



TOWN OF CLINTON
INCORPORATED APRIL 5, 1865
43 Leigh St., P.O. Box 5194
Clinton, N.J. 08809-5194
(908) 735-8616 FAX (908) 735-8082

Board of Adjustment

Minutes of the Town of Clinton Board of Adjustment meeting held on July 28, 2008 at 7:30pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Vice 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".

ROLL CALL:

Present: Berson, Feldmann, Gallo, Querry, Sailer, Wetherill

Absent: Bohnel, Trepkau

Vice Chairman Gallo announced that Lou Tranquilli has resigned from the Board and at this time we need to appoint a new Chairman.

Nomination of Chairman:

A Motion was made by Ms. Wetherill, seconded by Mr. Berson to nominate Carol Gallo as the new Chairman:

Roll Call Vote:

Ayes: Berson, Feldmann, Querry, Sailer, Wetherill

Nays:

All Ayes. Motion Passed

Nomination of Vice Chairman:

A Motion was made by Mr. Querry, seconded by Mr. Feldmann to nominate Mr. Berson as Vice Chairman:

Roll Call Vote:

Ayes: Feldmann, Gallo, Querry, Sailer, Wetherill

Nays:

All Ayes. Motion Passed

Approval of Minutes:

A Motion was made by Mr. Querry, seconded by Mr. Berson, to approve the minutes of April 28, 2008:

All Ayes. Motion Carried

Abstain: Wetherill

Voucher Approval:

No Vouchers were submitted.

Application for Standing Sign – Block 10 Lot 5- 18 Main Street “ Fur Majesty”:

Patricia Ratner, applicant and Jennifer Estara, Store Manager were present.

The following items were submitted into evidence:

- A1 Application
- A2 Certified 200’ List
- A3 Public notice
- A4 Proof of publication

Ms. Ratner stated she was here to receive approval to permit the use of her standing sign. Her property is located in the C1 Zone, which permits standing signs, however the sign exceeds the height limitations of the Town of Clinton Sign Ordinance. The height of the sign is 5 feet 3 inches were the maximum height allowable is 3 feet. Ms. Ratner testified that her sign has been up for seven years, it is shaped like a dog, made out of wood, which has been painted so it withstands weather conditions. The sign is put out in the morning, bolted to the building so it does not interfere with pedestrian traffic and is taken in at night.

Chairman Gallo stated that one of the conditions of permitting a standing sign is the applicant has to agree to indemnify the Town from any claims brought against it by a third party and has to name the Town as an additional insured party in the licensee’s insurance policy. Once the insurance certified is provided the applicant will be issued a 12-month renewable license for \$40.00. Ms. Ratner agreed to submit a copy of the policy.

A Motion was made by Ms. Wetherill, seconded by Mr.Berson, to open the meeting to the public:

All Ayes. Motion Carried.

Mr. Walter Hetzel, Main Street commented that the Dog Sign is a welcome neighbor on the street, the sign doesn’t bother anyone and does not get in the way. Mr. Hetzel questioned why the \$40.00 annual fee and felt this was a detriment to the merchants. Mr. Query commented that the fee is not in the Board of Adjustment’s control.

There being no further comments a Motion was made by Mr. Feldmann, seconded by Ms. Wetherill, to close the meeting to the public:

All Ayes. Motion Carried.

A Motion was made by Ms. Wetherill, seconded by Mr. Berson, to approve the 5 foot 3 inch Height Variance of the standing sign:

The board agreed that the sign location is not in the way and the placement of the sign makes it safe.

Roll Call Vote:

Ayes: Berson, Feldmann, Gallo, Query, Sailer, Wetherill

Nays: **All Ayes. Motion Passed**

Memorilization of Resolution - Height Variance of Standing Sign –Block 10 Lot 5- 18 Main Street:

A Motion was made by Mr. Feldmann, seconded by Ms. Wetherill, to approve the Resolution for Block 10 Lot 5- 18 Main Street.

Roll Call Vote:

Ayes: Berson, Feldmann, Gallo, Querry, Sailer, Wetherill

Nays:

All Ayes.

Motion Passed

Public Comment:

There was no Public Comment.

Board Discussion:

Ms. Wetherill commented that when an applicant is required to notice the properties within 200' the notice is sent to the building owners and questioned if there was a way the merchants could be notified. Mr. Querry stated the law requires the notice must go the building owners. The notice is published in the local paper and the agenda is published on the Town of Clinton Website.

There being no further business, a Motion was made by Mr. Berson, seconded by Ms. Wetherill, to adjourn the meeting at 8:05pm.

All Ayes.

Motion Passed.

Respectfully Submitted,

Allison McGinley
Land Use Administrator