



TOWN OF CLINTON

INCORPORATED APRIL 5, 1865

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BOARD OF ADJUSTMENT

Minutes of the Town of Clinton Board of Adjustment meeting held on February 27, 2006 at 7:30pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Present:

Hendricksen
Feldmann
Gallo
Holt
Querry
Tranquilli
Trepkau
Penyak
Perez

Absent:

Chairperson Hendricksen called the meeting to order at 7:30pm and read the "Administrative Statement" and the "Statement of Adequate Notice":

"Meetings are held on the fourth Monday of each month when an application is pending before the board. The application must be filed at least 21 days prior to the meeting date. Meetings begin at 7:30pm and are adjourned no later than 10:30pm. Fees are charged on a per meeting basis".

"Adequate notice of this meeting has been provided indicating the time and place of the meeting with the proposed agenda, which notice was posted, made available to the newspapers and filed with the clerk of the Town of Clinton in accordance with Section 3(d) of the Public Laws of 1975".

In the absence of the Board Secretary, Allison McGinley, Town Clerk Cecilia Covino attended the meeting.

Clerk Covino administered the Oath of Office to Arlene Quinones-Perez –Alt# 2 position, Michael Penyak –Alt # 1 position, and Steven Feldmann to the position of regular Board of Adjustment member.

Approval of Minutes:

Mrs. Gallo noted in error in the Reorganization minutes of January 23, 2006, under the appointment of Board Engineer, the minutes read that Robert Clerico was appointed as Board Attorney for 2006, it should have read that Mr. Clerico was appointed as Board Engineer. A Motion was made by Mr. Querry, seconded by Mr. Tranquilli, to approve the minutes as amended.

All Ayes. Motion Carried.

A Motion was made by Mr. Querry, seconded by Mrs. Gallo, to approve the minutes of the Regular Meeting held on January 23, 2006 as submitted.

All Ayes. Motion Carried.

Voucher Approval:

A Motion was made by Mr. Tranquilli, seconded by Mr. Query, to approve the following vouchers:

Van Cleef Engineering	Ansuya Ent. LLC	\$228.50
Van Cleef Engineering	Clinton Assembly	\$274.37
Van Cleef Engineering	Clinton House	\$98.25
Van Cleef Engineering	D&D Enterprise	\$686.95
Van Cleef Engineering	George Lee	\$98.25
Van Cleef Engineering	George Lee	\$642.50
Van Cleef Engineering	H. Craig Stem	\$1,691.45
Van Cleef Engineering	H. Craig Stem	\$365.37

Board Discussion- Sign Committee:

Mr. Tranquilli, as Chairman of the Sign Committee, addressed a correspondence received from Attorney Cushing regarding legal issues pertaining to the authority of the Sign Committee and the penalties for sign violations. Mr. Cushing stated that the Sign Committee could not be given the authority to grant or deny variances, however the Sign Committee could review the application, meet with the applicant, review the site and make recommendations. Mr. Query explained that people have expressed concern over the cost of sign variances and would like to have a process created which would expedite the process by having all preliminary paperwork completed and prepare recommendations to the Board of Adjustment. Mr. Tranquilli stated that he will contact Mr. Cushing and report back to the board.

Appointment of Board of Adjustment Planner:

Chairperson Hendricksen addressed the position of Planner to the Board. Carolyn Neighbor was appointed as temporary Planner for 60 days. Responding to Requests for Proposals, three (3) were submitted: Carolyn Neighbor of Schoor DePalma, Carl Hintz of Clarke, Caton and Hintz, and Francis Banisch of Banisch Associates. Four (4) Board of Adjustment members attended the meeting of the Planning Board when interviews for the Planners were being conducted. Mr. Hintz offered new ideas for Old Hwy 22 and the Wargo Tract. Mr. Tranquilli thanked Ms. Neighbor for her years of service, however a recommendation was made by Mr. Tranquilli, seconded by Mr. Feldmann, to hire Carl Hintz from the firm Clarke, Caton & Hintz starting immediately as the Board of Adjustment Planner.

Vote All Ayes. Motion Carried
1 Abstention (Holt)

Sign Variance- Quick Chek Liquors- Block 21 Lot 34:

Mr. Query stated he is a property owner within 200' of Quick Chek Liquors and stepped down from hearing the application.

Attorney Mathew Shiller, representing the applicant, Quick Chek Corporation d/b/a Shop Rite Liquors, offered documentation of Proof of Service marked Exhibit A-1. Attorney Caldwell reviewed and found all to be in order. Also offered were five (5) pictures of the site marked Exhibit A-2 to A-6, Exhibit A-7 Cut Sheet Schematic Sketch and Exhibit A-8, the proposed plan. Mr. Shiller introduced James Ambrose of Yates Sign Company as his first witness. Mr. Ambrose was sworn in and proceeded to explain the design and location of the proposed signage, a 36 SF circular lighted cabinet sign with the "Shop Rite" Logo. There currently exists a "Shop Rite Liquor" text sign; therefore the applicant is seeking variance relief from the permitted number of wall signs, which is only one. The applicant is also seeking relief of the sign depth standard, which only permits six (6) inch depth, and the proposed sign extends nine (9) inches from the face of the building. Chairperson Hendricksen recalls the proposed sign being installed two years ago when the building was renovated, at that time, quick check was asked to remove it.

Attorney Shiller introduced Diane Maraventano, property manager for 107 Shop Rite locations. Ms. Maraventano was sworn in and responded to questions from the Board. Ms. Maraventano assured the board that the paper signs above the doors would be taken down and that the lights would be on a timer.

The Board discussed various signage and it was agreed that the requested circular sign be approved, however the text sign "Shop Rite Liquors" should be replaced with "Wine & Spirits" leaving only one advertisement sign.

A Motion was made by Mr. Holt, seconded by Mr. Tranquilli, to grant the sign variance sought in connection with the size of the sign to the ratio to the front façade and allow for a 6ft diameter illuminated sign, in excess of more than 6 inches off the face of the building with the following conditions: change the lettering on the existing sign to "wine & Spirits", the permanent removal of two paper signs above the doors, timer set to turn sign lights off ½ hour after closing.

Mr. Feldmann sought to amend the motion to permit a 5ft diameter sign; he believes the sign is too large. No second was made. The board referred to the original motion and a roll call vote was taken:

Roll Call Vote:

Ayes: Gallo, Holt, Tranquilli, Trepkau, Feldmann, Hendricksen

Nays: Penyak

Adjournment:

There being no further business a motion was made by Mr. Holt, seconded by Mr. Tranquilli, to adjourn the meeting at 9:30pm

All Ayes. Motion Carried

Respectfully submitted,

Cecilia Covino, RMC/CMC
Town Clerk