion to carry this discussion to the February meeting. The vote was 7-0 in favor. Motion carried.

Other Business:

G. White stated that he passed the Donato residence and noticed that several changes were made to the home that were not a part of the approved plan including the siding choice and the gabled ends. In addition, some windows were eliminated. R. Whitlock was asked to look into this because this would be an issue for the enforcement officer.

Motion was made by R. Whitlock and T. Bremner seconded the motion to adjourn the meeting at 9:00 p.m.

The next meeting is scheduled for Tuesday, February 10, 2009.

Respectfully submitted,

Kerry A. Philip
Secretary