



**TOWN OF CLINTON**  
INCORPORATED APRIL 5, 1865  
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## **PLANNING BOARD**

Minutes of the Town of Clinton Planning Board reorganization meeting and regular meeting held on January 5, 2010 at 7:30pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Secretary Allison Witt called the Reorganization 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".

### **Oaths of Office:**

Mr. Frank Gallagher and Mr. Patrick McGuire were previously sworn in.

### **ROLL CALL:**

**Present:** Gallagher, Hetzel, Insel, Maher, McGuire, Perez, Rogan, Trepkau

**Absent:** Hendricksen

### **Election of Chairman:**

A Motion was made by Mr. McGuire, seconded by Mr. Maher, to nominate Mr. Gallagher as Chairman.

**All Ayes. Motion Carried.**

Chairman Gallagher proceeded to run the meeting.

### **Election of Vice Chairman:**

A Motion was made by Mr. Gallagher, seconded by Mrs. Insel, to nominate Mr. McGuire as Vice Chairman:

**All Ayes. Motion Carried.**

### **Appointment of Board Attorney:**

A Motion was made by Mr. Rogan, seconded by Mr. Hetzel, to appoint William Caldwell as the Board's Attorney for the 2010 calendar year

**All Ayes. Motion Carried**

**Be it Resolved** that William Caldwell, Esq. is hereby appointed to serve as the Planning Board Attorney for the Town of Clinton and;

**Whereas** there exists a need for the performance of the statutory legal services for the year 2010 for the Town of Clinton Planning Board and;

**Whereas** funds are or will be made available for this purpose to be certified by the local finance officer and;

**Whereas** the contract for Professional Services was awarded pursuant to the Fair and Open Process.

**Now Therefore, Be Resolved** by the Town of Clinton Planning Board as follows:

The Mayor and Council are hereby authorized and directed to execute an agreement with William Caldwell, Attorney for 2010.

Notice of this action shall be printed once in the Hunterdon Review.

**Appointment of Board Planner:**

A Motion was made by Mr. Hetzel, seconded by Mr. McGuire, to appoint Carl Hintz and Elizabeth McManus from Clarke, Caton and Hintz as the Board Planners for the 2010 Calendar Year:

**All Ayes. Motion Carried.**

**Be it Resolved** that Carl Hintz and Elizabeth McManus is hereby appointed to serve as the Planning Board Planners for the Town of Clinton and;

**Whereas** there exists a need for the performance of the statutory Planner services for the year 2010 for the Town of Clinton Planning Board and;

**Whereas** funds are or will be made available for this purpose to be certified by the local finance officer and;

**Whereas** the contract for Professional Services was awarded pursuant to the Fair and Open Process.

**Now Therefore, Be Resolved** by the Town of Clinton Planning Board as follows:

The Mayor and Council are hereby authorized and directed to execute an agreement with Carl Hintz and Elizabeth McManus, Planners for 2010.

Notice of this action shall be printed once in the Hunterdon Review.

**Appointment of Board Engineer:**

A Motion was made by Mrs. Insel, seconded by Mr. Rogan, to appoint Robert Clerico from Van Cleef Engineering as the Board Engineer for the 2010 Calendar Year:

**All Ayes. Motion Carried.**

**Be it Resolved** that Robert Clerico from Van Cleef Engineering is hereby appointed to serve as the Planning Board Engineer for the Town of Clinton and;

**Whereas** there exists a need for the performance of the statutory Engineering services for the year 2010 for the Town of Clinton Planning Board and;

**Whereas** funds are or will be made available for this purpose to be certified by the local finance officer and;

**Whereas** the contract for Professional Services was awarded pursuant to the Fair and Open Process.

**Now Therefore, Be Resolved** by the Town of Clinton Planning Board as follows:

The Mayor and Council are hereby authorized and directed to execute an agreement with Robert Clerico, Engineer for 2010.

Notice of this action shall be printed once in the Hunterdon Review.

**Committee Appointments:**

**Site Plan Committee:**

Mr. McGuire to serve as Chairman, Mr. Hendricksen, Mr. Hetzel to serve on the Site Plan Committee. Mr. Perez to serve as an alternate. The Site Plan Committee will meet on the third Tuesday of each month on an as needed basis.

**Master Plan Committee:**

Mr. McGuire to serve as Chairman, Mrs. Insel, Mr. Maher, and Mr. Rogan to serve on the Master Plan Committee. Meetings of the Master Plan will be held on the third Tuesday of each month on an as needed basis.

**COAH Committee:**

Chairman Gallagher felt there was no need for an affordable housing Committee and if in the future if affordable housing issues came up Mr. McGuire would designate someone from the Master Plan Committee to attend.

**Designation of the Official Newspaper:**

The Hunterdon Review, the Hunterdon Democrat, the Courier News and the Hunterdon County Online News to serve as the official newspapers:

**All Ayes. Motion Carried.**

**Designation of Meeting Nights:**

The board will continue to meet on the first Tuesday of each month at 7:30pm and the third Tuesday of the month for any carry over items.

The board agreed to move the November 2, 2010 meeting to November 16, 2010.

**All Ayes. Motion Carried.**

**Adoption of the Town of Clinton Planning Board By Laws:**

A Motion was made by Mr. Rogan, seconded by Mr. Trepkau to readopt the Town of Clinton Planning Board Bylaws:

**All Ayes. Motion Carried.**

A Motion was made by Mr. Rogan, seconded by Mrs. Insel, to adjourn the Reorganization Meeting at 7:50pm.

**Regular Meeting of Town of Clinton Called to Order at 7:50pm:**

**Approval of Minutes:**

A Motion was made by Mr. Hetzel, seconded by Mr. Maher, to approve the December 1, 2009 minutes

**All Ayes. Motion Carried.**  
**Abstain: Gallagher, Rogan, Trepkau**

**Smart Growth Update Reports:**

Mrs. Insel informed the board that she was invited to attend an informal discussion with Attorney Wilson, the Mayor, the Town Attorney, and the Town Planner to discuss potential development with Clem Bonnell's property, Moebus Tract and Twin Ponds. Mrs. Insel advised the board that no action was taken.

Chairman Gallagher and Vice Chairman McGuire questioned the legality of the meeting and if that was the proper forum to hold such a meeting. Mr. Hetzel suggested that in the future any discussions regarding the development of a piece of property with a developer should come before the Planning Board for an informal hearing that way there is a record of the discussion, the board was in agreement. Mrs. Insel asked the board for some direction and thought the Planning Board should make the request more formal, Chairman Gallagher did not feel it necessary for the board to put it in writing, Mr. McGuire suggested that Mrs. Insel as a Council Member and a representative of the Planning Board bring the concerns of the Planning Board to the Mayor & Council.

**Board of Adjustment Update:**

Mr. Trepkau advised the board the BOA has 2 applications that were submitted, one for a porch variance and the second for cell tower application.

**Wireless Telecommunication Tower Ordinance:**

The Board was in receipt of a draft ordinance regarding telecommunication towers. Mr. McGuire advised the board that congress enacted a law that no towns can exclude cell towers, however towns have the right to set specifics on location and height. Congress passed Section 106, which states that a cell tower cannot have a detriment of viewscape in a historic zone.

After looking into other town's that have a telecommunications tower ordinance the Town and the Planner came up with the draft ordinance that is specific to the Town of Clinton. Mr. McGuire is recommending the Planning Board recommend the Ordinance to Town Council for their consideration in adopting a Telecommunications Tower Ordinance.

Mrs. Insel inquired about the box that was left blank on page 10, Mr. McGuire stated that the Planner is awaiting specific information on the houses on the historic register that will be effected by the viewscape.

A Motion was made by Mr. Maher, seconded by Mrs. Insel to recommend the Governing Body adopt the Telecommunication Tower Ordinance for the Town of Clinton:

**All Ayes.      Motion Passed.**

**Sign Ordinance Changes:**

Mr. Maher stated at last month's Planning Board the recommendations to changes to the Sign Ordinance were discussed in detail and the proposed changes are outlined in a memo submitted to the board tonight. Chairman Gallagher inquired about the revised changes in the current ordinance regarding offsite events in Hunterdon County, and the changes that were made are different then what the Planning Board had recommended. Mrs. Insel stated at the time of adopting the billboard changes, there were some concerns from audience members at the council meeting and the amendments were put in at that time. Chairman Gallagher stated that the recommendation for the changes should have come back to the Planning Board first, Mrs. Insel stated due to the necessity of changing the ordinance to incorporate billboards the other changes were added in, but in the future any proposed changes will be sent to the Planning Board for their review.

A Motion was made by Mr. Maher, seconded by Mr. Hetzel, to recommend that Mayor & Council make the following changes to the Sign Ordinance the next time the ordinance is republished:

1. Change the definition of a Wall Sign to:

**“A sign, which is generally parallel to a wall and is either affixed to that wall or suspended beyond the wall but not beyond the perimeter of the building footprint”**

2. Section 88-64N. (6) (b) **Remove and delete section (b) (1) [b].**

3. Section 88-64N. (4)- **Add new paragraph (d)** to incorporate **onsite temporary special event signs**, use the same wording from 88-64N. (6) (b) and change only the title to read “On-Site Temporary Special Event Signs”

4. 88-64N. (6) (c) – replace Municipal Clerk with Zoning Officer.

**All Ayes. Motion Carried.**

**Voucher Approval:**

A Motion was made by Mr. Rogan, seconded by Mr. Maher to approve the following vouchers:

Van Cleef Engineering	Preparation of Beaver Brook Flood Assessment	\$194.50
Van Cleef Engineering	Presentation to Planning Board on Flood Assessment	\$143.00

**All Ayes. Motion Carried.**

**Board Discussion:**

Chairman Gallagher advised the Board since the Highlands plan has been adopted the Master Plan Committee should be reviewing the Master Plan and moving forward with recommending new ordinances to reflect the Master Plan.

The Board congratulated Mr. Rogan on the new addition to his family, a baby girl born on November 24, 2009.

There being no further business a Motion was made by Mr. Hetzel, seconded by Mr. McGuire to adjourn the meeting at 9:40pm.

Respectfully submitted,

Allison Witt  
Land Use Administrator