



TOWN OF CLINTON

INCORPORATED APRIL 5, 1865

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PLANNING BOARD

Minutes of the Town of Clinton Planning Board meeting held on November 18, 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 Bill Caldwell and Carl Hintz were present.

Roll Call:

Present: Gallagher, Baka, Hendricksen, Maher, McGuire, Paul, Rogan, Trepkau

Absent: Insel

Approval of Minutes:

A Motion was made by Mr. McGuire, seconded by Mr. Trepkau, to approve the minutes of October 7, 2008:

All Ayes. Motion Carried.

Abstain: Rogan

Site Plan Review Report:

Mr. McGuire reported to the board that since the last meeting no updated information has been submitted for Kathleen Morriello's site plan application. Mr. McGuire advised the board that at the last meeting the Goddard School gave an informal presentation and one of their suggestions was to visit the Goddard School in Flemington. Mr. McGuire visited the site and noticed they had 71 parking spaces and in Clinton they represented the site would only have 31 spaces. Mr. McGuire advised the board that if the application is filed the board should pay attention to the amount of parking spaces provided. Mr. McGuire advised the board there might be a possibility that Eastern Hill may come back to the board requesting a different use for the site.

A Motion was made by Mr. Maher and seconded by Mr. Trepkau, to suspend the agenda and move the Highlands Plan Discussion next, then OB1-OB2 Ordinance Recommendation, then Steep Slope and Executive Session.

All Ayes. Motion carried.

Highlands Discussion:

Mr. Hintz sent the board a memo, which outlines the Memorandum of Understanding (MOU) between Highlands and COAH. Mr. Hintz advised the board that the MOU allows the town to extend their Round Three Plan dead line until December 2009. Mr. Hintz stated that in addition to the provisions outlined in his memo there are other provisions, one is the Town has received a grant for \$15,000.00 to complete an initial assessment study of the town. The study has just started and should be completed by February 2009. Once the study is complete the board will need to set up workshops to review the initial assessment and determine if it is in compliance with the Town Master Plan.

Mr. McGuire inquired what was the downside of opting into the Highlands, Mr. Hintz responded that it is possible that the Highlands Plan may recommend a specific area that the affordable housing should go, instead of dealing with a state agency you would be dealing with a regional agency. Mr. Maher inquired if there were any costs associated with opting in; Mr. Hintz responded no that his understanding is Highlands will fund 100% of plan conformance. Mr. Paul inquired how much input the Town will have with the location of affordable housing; Mr. Hintz stated he believes the Town will have a good working relationship with Highlands. Mr. Baka stated the first bullet in his memo states setting aside 20% affordable housing when economically feasible and inquired what economically feasible means, Mr. Hintz responded that Highlands has not yet spelled that out. Mr. Paul commented the growth share obligation is based on actual growth share within a 12 year period, and inquired how you determine actual growth share when it hasn't occurred yet, Mr. Hintz responded regional growth share projections are based on where you have been in the past four years and how much vacant land the town has left. Highlands will look at the plan every couple of years to determine if the town is on target and adjust their numbers accordingly

Mr. Hintz advised the board that any town that opts into the Highlands Plan and amends their Master Plan & zoning will receive legal support if anyone tries to sue the town. Mr. Hintz stated the next step if the Governing Body adopts the Resolution of Intent is for the Planning Board to review Highland's initial assessment, which should be completed by February. After reviewing the plan the Planning Board will need to determine if the plan is consistent with the Town's Master plan and prepare a report to Highlands with their findings. Mr. Hintz stated he is in favor of the Planning Board endorsing and recommending Council adopt a notice of intent in accordance with the Highlands conformance guidelines plan and adopt a resolution of intent to petition COAH no later than December 8, 2009. Mr. Hintz stated he would be here on December 2, 2008 if the board had more questions.

Review and Recommendation of Ordinance amending the OB1 & OB2 Zone:

Mr. Hintz advised the board that under the amendment to the zone assisted living facilities has been added and scientific laboratories have been deleted as permitted uses.

A Motion was made by Mr. McGuire, seconded by Mr. Trepkau, to recommend to council they adopt the new ordinance amending the OB1 & OB2 Zone:

Roll Call Vote:

Ayes: Gallagher, Baka, Hendricksen, Maher, McGuire, Paul, Rogan, Trepkau

Nays:

All Ayes.

Motion Passed.

Steep Slope Ordinance:

Mr. Hintz recommended the Town wait on adopting the Steep Slope Ordinance until we see what the Highland's plan comes up with. If the Highlands determine the steep slope ordinance is necessary they will fund putting the ordinance into place. The board agreed.

Mr. Hintz advised the board that at the December meeting he would like to have a discussion on Development Rights Transfer. Mr. Hintz excused himself from the rest of the meeting.

Executive Session:

A Motion was made by Mr. Baka, seconded by Mr. Maher, to enter into an Executive Session at 8:25pm to discuss potential land acquisition that will facilitate the Town's COAH Obligation.

No Official Action to be taken.

All Ayes. Motion Carried.

The Regular meeting was called back to order at 9:05pm.

2009 Budget Review & Recommendations:

A Motion was made by Mr. Baka, seconded by Mr. Hendricksen, to recommend the following budget changes for 2009:

Planner \$3,000.00; Misc Meeting & Dues \$500.00; Engineering Fees \$1000.00; Legal Fees \$1,500.00; Legal Notice \$250.00; Office supplies \$250.00; Postage \$500.00; Zoning Map update \$250.00. Total 2009 budget \$7,250.00

All Ayes. Motion Carried.

Voucher Approval:

A Motion was made by Mr. Hendricksen, seconded by Mr. McGuire, to approve the attached voucher list:

All Ayes. Motion Carried.

Highlands Discussion will be continued at the to December 2, 2008 meeting.

There being no further business a Motion was made by Mr. McGuire, seconded by Mr. Trepkau, to adjourn the meeting at 9:20pm.

Respectfully submitted,

Allison McGinley
Land Use Administrator

