



TOWN OF CLINTON

INCORPORATED APRIL 5, 1865

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PLANNING BOARD

Minutes of the Town of Clinton Planning Board meeting held on July 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".

Roll Call:

Present: Gallagher, Baka, Maher, McGuire, Rogan,

Absent: Hendricksen, Insel, Trepkau,

Approval of Minutes:

A Motion was made by Mr. Baka, seconded by Mr. McGuire, to approve the minutes of May 6, 2008:

All Ayes. Motion Carried.

Abstain: Maher

Site Plan Review Report:

No new applications have been submitted.

Memorialization of Resolution for Minor Site Plan -Block 22 Lot 18.02- Frank Ruffa:

A Motion was made by Mr. Gallagher, seconded by Mr. McGuire, to approve the Resolution for Block 22 Lot 18.02:

Roll Call Vote: Ayes: Gallagher, McGuire, Rogan **All Ayes Motion Passed.**

Memorialization of Resolution for The Town of Clinton 2008 Master Plan:

A Motion was made by Mr. Gallagher, seconded by Mr. Rogan, to approve the Resolution for adoption of the 2008 Town of Clinton Master Plan:

Roll Call Vote: Ayes: Gallagher, McGuire, Rogan **All Ayes Motion Passed.**

Proposed Steep Slope Ordinance:

Chairman Gallagher advised the board that a proposed steep slope ordinance is before the board for consideration. The Environmental Commission reviewed the ordinance and is opposed to the town adopting a steep slope ordinance. The Commission is concerned that if you restrict a property to be built because of a steep slope ordinance it will hurt the town in regard to tax ratables. The Commission stated in their memo each applicant must complete an environmental impact statement which covers the steep slope issue. Mr. Baka advised the board the South Branch Watershed Association put out a newsletter stating there has not been a real technical study defining the criteria for steep slope and further investigation on the newly announced standards might be worth considering. Mr. Rogan inquired if any one knew what percentage of undeveloped land would be off limits if the steep slope ordinance were in effect. The board agreed that further research was needed; Mr. Baka will follow up with Bill Kebler from the South Branch Water Association to obtain more information on the standards.

Proposed Carbonate Rock Ordinance:

Chairman Gallagher advised the board that the Environmental Commission reviewed the proposed ordinance and they are in favor of the ordinance. Mr. Rogan inquired if the Highlands Act could supersede the ordinance. Mr. McGuire responded state law supercedes local law, but the carbonate rock ordinance would be necessary for areas not under the jurisdiction of the Highlands Act. Mr. Baka added that it is possible the Highlands Commission could change the planning and preservation areas in the future. Chairman Gallagher commented that the town planner, engineer, master plan committee and environmental commission endorse the ordinance and based on that I would recommend the Planning Board recommend to Council that the Town adopt the Carbonate Rock ordinance.

A Motion was made by Mr. Baka, seconded by Mr. McGuire, to recommend Council adopt the Carbonate Rock Ordinance presented by Carl Hintz.

Roll Call Vote:

Ayes: Gallagher, Baka, Maher, McGuire, Rogan,

Nays:

All Ayes. Motion Passed.

Committee Updates:

Chairman Gallagher advised the board that Michelle Harrison resigned at the June meeting which the Mayor & Council accepted, Chairman Gallagher expressed that she was a valuable member and will be missed.

Chairman Gallagher appointed Mr. Rogan to replace Michelle Harrison on the Master Plan Committee and the Site Plan Committee. In addition, Mr. Maher was appointed the Chairman of the Master Plan Committee, and Laurie Insel was added to the COAH Committee.

Board Discussion:

A board discussion took place regarding where the Town stands with COAH. Mr. McGuire commented that COAH is under attack by two lawsuits in the normal course of events the plaintiff will seek an injunction to prevent the the third round COAH Act, hearings can go on for months, depending if the plaintiff wins or loses they will then have the option to go the Appellate level, looking from a legal standpoint it could take up to two years to be placed on the calendar to be heard. Mr. McGuire suggested that it may be useful to not only look at the planner's advice but to seek the advise of an attorney to get a feel on what they think the outcome will be before the town invests a lot of money. Chairman Gallagher stated as a Planning Board it is our responsibility to the municipality to respond in a planning capacity and plan appropriately on what the state has set up and adhere to their guidelines as best we can. We should let our planners, attorneys and council take the necessary steps along with the Planning Board's guidance on how to fulfill the need for housing within the Town. We cannot avoid COAH and we should continue to plan according to the guidelines set forth by the state, and using the knowledge of legal advice can help guide us on moving forward.

Chairman Gallagher announced the resignation of Lou Tranquilli from the Board of Adjustment, Mr. Tranquilli was very helpful in implementing the sign ordinance; the board thanked him for his service and wished him well.

Voucher approval:

A Motion was made by Mr. Baka, seconded by Mr. Maher, to approved the July 1, 2008 Voucher list (attached):

All Ayes. Motion Passed.

There being no further business a Motion was made by Mr. Baka, seconded by Mr. Maher, to adjourn the meeting at 8:30pm:

All Ayes. Motion Passed.

Respectfully submitted,

Allison McGinley
Land Use Administrator.