



TOWN OF CLINTON

INCORPORATED APRIL 5, 1865

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PLANNING BOARD

Minutes of the Town of Clinton Planning Board meeting held on March 4, 2008 at 7:30pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Chairman Gallagher 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 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".

Mr. Carl Hintz was present.

Roll Call:

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

Absent: Schaumburg, Hendricksen, Tranquilli

Approval of Minutes:

A Motion was made by Mr. Baka, seconded by Mrs. Insel, to approve the minutes of February 5, 2008:

All Ayes. Motion Carried. Abstain: Maher

Site Plan Review Report:

Mr. McGuire advised the board that they reviewed a Minor Site Plan Application for Block 22 Lot 18, Frank Ruffa and it is the Site Plan Committee's recommendation to deem the application complete.

A Motion was made by Mr. McGuire, seconded by Mrs. Harrison, to deem the application complete:

Roll Call Vote:

Ayes: Baka, Gallagher, Harrison, Insel, Maher, McGuire

Nays: **All Ayes. Motion Carried.**

Chairman Gallagher advised the applicant a public hearing will be scheduled for April 1, 2008. The applicant requested a special meeting on March 18, 2008, Chairman Gallagher stated he would check with our attorney and get back to the applicant.

Memorialization of Resolution for Eastern Hill Block 16 Lot 22.02:

The memorialization of the resolution will be carried to the April 1, 2008 meeting.

Highlands Presentation:

Eileen Swan, Executive Director of the Highlands Council and Mr. Tom Bordon, Chief Counsel of the

Highlands Council were present.

Ms. Swan advised the board that she will be giving a power point presentation that goes over the process of the highlands and the benefits the highlands have if the town decided to opt into the plan.

The highlands region spans from parts of Pennsylvania, New Jersey, New York and Connecticut, in New Jersey the regions spans into 7 counties and 88 municipalities. The Highlands act was signed on August 10, 2004 and was broken into two areas; a preservation area, which is mandated by the act and a planning area, which is voluntary. Clinton has 15% of land in the preservation area and the rest is in the planning area.

Ms. Swan advised the board the regional plan draft was originally released in November 2006 and the final draft was released on November 2007. The regional plan includes a Land Use Capability Map, which is broken down into three primary zones; protection zone, conservation zone, existing community zone. The primary zones are then broken into three subzones; environmentally constraint subzone, existing community subzone, and the lake community subzone. Seventy percent of Clinton's land falls within the three primary zones.

The mandate of the act sets forth the goals the Highlands must achieve, the primary regional goals are to protect, restore, and enhance the quality and quantity of surface and ground waters, preserve farmland and historic sites and preserve recreational opportunities.

Ms. Swan advised the board of the benefits a town would gain by opting into the plan. The town would have a legal shield, grant money available, state plan endorsement, council on affordable housing obligations, financial incentives for voluntary TDR receiving zones, priority open space acquisition funding, tax stabilization funding.

Ms. Swan stated the public comment period on the final draft is now closed; the comments will be submitted to the Highlands Council, which will be incorporated into a final document for adoption. The plan will hopefully be ready in late spring of 2008.

Mr. McGuire questioned why the South Branch River that feeds the reservoir is only classified as a category 2 and the reservoir is classified as a category 1 and the classification impacts the buffer zone. Mr. Bordon stated the Highlands Plan creates a 300' buffer protection zone for lands adjacent to all open water and if the town opted in they would get the 300' buffer protection. Mr. Baka inquired if any part of the Moebus Tract was in the preservation area; Mr. Bordon responded that the Northwest area of the town is in the preservation area.

Mr. Hintz commented that there are clear benefits to opt into the Highlands Plan and the Industrial tract and potentially the Moebus tract could be a sending zone. Mr. Hintz advised the board the town has applied for a grant to do a TDR feasibility study. Mr. Baka commented that the ability to achieve the objections and goals outlined in the plan depend on the assets to accomplish it and questioned if the resources were in place. Mr. Borden responded the creation of the highland protection funds are funded by a dedicated realty transfer fee, which 12 million dollars is guaranteed to stay in place for the next 10 years. Mr. Baka stated he was concerned with how long the dollar amount and how long adequate resources will be dedicated to this plan. Mr. McGuire stated he was concerned with coming up with the COAH numbers if some of the future developments were taken off the table, Mr. Borden responded growth share numbers are based upon growth and when COAH came up with their projections they did not have the Highlands Master Plan. The Highlands cannot make the prior obligations go away, however they are in the process of completing a detailed plan with more substantial numbers and it will be provided to COAH for their review. Mr. Baka inquired if the Highlands would assist in funding and assisting in purchasing land, Mr. Borden responded Highlands does not have funding in place but Green Acres is geared to protecting lands that we deem a priority and one benefit of TDR is you get a higher statue with green acres.

Mrs. Insel inquired if the town was interested in opting into the plan what would be the next step, Ms. Swan suggested the town look to see what the initial TDR assessment grant will be, complete an initial assessment, talk with your professionals and then hold another meeting with the Highlands after receiving the initial assessment comments.

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

All Ayes. Motion Carried.

Councilman Dan Shea, inquired if you can TDR to another town, Ms. Swan stated you can either TDR within your town or to another town. Mr. Shea questioned the level of certification and the costs involved, Ms. Swan responded if you chose to do plan endorsement then the Highlands will assist with the costs of conforming.

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

All Ayes. Motion Carried.

The board thanked Eileen and Tom for their presentation.

Workshop Discussion on the draft Master Plan- Pages 35 through 39:

Page 35- Industrial Tract- Carl will work on enhancing the language in regard to the difficulties of accessing the site and traffic.

Page 36- OB1 Office Building District- replace medical and dental clinics with medical and dental offices, delete funeral homes; state licensed nursing homes; vocation schools; churches and places of worship; private and public schools.

Page 38- OB2- Office Building District- Carl to discuss the zone in more detail with the Highlands Council and then OB3 will be reevaluated as to the uses.

That concludes the review of the Master Plan Draft. Mr. Hintz advised the board he will incorporate all of the comments and present the board with a new Master Plan.

Update Report on Sign Ordinance:

The Council passed the Sign Ordinance per the Planning Board’s recommendations on first reading, the second reading is scheduled for March 25, 2008.

Voucher Approval:

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

Clarke, Caton & Hintz	January 2008	Z&F LLC	\$112.50
Clarke, Caton & Hintz	January 2008	Eastern Hill	\$239.33
All Ayes.			Motion Carried.

Board Discussion:

The Steep Slope Ordinance and the Carbonate Rock Ordinance will be reviewed at the April Planning Board Meeting.

Chairman Gallagher expressed his condolences to the Harrison family.

There being no further business a Motion was made by Mr. McGuire, seconded by Mr. Baka, to adjourn the meeting at 10:25pm.

Respectfully submitted,
Allison McGinley, Land Use Administrator