



## TOWN OF CLINTON

INCORPORATED APRIL 5, 1865

43 Leigh St., P.O. Box 5194

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### **BOARD OF ADJUSTMENT**

Minutes of the Town of Clinton Board of Adjustment meeting held on November 28, 2005 at 7:30pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

**Present:**

Hendricksen  
Holt  
Querry  
Ragozine  
Walton  
Tranquilli  
Gallo  
Trepkau

**Absent:**

Lindsay

Attorney William Shurts and Robert Clerico were present.

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".

**Oath of Office:**

Eric Trepkau was sworn in as an Alternate # 2 board member.

**Approval of Minutes:**

A Motion was made by Mr. Ragozine, seconded by Mr. Holt, to approve the minutes of October 24, 2005

**All Ayes. Motion Carried.**

**Voucher Approval:**

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

Van Cleef Engineering	Engineering Fees	H. Craig Stem	\$1,119.50
Van Cleef Engineering	Engineering Fess	Clinton House	\$262.00

**All Ayes. Motion Carried.**

**Memorialization of Resolution for Front & Sideyard Setback Variance Approval-  
Block 31 Lot 32.01- Colognato**

A Motion was made by Mr. Querry, seconded by Mr. Tranquilli, to approve the resolution for Colognato with the following changes:

Page 1- 1<sup>st</sup> paragraph- delete rear yard and insert fifteen-foot side yard

Page 4- 1<sup>st</sup> sentence delete rear yard and insert sideyard.

**Roll Call Vote:**

Ayes: Hendricksen, Holt, Querry, Ragozine, Tranquilli, Walton, Gallo

Nays:

**All Ayes. Motion Carried.**

**Request for Extension of Approval –Block 10 Lot 14- George Lee:**

Mr. James Chimilek, Engineer from Land Planning & Engineering and Mr. George Lee were present.

Mr. Chimilek advised the board that tonight they were here to request a one-year extension from the board. Mr. Chimilek stated that the permit paperwork was in process but could not be finalized until Mr. Leonard received final signed site plans by the Board. Mr. Chimilek stated that the reason the plans had not been signed is because they redesigned the sidewalk to a sloped sidewalk, which allowed the applicant to eliminate the steps, which was the board's preference. The plans are in the process of being finalized and will be forwarded to Mr. Clerico's office to review for compliance. In addition to the paperwork, Mr. Chimilek added that because of the time of year that Mr. Lee would prefer to start construction after the holidays.

A Motion was made by Mr. Holt, seconded by Mr. Walton, to grant Mr. Lee's Variance application a one-year extension until November 2006.

**Roll Call Vote:**

Ayes: Hendricksen, Holt, Querry, Ragozine, Tranquilli, Walton, Gallo

Nays:

**All Ayes. Motion Carried.**

**Amendment to Site Plan Approval – H. Craig Stem- Block 6 Lot 1:**

Mr. William Hall, Engineer from Bohren & Bohren, Mr. Charles Mann, contractor and Mr. Stem, applicant were present.

Mr. Hall stated that Mr. Stem is requesting an approval to amend the approved site plan. The onsite drainage system has been revised which is reflected in the plans dated November 14, 2005. The reason for the change is to avoid any future conflict with the NJDOT system, which will be built after the applicant's onsite drainage. Mr. Hall stated that the change in drainage will result in the loss of plantings that exist on site now however, the applicant is proposing to install new landscaping which will include more than the original proposal

Mr. Stem advised the board that in addition to the drainage change, the entire building was demolished. Mr. Stem testified that when the contractor was removing the front portion of the building they discovered that the building was built with cinderblock and that it was starting to crumble which left them no choice but to remove the entire building. Mr. Stem advised the board that the footprint of the building will not change, the foundation will be poured on the same footings and the only change he is requesting

is to construct an A-Frame roof in place of the flat roof. Mr. Stem added that the change in roof will make the building height approximately 21' high and the ordinance permits 35' high.

Mr. Clerico added that he has had a chance to review the plans and feels that the new plan in regards to drainage and landscaping is more suitable than the original plan.

Mr. Tranquilli commented that he was concerned with the timing of how the entire building got demolished and the procedural process and inquired whom Mr. Stem notified before demolishing the entire building. Mr. Stem stated that when he discovered the walls were crumbling he made the decision on the field to demolish the entire building and he did not think it would present an issue.

Mr. Stem advised the board that he would like to amend the approved ground sign lettering and instead of the lettering being engraved on the wooden sign he would like to board to approve raised lettering.

A Motion was made by Mr. Ragozine, seconded by Mr. Tranquilli, to approve the revised Site Plan dated November 14, 2005, which includes the revised drainage, the wood sign with the raised lettering, additional landscaping, and compliance with the outstanding issues in Mr. Clerico's report dated November 23, 2005.

**Roll Call Vote:**

Ayes: Hendricksen, Holt, Query, Ragozine, Tranquilli, Walton, Gallo

Nays:

**All Ayes. Motion Carried.**

A Motion was made by Mr. Tranquilli, seconded by Mr., Holt, to approve the revised architectural plans by Alexander Polaski, dated October 24, 2005 which includes the A- Frame roof design:

**Roll Call Vote:**

Ayes: Hendricksen, Holt, Query, Ragozine, Tranquilli, Walton, Gallo

Nays:

**All Ayes. Motion Carried.**

**2006 Budget Review:**

A Motion was made by Mr. Tranquilli, seconded by Mr. Ragozine, to reduce the planner fees to \$200.00

**Roll Call Vote:**

Ayes: Hendricksen, Holt, Ragozine, Tranquilli, Walton, Gallo

Nays: Query

**6-1 Motion passed.**

A Motion was made by Mr. Tranquilli, seconded by Mr. Ragozine, to reduce the stenographer fees to \$200.00

**Roll Call Vote:**

Ayes: Hendricksen, Holt, Ragozine, Tranquilli, Walton, Gallo

Nays: Query

**6-1 Motion passed.**

A Motion was made by Mr. Walton, seconded by Mr. Query, to increase the membership dues and misc. meeting fees to \$600.00

**Roll Call Vote:**

Ayes: Hendricksen, Holt, Query, Ragozine, Tranquilli, Walton, Gallo

Nays:

**All Ayes. Motion passed.**

A Motion was made by Mr. Walton, seconded by Mr. Ragozine, to reduce the engineer fees to \$200.00

**Roll Call Vote:**

Ayes: Hendricksen, Holt, Ragozine, Tranquilli, Walton, Gallo

Nays: Query

**6-1 Motion passed.**

A Motion was made by Mr. Ragozine, seconded by Chairperson Hendricksen, to reduce the legal fees to \$1,000.00

Roll Call Vote:

Ayes: Hendricksen, Holt, Querry, Ragozine, Tranquilli, Walton, Gallo

Nays: **All Ayes. Motion passed.**

A Motion was made by Mr. Ragozine, seconded by Mr. Tranquilli, to keep legal notice the same at \$100.00

Roll Call Vote:

Ayes: Hendricksen, Holt, Querry, Ragozine, Tranquilli, Walton, Gallo

Nays: **All Ayes. Motion passed.**

A Motion was made by Mrs. Gallo, seconded by Mr. Walton, to keep office supplies the same at \$150.00

Roll Call Vote:

Ayes: Hendricksen, Holt, Querry, Ragozine, Tranquilli, Walton, Gallo

Nays: **All Ayes. Motion passed.**

A Motion was made by Chairperson Hendricksen, seconded by Mr. Walton, to increase postage fees to \$250.00

Roll Call Vote:

Ayes: Hendricksen, Holt, Querry, Ragozine, Tranquilli, Walton, Gallo

Nays: **All Ayes. Motion passed.**

**Board Discussion:**

The board congratulated Mr. Tranquilli and Mr. Ragozine and their new appointments.

Mr. Ragozine advised the board that a memo outlining the sign committee's recommendations was sent to Council and the recommendations will be tabled until next year.

Mr. Tranquilli commented that he would like to see some procedures in place to prevent future problems with an applicant changing what was approved. Chairperson Hendricksen stated that Mr. Leonard receives copies of all approved resolutions and that he would be the first chain of command to follow through with the compliance of an approved site plan.

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

Respectfully submitted,

Allison McGinley  
Board Secretary.