



## **TOWN OF CLINTON**

INCORPORATED APRIL 5, 1865

43 Leigh St., P.O. Box 5194

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### **PLANNING BOARD**

Minutes of the Town of Clinton Planning Board held on May 5, 2009 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".

#### **ROLL CALL:**

**Present:** Baka, Gallagher, Insel, Maher, McGuire, Rogan, Trepkau, (Paul arrived at 8:00pm)  
**Absent:** Hendricksen

Attorney William Caldwell was present.

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

A Motion was made by Mr. Baka, seconded by Mrs. Insel, to approve the April 7, 2009 minutes

**All Ayes.            Motion Carried.**  
**Abstain:             McGuire**

#### **Site Plan Review Report:**

Mr. McGuire advised the board the Site Plan Committee reviewed the 2<sup>nd</sup> submission for a Minor Subdivision application for Kathleen Morriello, Block 29 Lot 3.0319 for completeness. Mr. McGuire pointed out that the Site Plan Committee is recommending the application be deemed complete based on the documentation presented however, the board should keep in mind there are two issues that arose from the meeting in regard to whether this application should be filed as a minor or major subdivision application and the location of the driveway; both are outlined in the site plan committee's memo dated 4/22/2009.

A Motion was made by Mr. McGuire, seconded by Mr. Trepkau, to deem the minor subdivision application complete:

The board was in receipt of a memo from the applicant's attorney dated May 4, 2009 outlining why his client's application should be considered a minor subdivision; Mrs. Insel inquired if Attorney Caldwell was in agreement with the applicant that the application was filed correctly.

Attorney Caldwell advised the board this lot was part of a previous major subdivision approval and the

applicant is seeking a modification from the previous approval. Attorney Caldwell stated in his

opinion the applicant has filed a wrong application, when a property is part of a major subdivision it should always remain a major subdivision.

**Roll Call Vote:**

Ayes:

Nays: Baka, Gallagher, Insel, Maher, McGuire, Rogan, Trepkau,

**All Nays: Motion Denied.**

A Motion was made by Mrs. Insel, seconded by Mr. Trepkau, to suspend the agenda and open the meeting to the public for public comment:

**All Ayes: Motion carried**

Kathleen Morriello, applicant, inquired why the issue of filing the wrong application wasn't brought up at the first Site Plan Committee meeting, Chairman Gallagher responded at the first meeting the application was deemed incomplete due to a lack of signatures and once the application was resubmitted the board looked at the application more closely.

Sue Nanni, President of the Pond Ridge Association inquired what is the next step, Attorney Caldwell replied once the application is resubmitted as a Major Subdivision the Site Plan Committee will review for completeness and if deemed complete at the board level a public hearing will be held.

A Motion was made by Mrs. Insel, seconded by Mr. Rogan, to close the meeting to the public and resume the agenda:

**All Ayes. Motion carried.**

**Appointment of an Environmental Commission Member:**

Due to scheduling and time constraints there are no volunteers at this time to participate on the Environmental Commission. Since this is not a mandatory appointment the Board agreed to leave the decision up to the Mayor & Council to decide if they wanted a Planning Board representative on the Environmental Commission.

**Carbonate Rock Ordinance Discussion:**

The board was in receipt of a memo from John Leonard requesting a change to the Carbonate Rock Ordinance, the Planning Board would like Carl Hintz to review the change and offer some input.

**Committee and Board Update reports:**

**BOA-** No reports

**Smart Growth-** Mrs. Insel advised the board that she is waiting for Mr. Hintz to report back on the Highlands. Presently they are working on a \$850,000 grant for the streetscape on Main Street.

**Council report-** Mrs. Insel advised the board Mr. Leonard will be retiring from the Town of Clinton as of June 30, 2009.

**Master Plan-** Mr. Maher reported the Committee is waiting for direction from Mr. Hintz in regard to the Highlands.

**Voucher Approval:**

A motion was made by Mr. Baka, seconded by Mr. McGuire, to approve the following vouchers:

Gebhardt & Kiefer	Eastern Hill ( Jan 2009)	\$234.53
Gebhardt & Kiefer	Hunterdon Capital (Jan 2009)	\$435.55

**All Ayes. Motion Carried.**

**Board Discussion:**

The Planning Board was asked to look at the Standing Sign Ordinance in regard to section 88-64 N. (3) (k).

A Motion was made by Mr. McGuire, seconded by Mr. Baka, to recommend to Mayor & Council that section 88-64N (3) (k) of the Standing Sign Ordinance be amended to allow the Zoning Officer to issue a license for a standing sign instead of the council.

**Roll Call Vote:**

Ayes: Baka, Gallagher, Insel, Maher, McGuire, Paul, Rogan, Trepkau,  
Nays:

**All Ayes. Motion Carried.**

There being no further business a Motion was made by Mrs. Insel, seconded by Mr. Maher, to adjourn the meeting at 8:45pm.

**All Ayes. Motion Carried.**

Respectfully submitted,

Allison McGinley  
Land Use Administrator