

Review and discussion of Ordinance #2015-03 amending the Land Development Ordinances of the Borough of Metuchen, Chapter 110, Section 112.7, “Design and Landscape Provisions”, Chapter 110, Section 147, “Design Standards” and Chapter 110, Section 149, “Private Walkways”.

Mr. Cosenza, Zoning Official, stated there was a substantial change made to the Ordinance about two years ago, about forty pages. One of the changes was to adopt a payment in lieu of sidewalks, but not by title. It was a method that would allow about 75% of the cost of construction of the sidewalk to be contributed to the Borough for construction of sidewalk in the B-1 District. That was recommended by Kathy Elliott, the previous Borough Engineer. However, with consideration of the Complete Street Policies and further review of the Ordinances we took another look at the payment in lieu of sidewalks. Before, if it was determined that a sidewalk was not necessary to be constructed, because of the way the Ordinance was written at the time and adopted, the owner had to go to the Technical Review Committee in order to authorize such acceptance of the payment. This amended Ordinance will allow the Zoning Officer and the Board to accept the authorization of the sidewalk payment. That is the only change being made - removing the barrier so as allow it to be done administratively. It saves a lot of time and cost to the homeowner and/or developer.

Mayor Vahalla added this Ordinance will allow the Borough to not only put sidewalks in the Downtown area but also other areas of town, where the Borough deems it to be necessary.

The public portion was opened.

Mr. Renaud announced that the application for 231 Main Street will not be heard this evening due to a notice issue. The application will be heard at 7:30 p.m. on February 19th. Neighbors within 200’ will get another notice. (A few neighbors were waiting for the application to be heard).

Since no one came forward, the public portion was closed.

After a brief Board discussion on the Ordinance, a motion was made by Mayor Vahalla to recommend the Council to adopt the proposed Ordinance as presented, seconded by Councilman Leibfried. Roll call vote taken. Yes—Alexander, Clarkson, Erickson, Grossman, Kirin, Councilman Leibfried, Maier, Mayor Vahalla, Leal. Motion carried unanimously.

Mr. Dyas, 22 Grove Avenue and a member of the Parking Authority, asked if he could be heard and stated he thought that Ordinance 2015-04 would come to the Parking Authority for a discussion first. Mr. Dyas stated if the Board is prepared to vote tonight on something that the Parking Authority hasn’t reviewed yet maybe this should be put off to the Board’s next meeting to allow the Parking Authority time to review it.

Mayor Vahalla stated since the Board will recommend changes he would prefer to look at the changes tonight and then refer the Ordinance to the Parking Authority.

Mr. Renaud stated he thought that Len Roseman, from the Parking Authority, was coming and would be here by 8:00 p.m. I was going to ask if the Board could go into Executive Session now to discuss a pending litigation matter.

Mr. Erickson announced the Board will go into closed session first.

Mayor Vahalla motioned to go into a closed session to discuss litigation with the Board Attorney, seconded by Mr. Kirin. Mr. Renaud added specifically the matter of Hay Properties vs. Rocci, et als.

Mr. Renaud read the closed session resolution.

Mr. Dyas, who was waiting to hear the Board discussion on Ordinance 2015-04, left the meeting at 7:46 p.m. when the Board went into the closed session.

A motion was made by Mayor Vahalla to reconvene to the open session, seconded by Mr. Kirin, with all in favor; the public meeting was reconvened at 7:57 p.m.

Mr. Dyas returned to the meeting.

Review and discussion of Ordinance #2015-04 which will add a new section, Chapter 110, Section 110-154 Parking Regulations "Parking in the Downtown Area" to the Land Development Ordinance of the Borough of Metuchen.

Mr. DiGeronimo, planner, explained what Mr. Constantine presented to the Borough Council and then discussed some of the points in the Parking Authority's parking study prepared last year. Mr. DiGeronimo stated the study identified that there was a sufficient supply of downtown parking. One of the elements was to also look at ways to reinvest and develop parking strategies and to improve the overall management of the district. That is also found in the Master Plan. Some of the key points of the Master Plan included looking at a reduction in parking for the downtown areas by 50% and to add a "PILOP" program as kind of a creative way to foster some reinvestment in the downtown. These regulation amendments would only apply to the downtown and mixed use districts, B-1 Central Business District, B-3 Office District, and the B-1 Downtown District. This is really focused on the mixed use core areas. It would collect into an improvement fund that could be used for things that have been identified in our Master Plan in the 2009 Circulation Plan update and with some of the goals and objectives and other things identified in the parking study from last year.

The public portion was opened for questions on the Ordinance.

Mr. Roseman described the Parking Authority's function in Metuchen and stated the Parking Authority has the capacity and service that is needed. A deck is about to be built with a capacity of 750 vehicles with the opportunities of shared parking that will be ample. There will be no discount for deck parking but may be for Metuchen residents at the Halsey Street lot.

Mr. Dyas stated that he felt that this Ordinance should have been reviewed by the Parking Authority first before the Planning Board's recommendation to the Council. It should be part of the process of changing an Ordinance.

Ms. Maier discussed the changes made to the Ordinance. Ms. Maier stated at the Council meeting when the "PILOP" program was discussed a number of Council members questioned where the funds might be able to be utilized that would most benefit the Borough. So, the changes include adding additional language as to how the funds will be utilized, signage and sidewalks that lead to the parking areas. The discussion was yes the money could be used for that. However, a dedicated trust fund has to be set up and the Ordinance has to exactly match what the funds are paid out for. It was looked at as a way of expanding the definition but still keeping the intent of what Council was looking for and we had to make sure that it was in keeping with the Master Plan, Downtown Parking Plan and the Complete Street policies. Ms. Maier read the changes made to the proposed Ordinance.

The proposed changes were discussed with Mr. Dyas.

Mayor Vahalla stated the Planning Board would have to recommend the Ordinance with the changes to Council. The Ordinance would have to be referred back to the Borough Attorney to see if the recommended changes are a sufficient change. Then the Ordinance should be sent to the Parking Authority for their input. These changes are important.

There was a brief Board discussion.

Mr. Renaud prepared a resolution in advance with the proposed changes noted and explained to the Board what the resolution means to do.

A motion was made by Mayor Vahalla to approve the changes and resolution, seconded by Councilman Leibfried. Roll call vote taken. Yes—Alexander, Clarkson, Erickson, Grossman, Kirin, Councilman Leibfried, Maier, Mayor Vahalla, Leal. Motion carried unanimously.

CORRESPONDENCE

The Board received a letter from Acting Chief of Police, David Irizarry, who reviewed the site/parking plan for the proposed new American Legion Hall. Mr. Erickson read the letter to the Board.

On a motion made by Mayor Vahalla, seconded by Councilman Leibfried, with all in favor, the minutes from the January 15, 2015 meeting were approved as written.

On a motion made by Mayor Vahalla, seconded by Councilman Leibfried, with all in favor, the meeting adjourned at 8:33 p.m.

Respectfully submitted,

Sharon Hollis
Planning Board Secretary