



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

Land Use Board Minutes

Minutes of the Town of Clinton Land Use Board meeting held on February 6, 2018 at 7:00pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Chairman Sailer called the meeting to order at 7:00pm and read the "Statement of Adequate Notice" and the "Administrative Statement".

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".

"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 10:00pm with all items not concluded to be carried over to the next month's agenda".

Attorney Razin and Jim Kyle were present.

ROLL CALL:

Present: Mayor Kovach, Ms. Dineen, Mr. Feldmann, Ms. Healy, Mr. Sailer, Mr. Smith,
Mr. Viotto, Ms. VanWeeren

Absent: Mr. Carberry, Mr. Maher. Mr. Mellick,

Approval of Minutes:

A Motion was made by Mr. Smith, seconded by Ms. Dineen, to approve the January 2, 2018 minutes:

All Ayes. Motion Carried

Resolution #18-05- Executive Session- Pending Litigation and Legal Advice:

A Motion was made by Mr. Feldmann, seconded by Mr. Smith, to enter into Executive Session at 7:05pm:

All Ayes. Motion carried.

A Motion was made by Mr. Smith, seconded by Mr. Feldmann to close Executive Session at 7:35pm and reopen the regular meeting:

All Ayes. Motion carried.

Discussion- Update on Moebus Tract Settlement:

Mr. Kyle updated the board on the Town's settlement agreement for the Moebus Tract. The proposal

includes 3- 4 commercial pads which will be located on 12 acres abutting Route 31; 56 upscale

townhomes, and the dedication of open space to the town. Mr. Kyle asked the Land Use Board to consider endorsing the settlement agreement.

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

All Ayes. Motion carried:

Mr. John Madden, 9 Fairview Avenue questioned the need for the town to settle and suggested rather than accepting the Fair Share housing numbers that the town should wait to see what the final obligation numbers that Richard Reading comes up with. Mr. Madden voiced concerns over the environmental issues associated with the Moebus Tract such as the wetland buffer area, steep slopes, carbonate rock and associated water runoff. Mr. Madden stated he would like to see an alternate proposal which would include a lot less development and a housing plan based on Richard Reading’s affordable housing obligation numbers. Mr. Madden concluded that the Town should renegotiate the deal and would argue strongly not to agree to settle.

Mr. Kyle addressed Mr. Madden’s concerns and stated if we wait the town is taking a gamble, there are a lot of costs associated with litigation and there is no guarantee, not sure if the risk is worth it for reducing the numbers by 10%. The settlement gives the town more flexibility and allows the town seven years to implement a viable plan. Mr. Kyle added in addition if the court numbers are below a certain threshold we do have a mechanism in place to reduce the numbers on the settlement.

Mrs. Kathy Madden, 9 Fairview Avenue advised the board she is creating a website to find out what the public wants and added she is concerned with the buildability of the site. Mr. Kyle responded the developers will still need to appear before the Land Use Board with a viable plan for site plan approval.

A Motion was made by Mr. Smith, seconded by Ms. Healy, to close the meeting to the public:

All Ayes. Motion Carried.

A Motion was made by Mr. Smith, seconded by Mr. Viotto, to endorse the Council’s decision to settle on the Moebus site issues:

Roll Call Vote:

Ayes: Mr. Feldmann, Ms. Healy, Mr. Sailer, Mr. Smith, Mr. Viotto, Ms. VanWeeren

Nays:

All Ayes. Motion carried.

Voucher Approval:

A Motion was made by Mr. Smith, seconded by Ms. Healy to approve the vouchers:

All Ayes. Motion carried.

There being no further business a Motion was made by Mayor Kovach, seconded by Ms. Dineen, to adjourn the meeting at 8:30pm:

All Ayes. Motion carried.

Respectfully submitted,

**Allison Witt
Land Use Administrator**