

Minutes of the Reorganization Meeting of the Town of Clinton Planning Board Meeting held on Monday, January 3, 2006 at 7:30pm in the Municipal Building, 43 Leigh Street, Clinton NJ.

Attorney William Shurts called the 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 and the proposed agenda, which notice was posted, made available to newspapers and filed with the clerk of the Town of Clinton in accordance with Section 3 (d) of the Public Laws of 1975.”

**Roll Call:**

**PRESENT:**

**ABSENT:**

Cagno  
Gallagher  
Hendricksen  
Jones-Holt  
Kovach  
McGuire  
Schaumburg  
Tranquilli  
Wiant

**OATH OF OFFICE:**

Mr. Gallagher, Mr. McGuire, Mayor Schaumburg, Mr. Tranquilli, were sworn in.

**ELECTION OF CHAIRMAN:**

A Motion was made by Mr. Wiant, seconded by Mr. Gallagher, to nominate Mr. Hendricksen as Chairman for the year 2006.

Vote all ayes. Motion Carried

**ELECTION OF VICE- CHAIRMAN:**

A Motion was made by Mrs. Kovach, seconded by Mr. Wiant, to nominate Mr. Gallagher as Vice-Chairman for the year 2006.

Vote all ayes. Motion Carried

**APPOINTMENT OF BOARD ATTORNEY:**

A Motion was made by Mr. Wiant, seconded by Mrs. Kovach, to appoint William Shurts as the Board's temporary Attorney for 60 days.

Vote all Ayes. Motion Carried

**APPOINTMENT OF BOARD ENGINEER:**

A Motion was made by Mrs. Jones-Holt, seconded by Mr. Wiant, to appoint Robert Clerico as the Board's Engineer for 2006, contract for Professional Service pursuant to the Fair and Open Process.

Vote all Ayes. Motion Carried

**Be it resolved** that Robert Clerico of VanCleeef Engineering is hereby appointed to serve as Planning Board Engineer for the Town of Clinton Planning Board and:

**Whereas** there exists a need for the performance of the statutory engineering services for the year 2006 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 It 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 2006.

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

**APPOINTMENT OF BOARD PLANNER:**

A Motion was made by Mr. Wiant, seconded by Mrs. Kovach, to appoint Carolyn Neighbor as the Board's temporary Planner for 60 days.

Vote all ayes. Motion Carried.

**APPOINTMENT OF SECRETARY:**

A Motion was made by Mrs. Kovach, seconded by Mr. Gallagher, to appoint Allison McGinley as Board Secretary for 2006.

Vote all ayes. Motion Carried.

**COMMITTEE APPOINTMENTS:**

**Site Plan Committee:**

Mr. Gallagher to serve as Chairman, Mr. Hendricksen, Mrs. Kovach, Mr. McGuire and Mayor Schaumburg 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:**

Larry Cagno to serve as Chairman, Mr. Gallagher, Mrs. Jones-Holt, Mrs. Kovach, and Mr. Wiant as alternate will serve on the Master Plan Committee.

Meeting of the Master Plan Committee will be held on an as needed basis.

**Cross Acceptance Committee:**

Mr. Hendricksen and Mrs. Kovach will serve on the Cross Acceptance Committee.

**Bicycle / Pedestrian Committee:**

Mr. Cagno and Mr. Wiant will service on the Bicycle/Pedestrian Committee.

**COAH Committee:**

Mr. Hendricksen, Mr. McGuire and Mr. Wiant will serve on the COAH Committee.

**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.

**DESIGNATION OF THE OFFICIAL NEWSPAPER:**

A motion was made by Mrs. Kovach, seconded by Mr. Wiant to designate the Hunterdon Review, the Hunterdon Democrat and the Courier News as the official newspapers.

All Ayes. Motion Carried.

**AGENDA FEES:**

A Motion was made by Mrs. Kovach, seconded by Mr. Wiant, to charge \$35.00 for a yearly agenda.

All Ayes. Motion Carried.

**REGULAR MEETING:**

The regular meeting of the Town of Clinton Planning Board began at 8:00pm.

**Approval of Minutes:**

A Motion was made by Mrs. Kovach, seconded by Mr. Wiant, to approve the minutes of December 6, 2005:

All Ayes. Motion Passed.  
Abstain: McGuire, Schaumburg, Tranquilli

**Site Plan Review Report:**

The Committee advised the board that the application for Final Site Plan for Hunterdon Capital was missing several items off the checklist.

A Motion was made by Mr. Gallagher, seconded by Mr. Wiant, to deem the application incomplete.

All Ayes. Motion Passed.  
Abstain: Hendricksen.

The applicant's attorney was advised to go through the missing items on the checklist and to attend the next Site Plan Committee meeting to go through the items.

**Application for Preliminary & Final Site Plan- Block 21 Lot 25- Clinton Management:**

Attorney Wendy Berger was present.

The board picked up from last month's meeting and continued to outline the conditions that they may consider conditioning the approval on:

- 6). The safety fence design must be approved by John Leonard.
- 7). A 4' sidewalk to be installed along the easterly side of the Center Street driveway access.
- 8). Construction staging plan to be approved by John Leonard, Jack Daniels, Hunterdon County Soil Conservation, and Mr. Clerico's office prior to the start of construction.
- 9). Site Construction Manager will be responsible to keep construction traffic off Center Street and any violations should subject the site to the issuance of stop work orders or other appropriate penalties.
- 10). Provide updated calculations for rainfall data.
- 11). Sumps should be provided on the DEP approved curb pieces to capture sediment.
- 12). The "Stormwater Management System Inspection and Maintenance Plan" should include a "sweeping plan" of the parking lot, which includes leaf removal and the plan should be part of the "Developers Agreement".
- 13). The applicant must obtain NJ DOT permits to discharge stormwater runoff in the southwest and southeast corners of the site into the RT 173 storm drainage system.
- 14). The Water Main Line connection design details and the disconnection of the on site well as a portable source of water into the building must be approved by The Town of Clinton Water Department and the approved details must be incorporated into the site plan drawings. In addition, the water hydrant plans must be reviewed by Mr. Daniels to obtain his determination as to the consistency of his prior recommendations.
- 15). All details associated with the sanitary sewer connection must be reviewed and approved by the Town of Clinton Sewer Department. The Town of Clinton Sewer Department must determine whether TWA approval is required for this development.
- 16). Applicant to provide details and letters of feasibility from all utility companies associated with this site.
- 17). An as-built night light test will be conducted by the applicant.
- 18). Noise level test will be conducted by the applicant.
- 19). Amend the plan to reflect the timing device for the RT 173 freestanding sign light and the pole mounted parking lights will turn on at 7:00am and turn off at 10:00pm.

A motion was made by Mrs. Kovach, seconded by Mrs. Jones-Holt, to grant a third waiver to allow the light intensity at the RT 173 access driveway to exceed the permitted .05 footcandle.

All Ayes. Motion Passed.  
Abstain: McGuire, Schaumburg, Tranquilli

Mrs. Kovach stated that she was concerned with the proposed rock crusher on site and would prefer to have the rock removed off site to be crushed. The board discussed several concerns with having the crusher on site and several members raised the concern if not permitting the rock crusher on site, would it generate more construction traffic.

Mr. Clerico stated that if the board permitted the crusher on site they could set limits in regard to hours and the location of where the rock would be crushed on site. Mr. Clerico suggested the board should have the applicant come back with more details.

Attorney Berger stated that there are state regulations that limit the hours of blasting and under the NJ Administrative Code the permitted hours of blasting are daylight hours between 8:00am-6:00pm. Attorney Berger stated that this a normal part of construction and objected to the board setting a condition on the crushing of rock on site. Mr. Clerico responded that this is not a normal construction activity that the rock crushing related more to how material is processed. The board felt that they needed more information on the rock crushing process and the type of vehicle that was intended to be used.

20). The rock crusher will be prohibited onsite until the applicant provides the board with a more detail plan for their consideration.

21). The project is subject to the 2% developers fee requirement, 50% of which is to be paid at the issuance of building permits and the remainder to be paid prior to the issuance of a certificate of occupancy.

Due to the timeframe the meeting for Clinton Management and Clinton Main Street will be carried to the February 7, 2006 meeting.

The board suggested that Attorney Shurts draft a resolution which outline the variance, the three waivers and the 21 conditions for the board's review at the next meeting.

The Change of Use and the Redevelopment discussion for Block 23 lot 13 will be tabled until future notice.

**Voucher Approval:**

A motion was made by Mrs. Jones-Holt, seconded by Mrs. Kovach, to approve the attached voucher list.

All Ayes. Motion Carried.

**Executive Session:**

A Motion was made by Mrs. Kovach, seconded by Mr. Gallagher, that the board enter into an Executive Session at 10:20pm.

All Ayes. Motion Carried.

A Motion was made by Mr. Wiant, seconded by Mr. Gallagher, to adjourn the Executive Session at 11:00pm.

All Ayes. Motion Carried.

**Board Discussion:**

Mrs. Kovach advised the board that the next Highland Council meeting will be held on Thursday January 5, 2006 at 10:00am.

Chairman Hendricksen stated that he would like to thank Mr. Schultz for his many years of service and that he will be missed,

Mr. Wiant agreed and commented that Mr. Schultz and Mr. Smith were two long term members and he would like to recognize their positive contributions.

There being no further business a Motion was made by Mrs. Kovach, seconded by Mr. Cagno, to adjourn the meeting at 11:10pm.

Respectfully submitted,

Allison McGinley,  
Planning Board Secretary