



TOWN OF CLINTON

INCORPORATED APRIL 5, 1865

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PLANNING BOARD

Minutes of the Town of Clinton Planning Board meeting held on October 19, 2010 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".

ROLL CALL:

Present: Gallagher, Hendricksen, Insel, Hetzel, Maher, McGuire, Rogan

Absent: Perez, Trepkau

Approval of Minutes:

A Motion was made by Mr. Hetzel, seconded by Mrs. Insel, to approve the October 5, 2010 minutes:

All Ayes. Motion Carried. Abstain: Hendricksen Motion Carried.

A Motion was made by Mr. Hetzel, seconded by Mr. Maher, to approve the executive minutes of October 5, 2010 minutes:

All Ayes. Motion Carried. Abstain: Hendricksen Motion Carried.

Workshop for Proposed Ordinances:

Mr. McGuire advised the board the Master Plan has been working on three ordinances, which will be discussed tonight.

Outdoor Cafes:

Mr. McGuire stated the Town of Clinton has no ordinance regarding outdoor cafes, which have an impact on noise, traffic and liability to the town in regard to public safety issues. It is common to have an ordinance in place and after looking at different model ordinances Mr. McGuire felt Ridgewood NJ has a good ordinance in place that the town could use. Mr. McGuire stated the ordinance would not ban outdoor cafes but regulate them. The most common problems with outdoor seating is the encroachment onto the sidewalk, which can create potential safety hazards, other concerns are the impact on adjoining property owners, lighting, noise, heaters and umbrellas.

Mrs. Insel commented the new sidewalks that are being installed are made with two colors; the gray

portion of the sidewalk indicates the pedestrian walkway and would recommend no infringement on the

public access. Mrs. Insel suggested language in the ordinance regarding the gray walkway area. Mr. McGuire suggested maybe a small rail could be installed to separate the sidewalk area. Mr. Hendricksen commented that in some areas in Somerville there was no room to walk on the sidewalk due to the umbrellas sticking out. Mr. Hetzel commented that additional fees and licensing could be an additional burden on the merchants. Mr. Gallagher stated that presently we have nothing in the ordinance that allows outdoor seating and it is necessary to move forward and have some regulations in place. The board agreed additional licensing and fees were not necessary but perhaps some general guidelines in place would work better. Mr. McGuire stated he will look into some guidelines for the board to review.

A Motion was made by Mr. Rogan, seconded by Mr. Hetzel, to open the meeting to the public:

All Ayes. Motion Carried.

Mr. Nicholas Gialias, from the Clinton House advised the board they are presently looking into offering outdoor seating and would be hiring an architect to make sure the historical aspect of the building remains intact and the look is consistent with the town. He would like the town to offer some guidelines on outdoor seating so he can move forward.

A Motion was made by Mr. Hendricksen, seconded by Mrs. Insel to close the meeting to the public:

All Ayes. Motion Carried

Mr. McGuire will report back to the board.

Noise Ordinance:

The town has a noise ordinance which is in effect; the Master Plan is recommending some modifications outlined in the handout. One concern is the enforcing agency does not have the necessary equipment to enforce the noise ordinance. Mr. Gallagher stated this was brought up at a council meeting and Mr. Cushing was not in favor of adopting an ordinance that has decibel level standards. Mrs. Insel stated in the past there may have been some communication issues on what was allowed, which should be resolved so there should be a better understanding moving forward. Mr. McGuire stated that delivery trucks, garbage pickup, cleaning of streets and parking lots early in the am are all a problem and it helps if timeframes are spelled out in the ordinance. Mr. Gallagher inquired if there are any permits needed for special events in Clinton such as live music, parades, Mrs. Insel stated that only if the road is closed do they need a special a permit through Council. The board agreed that a letter should go to Council with recommendations; Mr. McGuire will draft a letter for review.

Portable Temporary Storage Containers ordinance:

The board reviewed a sample ordinance that was drafted by Borough of Hampton. The board reviewed the ordinance and agreed to limit the timeframe for placement of a pod not in conjunction with a construction permit for 60 days and in conjunction with a construction permit six months. Mr. McGuire will make the necessary changes and bring back to the board for recommendation.

Board Discussion:

Chairman asked the board for feedback on their thoughts on solar panels and wind turbine ordinances, to be discussed at a later date.

Mr. Matt Maher advised the board the subcommittee is in the process of setting up appointments to interview the professionals who sent us proposals. Please forward any current concerns and questions to the subcommittee.

Voucher approval:

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

All Ayes. Motion Carried.

2011 Budget Recommendations:

A Motion was made by Mr. Rogan, seconded by Mr. McGuire to recommend the 2011 Planning Board budget with the following recommendations:

Reduce misc meeting fees to \$400; reduce legal fees to \$1,000.00; Total Budget recommendation is \$3,000.00 for the year 2011.

All Ayes. Motion Carried.

The board thanked Mr. McGuire for spending time going through the proposed ordinances.

There being no further business, a Motion was made by Mr. Hendricksen, seconded by Mr. Hetzel to adjourn the meeting at 9:15pm.

Respectfully submitted,

Allison Witt
Land Use Administrator