



## **TOWN OF CLINTON**

INCORPORATED APRIL 5, 1865

43 Leigh St., P.O. Box 5194

Clinton, N.J. 08809-5194

(908) 735-8616 FAX (908) 735-8082

### **PLANNING BOARD**

Minutes of the Town of Clinton Planning Board reorganization meeting and regular meeting held on January 2, 2008 at 7:30pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Board Secretary, Allison McGinley called the Reorganization meeting to order at 7:30pm and read the "Administrative Statement" and the "Statement of Adequate Notice":

"Meetings are held on the first Tuesday of each month. Applications must be filed at least 21 days prior to the meeting date. In order to ensure that all applications receive complete and thorough consideration of the board, all meetings will adjourn no later than 10:30pm with all items not concluded to be carried over to next month's agenda".

"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".

#### **Oaths of Office:**

Mr. Matt Maher was sworn in today by the Ceil Covino, the Town of Clinton Clerk.

#### **ROLL CALL:**

**Present:** Baka, Gallagher, Harrison, Insel, Maher, McGuire,

**Absent:** Hendricksen, Schaumburg, Tranquilli

#### **Election of Chairman:**

A Motion was made by Mrs. Insel, seconded by Mr. Baka, to nominate Mr. Gallagher as Chairman.

**All Ayes. Motion Carried.**

Chairman Gallagher proceeded to run the meeting.

#### **Election of Vice Chairman:**

A Motion was made by Mr. Baka, seconded by Mrs. Insel, to nominate Mr. McGuire as Vice Chairman:

**All Ayes. Motion Carried.**

#### **Appointment of Board Attorney:**

A Motion was made by Mr. McGuire, seconded by Mrs. Harrison, to appoint William Caldwell as the Board's Attorney for the 2008 calendar year

**All Ayes. Motion Carried**

**Be it Resolved** that William Caldwell, Esq. is hereby appointed to serve as the Planning Board Attorney for the Town of Clinton and;

**Whereas** there exists a need for the performance of the statutory legal services for the year 2008 for the Town of Clinton Planning Board and;

**Whereas** funds are or will be made available for this purpose to be certified by the local finance officer and;

**Whereas** the contract for Professional Services was awarded pursuant to the Fair and Open Process.

**Now Therefore, Be Resolved** by the Town of Clinton Planning Board as follows:

The Mayor and Council are hereby authorized and directed to execute an agreement with William Caldwell, Attorney for 2008.

Notice of this action shall be printed once in the Hunterdon Review.

**Appointment of Board Planner:**

A Motion was made by Mr. Baka, seconded by Mrs. Insel, to appoint Carl Hintz and Elizabeth McManus from Clarke, Caton and Hintz as the Board Planners for the 2008 Calendar Year:

**All Ayes. Motion Carried.**

**Be it Resolved** that Carl Hintz and Elizabeth McManus is hereby appointed to serve as the Planning Board Planners for the Town of Clinton and;

**Whereas** there exists a need for the performance of the statutory Planner services for the year 2008 for the Town of Clinton Planning Board and;

**Whereas** funds are or will be made available for this purpose to be certified by the local finance officer and;

**Whereas** the contract for Professional Services was awarded pursuant to the Fair and Open Process.

**Now Therefore, Be Resolved** by the Town of Clinton Planning Board as follows:

The Mayor and Council are hereby authorized and directed to execute an agreement with Carl Hintz and Elizabeth McManus, Planners for 2008.

Notice of this action shall be printed once in the Hunterdon Review.

**Appointment of Board Engineer:**

A Motion was made by Mr. Baka, seconded by Mrs. Harrison, to appoint Robert Clerico from Van Cleef Engineering as the Board Engineer for the 2008 Calendar Year:

**All Ayes. Motion Carried.**

**Be it Resolved** that Robert Clerico from Van Cleef Engineering is hereby appointed to serve as the Planning Board Engineer for the Town of Clinton and;

**Whereas** there exists a need for the performance of the statutory Engineering services for the year 2008 for the Town of Clinton Planning Board and;

**Whereas** funds are or will be made available for this purpose to be certified by the local finance officer and;

**Whereas** the contract for Professional Services was awarded pursuant to the Fair and Open Process.

**Now Therefore, Be Resolved** by the Town of Clinton Planning Board as follows:

The Mayor and Council are hereby authorized and directed to execute an agreement with Robert Clerico, Engineer for 2008.

Notice of this action shall be printed once in the Hunterdon Review.

**Appointment of Board Secretary:**

A Motion was made by Mrs. Insel, seconded by Mr. Baka, to nominate Allison McGinley as the board secretary for 2008:

**All Ayes. Motion Carried.**

**Committee Appointments:**

**Site Plan Committee:**

Mr. McGuire to serve as Chairman, Mrs. Harrison, Mr. Hendricksen, Mr. Maher to serve on the Site Plan Committee. The Site Plan Committee will meet on the third Tuesday of each month on an as needed basis.

**Master Plan Committee:**

Mrs. Insel to serve as Chairperson, Mr. Baka, Mrs. Harrison, Mr. Maher to serve on the Master Plan Committee. Meetings of the Master Plan will be held on an as needed basis.

**Bicycle / Pedestrian Committee:**

Mr. Baka will serve on the Bicycle/Pedestrian Committee

**COAH Committee:**

Mr. Hendricksen, and Mr. McGuire to serve on the COAH Committee.

**Designation of the Official Newspaper:**

The Hunterdon Review, the Hunterdon Democrat, the Courier News and the Hunterdon County Online News to serve as the official newspapers:

**All Ayes. Motion Carried.**

**Designation of Meeting Nights:**

The board will continue to meet on the first Tuesday of each month at 7:30pm and the third Tuesday of the month for any carry over items.

The board agreed to move the November 4, 2008 meeting to November 18, 2008.

**All Ayes. Motion Carried.**

**Regular Meeting:**

Ms. Beth McManus was present.

**Approval of Minutes:**

A Motion was made by Mrs. Insel, seconded by Mr. McGuire, to approve the December 4, 2007 minutes with the following change:

Page 2 of the minutes (changes on page 21 of the draft)- replace the sentence with “*rather it is a step towards preparing for the day should the owner redevelop the property*”.

**All Ayes. Motion Carried.**

**Amended Site Plan Application for Eastern Hill LLC- Block 16 Lot 22.02**

The hearing will be carried until the February 5, 2008 meeting.

**COAH Update:**

Beth advised the board that her memo of December 21, 2007 provides the board with an update on the COAH regulations. On December 17, 2007 COAH released revised regulations, which was in response to the Appellate Court's ruling in January 2007. Ms. McManus stated that the growth share ratios have risen dramatically, for every 4 market units 1 affordable unit must be provided and for every 16 jobs created 1 affordable unit must be provided, the changes are outlined in her memo of December 21, 2007. Ms. McManus advised the board that they will be receiving a breakdown from her office within the next couple of weeks. Mrs. Insel suggested the board should look at some other creative ways to meet COAH's numbers and suggested one way is to create special need housing where COAH counts each bedroom as an affordable unit. The board discussed whether the Town should opt into the Highlands Plan or the State Plan. The board requested that a meeting be set up with the Highlands Council to give the Planning Board a presentation of their plan.

Ms. McManus advised the board that in order to amend the Town's COAH Plan the following needs to take place;

1. Beth McManus will advise the board of their new obligation within the next couple of weeks.
2. The board should set up a meeting with the Highlands to determine whether they want to work with the Highlands. Beth also suggested that she can set up a meeting with the Office of Smart Growth so the board can compare.
3. If the obligation numbers change considerably then the board needs to discuss different sites.
4. Once the housing element and sites are chosen Beth can prepare the new plan, which will be incorporated into the Master Plan.

A Motion was made by Mrs. Insel, seconded by Mr. Baka, to open the meeting to the public:

All Ayes. Motion Carried.

Mr. Walter Hetzel, Main Street inquired if the Appellate Court will comment on the new rules and if COAH will allow all the affordable units to be placed in one spot, Ms. McManus responded that she did not expect the Appellate Court to comment on the new rules and the units can be placed on one site as long as they comply with the new regulations. Chairman Gallagher commented when the board is looking at locations for COAH units they should consider interspersing the units within a development rather than grouping them all together.

There being no further questions, a Motion was made by Mrs. Harrison, seconded by Mr. Maher, to close the meeting to the public:

All Ayes. Motion Carried.

**Master Plan Draft Discussion:**

Chairman Gallagher advised the board that Mr. Cutter will be here to discuss the Water & Sewer Utilities at the February meeting. Tonight the board will be discussing pages 26-39 Residential & Commercial Uses.

**Page 28- R-3 Residential District-**The board discussed keeping this area strictly residential and ways to improve the maintenance of the homes in keeping with the historic character and implementing better enforcement. The board agreed they would like this area to remain residential, to encourage residents to maintain the historic character, make the area more residentially friendly by improving the sidewalks and adding low level landscaping. Beth McManus will delete any language that refers to allowing commercial as a conditional use and will include additional language to include improvement and enforcement of the residential area.

**Page 31- C-1 Downtown Commercial** – Delete Day Spas as a use and replace the word banks to *various financial industries as defined in the Town of Clinton Ordinance #06-13*

**Page 32- C-1 Downtown Commercial** - delete the bullet item that pertains to bowling alley and movie theatre. Add a new bullet to allow residential conversions on the second floor.

**Page 33- C-3 Highway Oriented Commercial District-** Add service stations and restaurants uses, delete day spas, delete vehicle service and repair establishments as conditional uses.

**Page 34- C-4 Locally Oriented Commercial Development-** Change indoor theaters to a conditional use, change banks to financial services.

Pages 35- 39 Industrial District, Office Building District and PARD District to be discussed at the next meeting.

Mr. McGuire inquired if a construction permit has an expiration date, the board secretary will inquire with the construction office.

#### **Board Discussion on goals and objectives for the 2008:**

- The board would like to see the Code Enforcement Officer become more actively involved in enforcement, the board will prepare a list of concerns and forward to Council regarding top enforcement issues that they would like to see future enforcement on.
- Work on the Steep Slope Ordinance. Beth McManus will forward a draft ordinance to the Master Plan Committee for their review.
- Carbonate Rock Ordinance- Beth will draft a Town of Clinton Ordinance and forward to the Environmental Commission for their review.
- Board will work on amending the Growth Share Ordinance
- Board will amend the Development Fee Ordinance
- Board will amend the Administration portion of the Affordable Housing Ordinance.
- Board to consider a dark skies ordinance and a lighting and landscaping ordinance
- Board to consider a billboard ordinance
- Board to consider a design standard ordinance that is specific to districts.

#### **Sign Ordinance Update:**

Mrs. Insel advised the board that the Council rejected the proposed sign ordinance. The Council has requested that the ordinance come back to the Planning Board for their review.

#### **Board Discussion:**

Mrs. Insel advised the board that a representative from Union Township, The Town of Clinton, Mr. Bonnell and his attorney Walter Wilson met regarding the Bonnell Property. Due to the new DEP regulations the idea of a jiffy lube has been eliminated. The group discussed a possible microbrewery; Attorney Wilson is looking to see if this could be a possibility for the site. Mrs. Insel commented that Union Township is willing to work together with the town in developing the site.

**Voucher Approval:**

A Motion was made by Mrs. Insel, seconded by Mr. Baka, to approve the following voucher:

Clarke Caton & Hintz	Planner services for Eastern Hill	\$1,883.55
----------------------	-----------------------------------	------------

All Ayes. Motion Carried.

There being no further business, A Motion was made by Mr. Baka, seconded by Mr. Maher, to adjourn the meeting at 10:35pm.

Respectfully submitted,

Allison McGinley  
Land Use Administrator