



**TOWN OF CLINTON**  
INCORPORATED APRIL 5, 1865  
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## **Board of Adjustment**

Minutes of the Town of Clinton Board of Adjustment meeting held on October 24, 2011 at 7:30pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Chairman Gallo called the meeting to order at 7:30pm and read the “Administrative Statement” and the “Statement of Adequate Notice”:

“Meetings are held on the fourth Monday of each month when an application is pending before the board. The application must be filed at least 21 days prior to the meeting date. Meetings begin at 7:30pm and are adjourned no later than 10:30pm. Fees are charged on a per meeting basis”.

“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 and Robert Clerico, were present

### **ROLL CALL:**

**Present:** Gallo, Berson, Carberry, Feldmann, Recame, Sailer, Smith, Wetherill

**Absent:** Trepkau

### **Recommendation to issue Temporary Certificate of Occupancy for Block 1 Lot 33:**

Attorney Walter Wilson was present on behalf of D&D Enterprise LLC. Attorney Wilson advised the board that D&D Enterprise received approval from the Board of Adjustment in 2008 to expand the residential uses on the second floor to allow four apartments, in consideration of the expansion the applicant would dedicate the two studio apartments as affordable housing. The applicant Mr. Charles Didea is seeking permission to allow for a temporary certificate of occupancy to be issued for the two market unit apartments and the two commercial uses prior to completing the site work. The applicant indicated the site work will be completed by June 30, 2012. The request was sent to Mayor & Council, and they stipulated in a Resolution dated October 11, 2011(attached) that they had no issue with the temporary co as long as the applicant complies with the following:

1. The Applicant to secure permission to delay repaving the parking lot from the Board of Adjustment
2. The Applicant post a bond in an amount established by the Town engineer for repaving the parking lot
3. The applicant complies with all other terms and condition of the Board of Adjustment Resolution of Approval.

Attorney Wilson stated other than the site work, the last remaining item for the resolution is to record the two studio apartments as affordable units and at this time the applicant is not seeking any temporary co for the two studio apartments. Attorney Wilson will provide Mr. Clerico with an estimate of the costs to complete the site work so the escrow amount can be established.

Attorney Caldwell reminded the board that the Board of Adjustment does not have the statutory approval to grant a temporary certificate of occupancy the board can only give their recommendation and it is up to the Mayor & Council to impose conditions, The Board of Adjustment should only act as an advisory board.

A Motion was made by Ms. Wetherill, seconded by Mr. Smith that the Board of Adjustment has no objections to the issuance of a temporary certificate of occupancy:

**All Ayes. Motion Carried.**

**Approval of Minutes:**

A Motion was made by Ms. Wetherill, seconded by Mr. Recame, to approve the minutes of June 27, 2011:

**All Ayes. Motion Carried.**  
**Abstain: Berson, Wetherill, Carberry**

**Voucher Approval:**

No Vouchers.

**2012 Budget recommendations:**

A Motion was made by Ms. Wetherill, seconded by Mr. Berson, to recommend the 2012 budget remain the same as 2011 for a total budget \$2,250.00

**All Ayes. Motion carried.**

**Board Updates:**

Mr. Feldmann advised the board , per the direction of the Planning Board, he is working on the final language of the demolition ordinance which will be sent to the Governing Body for recommendation.

There being no further business, a Motion was made by Mr. Berson, seconded by Mr. Carberry to adjourn the meeting at 8:10pm.

**All Ayes. Motion carried.**

Respectfully submitted,

Allison Witt  
Land Use Administrator