

**PENNINGTON BOROUGH
PLANNING BOARD MINUTES
REORGANIZATION AND REGULAR MEETING
JANUARY 12, 2022**

REORGANIZATION MEETING

Mr. Schmierer, Board Attorney, 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 this meeting was being held by a Zoom webinar and access to the meeting had been noticed.

The following were given the Oath of Office by Mr. Schmierer: Hilary Burke, Class I, Mayor Designee-1/1/2022-12/31/2022; Eileen Heinzl, Class II, Borough Official-1/1/2022-12/31/2022; Deborah Gnat, Class III, Council Representative - 01/01/2022 –12/31/2022; Mark Blackwell-1/1/2022-12/31/2025; Andrew Jackson, Environmental Commission.-1/1/22-12/31/2024

BOARD MEMBERS PRESENT: Mark Blackwell, Deb Gnat, Eileen Heinzl, Andrew Jackson, Seung Kwak, Cara Laitusis, Katherine O'Neill, James Reilly, Douglas Schotland, Hilary Burke

BOARD PROFESSIONALS PRESENT: Edwin W. Schmierer, Planning Board Attorney, Mason, Griffin & Pierson

Mr. Schmierer stated that a nomination was in order for Chairman of the Planning Board for 2022. Ms. O'Neill made a motion to nominate James Reilly as Chairman, seconded by Mr. Blackwell. The Board voted unanimously by voice vote to appoint Mr. Reilly as the 2022 Chairman. Mr. Reilly requested a nomination for Vice Chairman. Mr. Blackwell made a motion to nominate Katherine O'Neill who declined the nomination. Ms. O'Neill nominated Cara Laitusis who also declined. Ms. Laitusis nominated Mr. Blackwell who deferred to Mr. Kwak, who declined. Ms. Laitusis made a motion for the nomination of Mr. Blackwell for Vice Chairman which was seconded by Ms. Gnat. The Board agreed unanimously by voice vote.

Ms. O'Neill moved to approve the appointment of the following professionals and the 2022 schedule of regular meetings. The motion was seconded Mr. Blackwell and the Board agreed unanimously by voice vote

The Professionals for 2022 are:

Edwin W. Schmierer, Esq., Mason, Griffin & Pierson, P.C. was appointed Planning Board Attorney for the year 2022.

James Kyle, PP/AICP, KMA, (Kyle-McManus Associates) was appointed Borough Planner for the year 2022.

Brian Perry, P.E., Van Note-Harvey Associates, PC, was appointed Planning Board Engineer for the year 2022.

Acting Board Secretary, Eileen Heinzl, was appointed as Acting Planning Board Secretary through January 31, 2022.

The Schedule for regular meetings is:

The 2022 Planning Board meeting dates were approved as follows: Feb. 9, Mar. 9, Apr. 13, May 11, Jun. 8, Jul. 13, Aug. 10, Sep. 14, Oct. 12, Nov. 9, Dec. 14, Jan. 11, 2023

Pennington Borough Planning Board Minutes – January 12, 2022
Reorganization & Regular Meeting

A motion by Ms. Heinzl to adopt the Hopewell Valley News as the official daily newspaper and the Times of Trenton as the backup official daily newspaper to be used only when, through no fault of the applicant or the Board, publication of the Legal Notice was not possible in the Hopewell Valley News. The motion was seconded by Mr. Jackson. Ms. Laitusis questioned the accessibility of the two newspapers selected. She has requested that alternate options be considered for next year. Mr. Schmierer noted that, by statute, Municipal Land Use Law specifies that a paid subscription newspaper which is the official newspaper of the Borough must be used. The selected newspaper cannot have a monthly distribution nor can it be in unpaid circulation. Ms. O'Neil specified that it is important to think of alternate options that will expand knowledge of meetings for citizens. Mr. Schmierer specified that any publication needs to meet the requirements in the MLUL.

By voice vote, with Ms. Laitusis abstaining, the Board approved the motion to adopt the Hopewell Valley News as the official daily newspaper and the Times of Trenton as the backup official daily newspaper to be used only when, through no fault of the applicant or the Board, publication of the Legal Notice was not possible in the Hopewell Valley News.

Mr. Reilly asked for member interest in serving on the Application Review Committee. The sole task of Pennington's ARC is to determine if an application is complete. As a general rule, the ARC meets once per month if there is an application to review. Mr. Jackson, Mr. Schotland, Ms. Heinzl and Mr. Reilly expressed interest in serving on the Application Review Committee. A Motion to accept the ARC as above, with the addition of Mr. Flemming, was made by Mr. Blackwell and seconded by Ms. Laitusis. The Board unanimously approved the 2022 ARC by voice vote.

Ms. O'Neill made a motion, seconded by Mr. Kwak, to close the reorganization meeting. The reorganization meeting was adjourned by unanimous voice vote.

REGULAR MEETING

OPEN TIME FOR PUBLIC ADDRESS – Mr. Reilly asked if there was anyone who had joined the meeting and had comments. Ms. Heinzl announced that Carol Cole had joined the meeting. Ms. Cole did not have any comments at this time so the time for public address was closed.

ZONING OFFICER

Mr. Flemming reported to Mr. Schmierer prior to this meeting that he did not have anything to report at this time.

There are no new applications this month. An application to install a generator is expected for next month's meeting.

OLD BUSINESS

Annual Report

The 2021 Annual Report to Mayor and Borough Council will be prepared with the goal of being presented in February. It encompasses a list of actions taken in 2021 and recommendations for ordinance changes. There are no anticipated ordinance changes.

The Master Plan Committee

The Master Plan review Committee was established in 2021 to either re-write or update the Master Plan. The new Master Plan is due in 2023. The 2021 members included Mr. Angarone,

who has left the Board, Ms. O'Neill, Ms. Laitusis and Ms. Van Orman. The Master Plan committee is tasked with reviewing the last plan and making changes as required by state regulations as well as other elements that need to be adjusted, changed or deleted. Once recommendations are generated, the MPC can engage Mr. Kyle for assistance. The full Board will review and adopt the proposed plan before presenting to Council.

Mr. Schmierer noted that the re-examination or re-do of the Master Plan cannot be adopted without community input. Mr. Jackson asked if the Environmental Commission would be consulted for the Master Plan, especially in the area of climate change. There is a requirement that the effects of climate change be considered for the new Master Plan. The DEP could offer some guidance in this area. Another area of possible consideration, raised by Ms. Laitusis, is that many people may not be going back to the office and this change might impact the face of downtown Pennington.

Mr. Jackson has said that he is willing to serve on both the ARC and the Master Plan Committee to represent the Environmental Commission. The MPC will be made up of: Kate O'Neill, Cara Laitusis, Jeanne Van Orman with Andrew Jackson as Chairperson. Ms. Heinzl will look for Mr. Kyle's proposal regarding his participation in the Master Plan process and will ensure that this is reviewed for the 2022 budget. This is an ad hoc subcommittee so no formal vote is necessary.

NEW BUSINESS

The Application Review Committee has been working on revising the variance checklist. A request has been sent to Mr. Kyle for guidance in this process. The ARC is also working on codifying the process around waiver requests with the aim of making the process more straightforward and efficient.

There will be a meeting on February 9th.

MINUTES – The minutes will be reviewed at the February meeting.

Mr. Blackwell asked for an update on an earlier meeting regarding Medical Marijuana. Ms. Heinzl reports that the company has withdrawn their application.

Ms. Gnatt made a motion to adjourn the meeting, seconded by Mr. Blackwell, and affirmed by all members via a voice vote at 8:30 p.m.

Respectfully submitted,
