



## **TOWN OF CLINTON**

INCORPORATED APRIL 5, 1865

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### **PLANNING BOARD**

Minutes of the Town of Clinton Planning Board meeting held on April 1, 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".

Attorney William Caldwell, Robert Clerico and Andrea Malcolm, from Clarke Caton & Hintz were present.

Mr. Eric Trepkau was sworn in. Mr. Trepkau will replace Mr. Tranquilli as the Board of Adjustment Liaison.

#### **Roll Call:**

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

**Absent:** Schaumburg

#### **Approval of Minutes:**

A Motion was made by Mrs. Insel, seconded by Mrs. Harrison, to approve the minutes of March 4, 2008:

**All Ayes. Motion Carried.**  
**Abstain: Hendricksen, Trepkau**

A Motion was made by Mr. Baka, seconded by Mr. Maher, to suspend the agenda and hear the DOT Presentation first.

All Ayes. Motion Carried.

#### **NJ DOT Circulation Plan Presentation:**

Mr. Dan Kueper was hired by the NJ DOT as a traffic specialist, tonight he is here to present his findings to the board. Mr. Kueper advised the board that the goal was to come up with a design for Route 173 that better compliments the Town. Mr. Kueper worked in conjunction with Clarke Caton & Hintz and they focused on three sections of Route 173:

**Westerly Section-** This area runs through the residential neighborhood, the concerns are with vehicles moving to fast through the residential area.

**Center of Route 173-** This area is the downtown center; goal is to make it more pedestrian friendly.

**Easterly Section-** This area is the suburban retail area; the goal of this area is to make it more of a town center.

Mr. Kueper advised the board that he has several conceptual plans that he would like to go over with the board.

**Conceptual plan of Westerly Section of Route 173-** The goal is to discourage vehicular speeding. One way is to stripe parking spaces on both sides of the road or install a 7' solid white edge from the curb, which will narrow the roadway. The plan also proposes a high visibility crosswalk by Hancock Street.

**Conceptual plan of Intersection of Main Street & Route 173-** The goal is to reconfigure the intersection by the Clinton House to make it pedestrian friendly and safer. Options are to install an Island, build out the curb, install a sidewalk and install 90% angle parking. One concern is whether trucks will be able to maneuver turns; the conclusion was a single truck will not have a problem however, a tractor-trailer will have a little more difficulty. After speaking with the Clinton House they indicated that once or twice a week they have deliveries via a tractor-trailer, Mr. Kueper advised the board that it is possible for a tractor-trailer to pull up to the Clinton House and then back up through the parking spaces to exit, it is not the easiest turn, but compromises should be made to accommodate pedestrian safety.

**Conceptual plan of Route 173 West of Leigh Street-** The goal is to define the pedestrian space. Suggestions for this area would be to install 75% angle parking, install sidewalks along the stores, increase parking spaces along the Southside of the road and install a crosswalk by the Krausers and a crosswalk closer to the bridge area. The board and public expressed concern with the crosswalk by the bridge due to limited site visibility, Mr. Kueper agreed to eliminate the crosswalk by the bridge.

**Conceptual plan of Route 173 East of Leigh Street-** The goal is to define the pedestrian space. Suggestions for this area are to install sidewalks by the Thai Restaurant, install sidewalks along the entire Southside of Route 173 and install a second crosswalk on the East side of Leigh Street and Route 173. The goal is to work with local merchants to define a pedestrian travel area.

**Conceptual plan of Route 173 East of New Street-** The goal is to make this safer for pedestrian and bicycle traffic. Suggestions are to install sidewalks where they are missing, provide medium islands 12' in width, add a six foot shoulder, add a five foot grass buffer and add 5' sidewalks.

Mr. Kueper advised the board that a few changes need to be made to the proposed circulation plan and maps, which he will be working on, a final report will be sent to the town when the revisions are complete.

Chairman Gallagher and Mrs. Insel thanked Mr. Kueper and the NJ DOT for all their work in creating this plan.

A Motion was made by Mrs. Harrison, seconded by Mr. Hendricksen, to resume the agenda:

**All Ayes. Motion Carried.**

**Memorialization of Resolution for Amended Preliminary and Final Site Plan- Block 16 Lot 22.02:**

A Motion was made by Mr. Hendricksen, seconded by Mrs. Harrison, to approve the resolution with the following amendments:

Page 1 (last paragraph)- insert *amended* preliminary and final site plan.

Page 6 (Schedule B)- delete *northeast corner* and replace with *southside of driveway and The Town of Clinton sign located on the northeast corner of the property*

Page 7 (2<sup>nd</sup> paragraph)- delete and replace the paragraph with: ***The applicant presented testimony concerning the prior approval. This included certain stormwater management improvements that have already taken place on the site. The applicant will meet the water quality and water quantity aspects of the Town stormwater regulations, but is granted a waiver from the infiltration requirements due to subsurface carbonate rock conditions.***

**Roll Call Vote:**

Ayes: Gallagher, Hendricksen, Insel, McGuire, Harrison

Nays:

**All Ayes.**

**Motion Passed.**

**Final Subdivision Application for Block 23 Lot 6- Latino:**

Attorney Walter Wilson and Mr. Latino, applicant were present.

Mr. Clerico provided a report dated March 31, 2008. The report outlines the conditions that were imposed on the applicant as part of the preliminary approval. Mr. Clerico went through his report with the board, which outlines what conditions have been satisfied and what are still outstanding. Attorney Wilson advised the board that the applicant is in agreement and will comply with Mr. Clerico's report.

Ms. Andre Malcolm, from Clarke Caton & Hintz advised the board her report dated March 27, 2008 reflects three outstanding items that need to be addressed. Item 3.1 (a) Item 3.3 and item 3.5. Attorney Wilson stated they had no problem with complying with the three conditions; however, Mr. Latino may come back to the board to modify one of the conditions to allow for protruding garages. Mr. Clerico commented that the final map approval is the final step and if the applicant is going to modify the architectural layout it should be part of the final approval process. Attorney Wilson inquired if the board was open to seeing an alternate plan or if they were going to stand by the "no protruding" garage condition, the board was agreeable to seeing alternate architectural renderings.

Attorney Wilson consented to carry the time on which to act on the Final Site Plan to May 6, 2008.

**Minor Site Plan Application for Block 22 Lot 18.02- Frank Ruffa:**

Attorney J. Thatcher was present on behalf of the applicant.

Mr. Hendricksen excused himself, as he is an interested party as defined in the MLUL.

Attorney Thatcher advised the board that Mr. Ruffa is the owner of Dominick's Pizza; his proposal includes an expansion into the space adjoining the pizzeria, which was previously occupied by an insurance company. The expansion is all interior which includes adding nine tables, expanding the kitchen area and no exterior changes are proposed.

Attorney Thatcher stated that as far as Mr. Clerico's report dated March 31, 2008 items B1 and B2 are no problem and the applicant can comply. Mr. Gallagher inquired if any additional venting would be required, Attorney Thatcher responded that Mr. Ruffa has plans to expand the kitchen but he is not sure on any changes to the venting.

Mr. Clerico advised the board that no more parking can be gained from this site, the site plan submitted is twenty years old and suggested the board should look at the dumpster location and potential sidewalks. Mr. Clerico stated that the applicant is looking to enhance only the interior space however parking is associated with the proposed modification. The applicant is adding an obligation of seven additional spaces to the overall site count. The second floor is intended for office space but is presently vacant. Under the current parking standards the site requires 39 parking spaces, and only 31 are provided. In addition, Mr. Clerico suggested the board might want to consider curbing along the front of the building to allow for future sidewalks.

Andrea Malcolm from Clarke Caton and Hintz, inquired if any attempts had been made to consider shared

parking. Attorney Hatcher responded the building to the left is occupied by the Laundromat and dance studio and it is his experience parking spots are usually available but no cross parking agreement exists.

Mr. Clerico suggested to the board that in order to consider the change, testimony will have to be heard regarding parking. Attorney Hatcher stated the site actually has 33 spots, there are two additional spots in front that are not striped but are used for parking. Mr. McGuire commented that he was concerned in the future with deficient parking spaces when the building is fully occupied. Mr. Baka stated that the big issue is parking and he felt the board did not have enough information before them to make a decision. Chairman Gallagher suggested the board think about what can be imposed on an applicant in regard to parking and their needs to be a balance on the board level. Mrs. Harrison commented that the lot cannot be built out anymore and the options are to stay deficient or look at a shared parking agreement with building tenants.

Attorney Thatcher questioned if a parking variance was required and what it was the board was actually looking for. Mr. Clerico responded the parking standards are under the Town of Clinton Land Use Code 88-62; the applicant needs to submit an accurate map of the property detailing what exist now and the parking spaces on site. Attorney Thatcher stated the site is what it is, the parking is what it is, he understands the board's concerns however, Mr. Ruffa is confident the site has adequate parking. Attorney Caldwell stated that some factual information needs to be presented to the board to make an accurate decision and suggested the applicant and or owner be present to give testimony so the board can base its decision. Mr. Baka stated that more information was needed, that at times he has observed congestion in front of the building, and congestion at the exit and after sitting through the circulation presentation regarding improving Route 173 now is the time to look at sidewalks and realigning the exit.

Attorney Thatcher granted the board an extension of time to act on the minor site plan application to May 6, 2008.

Mr. Hendricksen rejoined the board.

**Proposed Steep Slope Ordinance and Carbonate Rock Ordinance:**

The board agreed to carry the discussion to the May Planning Board Meeting.

**Informal Discussion for Meyer Jabara Hotels- Block 3 Lot 2:**

Per Mr. Rylak's request the discussion will be carried to the May Planning Board Meeting.

**Voucher Approval:**

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

Clarke, Caton & Hintz	Feb 2008 Planner Fees for Z&F LLC	\$150.00
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**All Ayes. Motion Carried.**

There being no further business a Motion was made by Mr. Maher, seconded by Mr. McGuire, to adjourn the meeting at 10:45pm.

Respectfully submitted,

Allison McGinley  
Land Use Administrator