

Borough of Rocky Hill  
Planning Board  
Minutes of the Regular Meeting  
July 8, 2014

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Planning Board Chair Michael Goldman called the Regular Meeting of the Planning Board to order at 7:30 pm.

**NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT**

Chair Goldman read the following statement into the record: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings transmitted to the Courier News and Somerset Spectator on January 9, 2014. Notice remains continuously posted as required under the Statute. A copy of this notice is available to the public and is on file in the Borough Hall.

**ROLL CALL**

Present: Mark Blasch, Cathy Cann, Linda Goldman, Michael Goldman, Connie Hallman, Brian Nolan, Mayor Ed Zimmerman

Absent: Robert Ayrey, Tim Corlis, Martin Engelbrecht, Raymond Whitlock

Mayor Zimmerman announced that he received an email from Eric Hintz resigning his position as Alternate #1 on the Planning Board. Mayor Zimmerman appointed Linda Goldman to the position of Alternate #1, effective immediately.

**APPROVAL OF MINUTES**

**Regular Meeting Minutes June 10, 2014** - Motion made by L. Goldman to approve the minutes as presented. Motion seconded by Blasch. Motion carried on roll call vote.

For: Blasch, Cann, L. Goldman, M. Goldman, Hallman,

Against: None

Abstain: Nolan, Zimmerman

**APPLICATIONS**

**Application for Development: 25 Washington Road, LLC, 25 Washington St., Block 5 Lots 6 & 7.** Continued hearing from May and June meetings, all witnesses previously sworn in. \*Nolan recused himself from the hearing.

The applicant, Steve Derochi, presented his refinements of the layouts of the proposed new houses. Responding to comments from the Board last month, he explained that the slope of the land does not allow for detached garages. The proposed houses will have side-by-side driveways with one curb cut out. Mr. Derochi also presented the voided building permit (Exhibit A-4) for the cottage.

Borough of Rocky Hill  
Planning Board  
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July 8, 2014

---

The applicant's engineer, Kevin Page, testified that his firm's submissions to the County have been provided to the Rocky Hill Planning Board. He also testified that his firm has submitted an application to the Delaware and Raritan Canal Commission. Mr. Page discussed the sidewalk grading and the options for drainage.

Chairman Goldman called a recess at 8:03 PM for the Secretary to make copies of the Somerset County Planning Board letter dated July 1, 2014 and the letter from the Somerset-Union Conservation District dated July 1, 2014 for distribution to the Board. The meeting was called back to order at 8:10 PM.

Mr. Page commented on the memo from Borough Engineer Bill Tanner dated July 3, 2014.

Mr. Derochi gave further testimony on the cottage asserting that it is currently an empty structure with no use. He also testified that the barn needs major repairs.

Engineer Tanner commented that drainage is still a major issue.

Mr. Casey requested that the Board grant preliminary approval of the application with approval conditioned on the zone line adjustment by Borough Council.

The hearing was closed to testimony at 9:07 PM.

In light of the remaining issues, the Board voted to carry the matter until its August meeting. After polling the Board, Chair Goldman direct Attorney Maziarz to begin to draft a resolution framework for Board consideration, identifying the conditions and issues discussed with respect to this application. This framework could be used by the Board for approval or denial at its August meeting.

Mr. Casey consented to an extension in time for the Board to act to August 12, 2014.

\*Nolan rejoined the Board at 9:20 PM.

**OPEN PUBLIC COMMENT**

The floor was open to public comment. Hearing none, the floor was immediately closed.

**CHAIRMAN'S COMMENTS**

None

Borough of Rocky Hill  
Planning Board  
Minutes of the Regular Meeting  
July 8, 2014

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**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**Discussion of Borough Council's Referral of Ordinance 2014-03 adjusting the zoning district boundary line between the R-1 single-family residential district and VO Village Office District.**

The Board, Planner, and Planning Board Attorney discussed the Council's referral of Ordinance 2014-03 to determine whether any provisions in the Ordinance are inconsistent with the Borough's Master Plan.

L. Goldman moved to report to the Borough Council that Ordinance 2014-03 is not inconsistent with the Master Plan. Blasch seconded the motion, and motion carried on roll call vote:

For: Blasch, Cann, L. Goldman, M. Goldman, Hallman, Nolan, Zimmerman

Against: None

Abstain: None

**Discussion of Borough Council's request for input from the Planning Board on 25 Washington Road's letter asking the Council to change the VO zone to specifically include self-storage units.**

Chair Goldman noted that there is no application currently in front of the Board requesting self-storage units. Blasch commented that self-storage units are a reasonable use in the VO zone. Nolan stated that many neighbors of the property object to self-storage units and that there is no need for more storage in the area.

Planner Lee pointed out that changing the permitted uses in the VO zone to allow self-storage units would require an amendment to the Master Plan.

Linda Goldman noted that the objective of the proposed amendment could be effectuated through a variance application rather than by asking the Council to pass an ordinance, which would require an amendment to the Master Plan. She asserted that the ordinance drafted by 25 Washington Road and submitted to Council raised many issues. For one, the proposed amendment would obviate all other reviews under the existing DRO. Further, any amendment to the zoning Ordinance should define classes of permitted uses, not a highly specific use.

Borough of Rocky Hill  
Planning Board  
Minutes of the Regular Meeting  
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Nolan moved to authorize Attorney Maziarz to communicate to Borough Council that the Planning Board can not recommend the requested amendment to the Village Office District allowing self-storage units. Such an amendment would first require an amendment to the Master Plan. L. Goldman seconded the motion, and motion carried on roll call vote:

For: Blasch, Cann, L. Goldman, M. Goldman, Hallman, Nolan, Zimmerman

Against: None

Abstain: None

**CORRESPONDENCE**

None

**FINAL OPEN PUBLIC COMMENT**

The floor was open to public comment. Hearing none, the floor was immediately closed.

**ADJOURNMENT**

L. Goldman moved to adjourn at 10:00 PM. Motion seconded by Zimmerman. Motion carried on voice vote.

Respectfully Submitted:

Christine Witt

Recording Secretary