

**PENNINGTON BOROUGH
PLANNING BOARD MINUTES
REGULAR MEETING
NOVEMBER 10, 2021**

Mr. Reilly, Chairperson, called the meeting to order at 7:30 p.m. and announced compliance with the provisions of the Open Public Meetings Act. He stated that the meeting was being held via a Zoom webinar and access to the meeting had been noticed.

BOARD MEMBERS PRESENT: Seung Kwak, Eileen Heinzel, Cara Laitusis, Katherine O'Neill, James Reilly, Nick Angarone, Jeanne Van Orman, Doug Schotland

BOARD PROFESSIONALS PRESENT: Edwin W. Schmierer, Planning Board Attorney, Mason, Griffin & Pierson, John Flemming, Zoning Officer, James Kyle, Planner, KMA Associates, Brian Perry, Engineer, Van Note Harvey

REGULAR MEETING

OPEN TIME FOR PUBLIC ADDRESS

Mr. Reilly asked if there was any member of the public who had joined the meeting and had comments. There were no participants and no comments.

WATERSHED INSTITUTE PRESENTATION

Mike Pisauro from the Watershed Institute has been invited to present as a follow-up from last month's presentation. Mr. Angarone stressed that the impacts of climate change will be felt more intensely in the future and looking at next steps now will help with future preparedness especially in the area of storm water management. Mr. Pisauro presented that the impervious coverage in Pennington is about 30% which does not include the new Heritage project. Recommendations include enhancing the storm water management ordinance, looking at both major and minor developments with regards to storm water. There are many options to do this and the board can consider some of them when looking at a storm water ordinance. The Board needs to examine what can be done now. Trees, on multiple levels, constitute storm water management. A big step would be to look at current water basins in the Borough to update and naturalize the basins. The 319H grant from the DEP can help to naturalize basins and improve storm water management. There are some areas in the Borough that could benefit from green infrastructure and the Watershed can pair with the Borough to apply for grants. Ms. Laitusis asked about preserving open space as storm water management and suggested some ideas such as a green cemetery, or a large ice rink. Mr. Pisauro stated that open space is incredibly effective in this area. He suggested that during the Master Plan process, the Board looks for every opportunity to add capacity and safety in every area of development and redevelopment. Ms. Van Orman asked about updating the old-style storm water basins. Naturalizing these existing basins will require significant funds. Some municipalities require any new developments to re-do the outdated basins. This is not an option in Pennington because there will not be any major development. Ms. Van Orman asked if NJ has impact fees for developers. Mr. Pisauro replied that there are no direct impact fees, but there are requirements under the rules that if requirements cannot be met on-site there are mitigation areas that can be used to meet the requirements. There is the potential for a storm water management fee that residents in the town would pay to help with the cost of updating and assist in paying for whatever the towns do

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to mitigate or deal with storm water issues. Ms. Heinzl noted that maintenance of current storm water basins in Pennington has been an ongoing issue. The Borough has been attempting to enforce the regulation that existing basins are to be maintained by the land owner. Mark Freidlich, representing the Environmental Commission, spoke about their support for projects that would help address storm water management in Pennington. Nell Haughton, a new Pennington resident, discussed the water basin behind the Hopewell School District's Administration building on Main Street. Neighbors are worried about the safety of the basin and think that it may have contributed to recent flooding in the neighborhood. The Borough has advised that this basin is the responsibility of the Hopewell Valley School District. The consensus is that HVRSD would not be opposed to being a partner in a grant to update this basin. One of the issues is the collection of water at the basin. Mr. Pisauro noted that all basins have this issue and in some circumstances this "pooling" is an indicator that the basin is functioning as intended. Green solutions may help the water absorb more quickly but most likely will not eliminate the pooling. Another opportunity is to look at reducing run off while redoing streets in the Borough. Kati Angarone applauded the Board for doing this analysis and feels this puts Pennington ahead of other towns. She believes that recent storms helped to put this issue into the public eye and this may be a good time for action. Many residents are now paying for flood insurance which might be better directed toward mitigation. Ms. Angarone has expressed that recent road work projects were missed opportunities to improve the storm water situation. Mr. Angarone stressed that there are no easy decisions to be made regarding storm water mitigation and doing nothing is no longer an option. Ms. Heinzl indicated that the first step may be to apply for the 319H grant. Mike Pisauro made the point that currently Pennington residents are paying for remediation after the flooding instead of addressing it proactively. Ms. O'Neill asked about where the Board could get more information regarding funds that might be available in the infrastructure bill. Ms. Heinzl noted that the Borough received \$300,000 from the recovery act and the priority is to replace water meters to be remote read.

RESOLUTION OF MEMORIALIZATION

The resolution to approve the Ball Stopper at Pennington School has been presented. Some edits to note; Page 3, item 7 discusses the adjoining property being Pennington Center, this would be more clear if it was Pennington Shopping Center. Page 4 bottom of A remove one of the words in the sentence containing "recognizing allowing" as it is redundant. Motion to approve the resolution with mentioned edits by Ms. O'Neill and seconded by Ms. Laitusis.

Roll Call:

Angarone-Abstain

Laitusis-Yes

O'Neill-Yes

Reilly-Yes

Schotland-Yes

Kwak-Yes

Van Orman-yes

The resolution is approved unanimously

There is an overage of \$1,170.00 in legal expenses for the Board. Mr. Reilly proposed the Board ask Council for supplemental legal expense funding. A motion to ask council for supplemental funds for legal expenses was made by Mr. Angarone and seconded by Ms. Van Orman.

Roll Call:

Angarone-Yes

Laitusis-Yes

O'Neill-Yes

Reilly-Yes

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Schotland-Yes

Kwak-Yes

Van Orman-Yes

The motion is passed unanimously.

ZONING OFFICER

There is no Zoning report for this meeting.

OLD BUSINESS

There is no old business.

NEW BUSINESS

Frontier Development's application for the Starbucks was a bit late and the ARC has asked that the Borough's deadline be waived so they can present at the December meeting. A motion to waive the deadline has been moved by Ms. Van Orman and seconded by Ms. Laitusis. All agreed via voice vote and the deadline has been waived.

MASTER PLAN COMMITTEE

Mr. Angarone reports that there is no report at this time and having a recommendation report by the end of the year is not possible. There is time to continue the process because the Master Plan review is not due until 2023. The big item that the committee wanted to accomplish is interviews with John Flemming and members of the other boards and commission. Ms. Laitusis stressed the importance of including community input. The committee will move forward and continue to examine the Master Plan.

HIRING OF LAND USE MANAGER

The Borough has begun the process of hiring a new Land Use Manager to serve as Administrator for the Planning Board and the Historic Commission and to provide administrative support at the Borough office.

Motion to adjourn was moved by Mr. Angarone and seconded by Ms. O'Neill. With no objections the meeting was adjourned.

Respectfully submitted,


