

City of Lambertville  
Planning Board  
Regular Meeting Minutes  
Wednesday, March 2, 2022

The meeting was called to order by Board Chairman, Paul Kuhl, at 7:00 pm with a statement of compliance with the Open Public Meetings Act.

The following statement was read into the record:

*This meeting is being held in compliance with the Open Public Meetings Act with the annual notice advertised in the Trenton Times and Hunterdon Democrat, sent to department heads, members of the listserv and was posted on the bulletin board at City Hall and on our website at [www.lambertvillenj.org](http://www.lambertvillenj.org). This meeting is being recorded digitally.*

## ROLL CALL

Mrs. Lawton called the roll as follows:

Present -

John Miller, Stephanie Moss, Robert Jordan, Kate Millsaps, Marleina Ubel, Matt Blake, Councilman Stegman, Paul Kuhl and Mayor Nowick.

Also Present - Paul Rotondi and Kevin Romano

Board Attorney Evan Crook, Board Planner Emily Goldman and Board Engineer Doug Rossino. In addition, the alternate Planner, Greer Patras, was also present.

## APPROVAL OF MINUTES

February 23, 2022

Motion Carried.

## PUBLIC HEARING

7 Delevan Street

Block 1028 Lot 20

Final Major Subdivision & Site Plan Approval

Stephanie Moss recused herself from this application and John Miller abstained from voting. Marleina Ubel and Kate Millsaps were not present during the last public hearing and have certified that they have examined and listened to the recording and are eligible to vote on tonight's application.

The Board is requiring a letter from the Lambertville Fire Department for compliance with any of their regulations. In addition, the application must also provide a report from a structural engineer on the condition of the existing building and whether it is capable of handling the proposed alterations.

All utilities will be located underground and the applicant agrees to comply with all the conditions imposed by the Board Engineer and Alternate Board Planner.

New trash enclosures were presented to the Board for review. Mr. Finelli stated that the material is the same as the roof fencing being used. There will be a gate installed for access to the hard and each enclosure will accommodate two cans, one recycling and the other trash.

The applicant is proposing that the trash bins be located on Clinton Street for pick up by the DPW on the scheduled week.

Mr. Jordan asked why no consideration was given to reducing the size of the buildings, as there will be limited use of the yard area and no storage for property owners since there are no proposed basements or attic space. Mr. Finelli stated that they did not find it necessary to reduce the size of the existing structure.

There were some questions regarding storm water management on the property and Mr. Finelli stated that it was not required for this project.

The cross easements and covenants have been drafted and reviewed by the Board professionals.

A variance will be required for the relocation of the existing crosswalk and ADA ramp.

#### PUBLIC COMMENT:

Emily Goldman, North Union Street - Stated that she is glad to see the proposed location of the trash cans will be located on Clinton Street and not on Delevan Street.

Paul Stevens, Quarry Street - Concerns about impervious coverage, flood control, rear yard use and lack of storage.

Stephanie Moss, Delevan Street - Concerned about the sanitary vent

Cindy Yahn, North Union Street - Stated she listened to the May 2021 recording and stated there were comments made by the Planner regarding the number of units. Feels that garages would be desirable.

Kim Klinger, Clinton Street - Questions regarding the preliminary approval, asked why previous developments were granted three units and no consideration for reducing the number of units for this project was given.

John Flynn - Clinton Street - Stated that this Board does not have to grant the necessary variances.

Judy Gleason, North Union Street - Members of the board should take into consideration that there are outstanding issues with this application.

Sue Jenkins, North Union Street - Concerns about trash, asked how this will affect the third can system, if it is brought back.

Robert Jordan made a motion to close public comment. Matt Blake seconded the motion. A unanimous vote in favor of the motion was taken by all members present. MOTION CARRIED.

#### Final Major Subdivision and Site Plan Approval

Conditions of approval include documentation from the Fire Department, a report from a structural engineer, property owner to provide trash cans to buyers. A waiver is recommended for lighting relief.

All conditions listed in prior Board Professional review letters must be met, if the existing building is not structurally sound to accommodate the proposed alterations, the applicant must appear before the Board again for additional relief and approvals.

The doors on the trash enclosures must have a two-foot swing, no larger, all utilities will be located underground.

Matt Blake made a motion to grant the approval, with conditions set forth and without the approval of the trash enclosures. A roll call vote in favor of the motion was taken by all members present. There were five affirmative votes and two opposed the motion. MOTION CARRIED.

#### Approval of Trash Enclosure

Mayor Nowick made a motion to grant the approval. Matt Blake seconded the motion. A roll call vote was taken by all members present. There were three affirmative votes and four in opposition of the motion. The applicant must return to the Board with an alternative plan for the trash location.

### Approval of Variances

The applicant must submit a final site plan and subdivision plan to show the trash enclosures and impervious coverage.

Marleina Ubel made a motion to grant the variances for impervious coverage and waivers recommended. Kate Millsaps seconded the motion. A roll call vote in favor of the motion was taken by all members present. There were six affirmative votes and one in opposition of the motion. MOTION CARRIED.

### SITE PLAN WAIVER

51 Coryell Street  
Block 1037 Lot 6  
Conditional Use Approval

The Board Professionals recommended a Site Plan Waiver for this application.

Mayor Nowick made a motion to grant the recommended waiver. John Miller seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

### COMPLETENESS

51 Coryell Street  
Block 1037 Lot 6  
Conditional Use Approval

Robert Jordan made a motion to deem the application complete, based on the review of the Board Professionals. Mayor Nowick seconded the motion. A unanimous roll call vote was taken by all members present. MOTION CARRIED.

### PUBLIC HEARING

51 Coryell Street  
Block 1037 Lot 6  
Conditional Use Approval

The building currently consists of a two story art gallery. The applicant is proposing a retail space on the first floor and a two-bedroom apartment on the second floor. This type of change is a permitted use in the zone.

There is no off-street parking available for this property, therefore a variance is required. There are additional pre-existing, non-conforming variances required such as front build to line, rear yard set back and minimum distance between buildings.

Conditions of approval consist of submission of all outside agency approval, updated “will serve” letters and that construction permits must be obtained within one-year of board approval.

#### Public Comment

None.

Marleina Ubel made a motion to close public comment. Robert Jordan seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

Marliena Ubel made a motion to grant the Conditional Use approval, with variances and conditions listed above. Robert Jordan seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

#### COMPLETENESS

204 North Union Street  
Block 1006 Lot 36  
Cannabis Application

Mayor Nowick, Marleina Ubel and John Miller had to recuse themselves from this application, as they reside within 200’ of the property. Mayor Nowick also made an announcement that all signs were to be removed immediately from the poles, as it is a violation of City regulations.

The meeting was opened for public comment to discuss jurisdiction.

A resident on North Union Street asked that the Board reconsider jurisdiction due to the distance from the Lambertville Public School and the property at 204 North Union Street.

Several of the applicant’s professionals were sworn in to discuss how they determined the distance from the property to the school. It was stated that the measurement was taken from the front of the building that faces North Union Street and not the property line located on Elm Street.

Robert Jordan made a motion to close public comment. Stephanie Moss seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

Kate Millsaps made a motion to deem the Board has jurisdiction to hear this application. Matt Blake seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

Doug Rossino listed several waivers that are recommended and listed in his review letter. The applicant is in agreement and will comply with said waivers.

Matt Blake made a motion to deem the application complete, with conditions of waivers. Robert Jordan seconded the motion. A unanimous roll call vote in favor of motion was taken by all members present. MOTION CARRIED.

#### PUBLIC HEARING

204 North Union Street  
Block 1006 Lot 36  
Cannabis Application

Laurie McHugh, the applicant was sworn in to provide testimony. She is the owner of the business, Union Chill. Alexis Barrons was also sworn in to testify and she is an employee of Union Chill.

Ms. McHugh stated that there will be no consumption on site and that they will monitor the exterior of the building to ensure compliance.

There will be a one-on-one ratio with customer and employee, with a maximum of twenty occupants in the retail space at one time. Customers will be required to sign terms and agreements prior to making an appointment.

The vestibule will be able to accommodate five to six customers. Security guards will be located within retail space and will also be in the vestibule.

All products will be pre packaged and delivered one to two times per week. The delivery truck will be a small box truck and all acquired waste will be regulated with the State on disposal.

Within the commercial space will be display cases that will be managed by employees. The public will not have direct access to the display cases.

There is currently an existing sign that exceeds the maximum square footage and will therefore require a variance approval, since the applicant intends to utilize the existing location.

There are a total of sixty-six parking spaces available to the rear of the property. Only forty-six spaces are required for the entire building and other uses. The applicant was asked to provide the parking calculations required for the other commercial uses within the building.

They were also asked to provide a traffic study as a condition of any approval granted. It was suggested that a small committee be created to meet and review the results of the traffic study that will be conducted.

The residents on Elm Street are permitted by the property owner, Steve Frank, to park their vehicles in the parking lot and Mr. Frank has agreed to continue to allow these vehicles to park here and is also willing to provide no parking signs.

The trash enclosure will be relocated out of the flood zone and to the rear of the property.

At this time the meeting was opened for public comment:

Ellie of N. Union Street - concerned about the increase of customers on the weekends.

John of N. Union Street - concerned about customers walking in not knowing they need an appointment.

Dylan of N. Union Street - stated that this type of business would be good for the City.

Additional concerns from residents were that the location of the cannabis store is in close proximity to the Lambertville Public School.

Robert Jordan made a motion to close public comment. Stephanie Moss seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

*Conditions of Approval:* Provide a traffic study, relocate trash enclosure, police access to all security footage and a NJ surveyor must sign the plans.

*Variances:* Pre-existing, non-conforming side yard, rear yard and right-of-way setbacks and size of proposed sign.

*Design Exceptions:* Maximum width of the existing driveway, requirement for additional curbing - curbing to be added to ADA accessible parking space and surface material.

Kate Millsaps made a motion to grant the approval with the conditions, exceptions and variances listed above. Robert Jordan seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

## GENERAL BOARD BUSINESS

Area in Need of Redevelopment  
295 North Main Street  
Block 1004 Lot 3

Emily Goldman provided details of the proposed redevelopment at 295 North Main Street. The structures recently sustained major flood damage due to Tropical Storm Ida. Since the flooding, the building has been evacuated and there are currently no residents living here.

There are two buildings, with a total of 44 residential units. The property is located in the R-2 zone, where apartments are not permitted, but would be considered a pre-existing, non-conforming use.

A public hearing will be scheduled once the Planning Board has taken action on directing Ms. Goldman to conduct the study.

There were two public comments regarding the management of the building prior to the flooding and another stating that the loss of housing here has created a burden on the tenants that resided at this location for many years and they were forced to move out of the City in order to find alternate housing arrangements.

Mayor Nowick made a motion to close public comment. Stephanie Moss seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present.

Kate Millsaps made a motion to designate this property in need of redevelopment and recommend to City Council that Emily Goldman begin her studies. Matt Blake seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

## PUBLIC COMMENT

None.

## PAYMENT OF BILLS

No Action was taken.

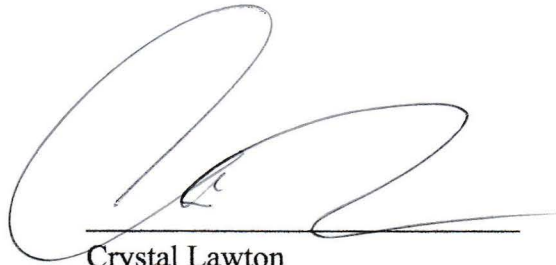
## ADJOURNMENT

John Miller made a motion to adjourn the meeting at 1:35 am. Mayor Nowick seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

Respectfully submitted,



Board Chairman  
Paul Kuhl



Crystal Lawton  
Administrative Officer