



## **TOWN OF CLINTON**

INCORPORATED APRIL 5, 1865

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### **PLANNING BOARD**

Minutes of the Town of Clinton Planning Board meeting held on November 16, 2010 at 7:30pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Vice Chairman McGuire 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:** Hetzel, Insel, McGuire, Perez, Rogan, Trepkau

**Absent:** Gallagher, Hendricksen, Maher

#### **Approval of Minutes:**

A Motion was made by Mr. Hetzel, seconded by Mr. Perez, to approve the November 2, 2010 minutes:

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

#### **Exemption from Site Plan- Block 10 Lot 15- Ackaway:**

Steven and Anna Ackaway were present, Anna Ackaway was sworn in.

Ms. Ackaway had appeared before the board at the August 3, 2010 and received an exemption from site plan to add a small accessory furniture store. Since that time there has been an expansion of the retail to include the sale of mattresses. Vice Chairman McGuire inquired what had changed since August, Ms. Ackaway advised the board that between August and now she had completed her insurance exam and has decided to open up an Allstate Insurance office in combination with the CPA office, and as far as the retail furniture she never intended to limit the merchandise for sale and it was an error that she didn't inform the board. Ms. Ackaway stated the CPA office and Insurance Office were approved uses and she would like permission to add the furniture retail to include bedding, mattresses, headboards and array of small furniture.

Ms. Ackaway testified that the retail operation mostly works through appointment only, there will be very little pickup of items at the store, a lot of sales are done through their catalog and the retail store will have sample pieces for the customers to look at. Any disposal of old mattresses or wrappings will take place at a disposal business they own in Saddle Brook, no garbage will be brought back to the site. Ms. Ackaway stated that any deliveries to 20 Leigh Street will be discouraged, presently they

own a bedding store at 14-16 West Main Street and most of the deliveries will take place there. In the event there will be an occasional delivery it will be via a small box truck and all deliveries will take place in the rear of the building.

Vice Chairman McGuire inquired about storage in the accessory buildings, Mr. Ackaway stated they have no intention to store furniture items in the accessory building however on occasion they may have a last minute return that they will put in the shed for a small period of time.

Mr. Perez inquired if any items will be displayed curbside or on the front porch, Ms. Ackaway stated no the only thing maybe a small chair for customers to sit on but no merchandise will be displayed outside.

Mr. Hetzel commented there will be three businesses at 20 Leigh Street and inquired who the broker of record is, Ms. Ackaway stated she is the broker of record and there will be three businesses the CPA office, Insurance office and the addition of the retail store.

Mr. Trepkau stated he was concerned with the size of the rooms and whether any potential fire hazard exists, Mr. Ackaway stated the rooms are spacious and have a wide enough walking aisle. Vice Chairman McGuire stated he would like the applicant to turn in the dimensions of the room for the file.

Vice Chairman advised the applicant the retail space is a Change of Use and would require a Change of Use permit through the construction office and any signs would require proper permitting.

A Motion was made by Mr. Rogan, seconded by Mr. Trepkau, to exempt the applicant from site plan and allow the applicant to add a retail furniture store to her existing CPA and the insurance office.

**Roll Call Vote:**

**Ayes:** Hetzel, Insel, McGuire, Perez, Rogan, Trepkau

**Nays:**

**All Ayes.**

**Motion carried.**

**Exemption from Site Plan -Block 11 Lot 7- Diana Rodriguez**

Ms. Diana Rodriguez, applicant was sworn in.

Ms. Rodriguez stated she was here tonight because the board questioned the expansion of her business. Ms. Rodriguez was given approval last May to open up an organic juice bar, which included the sale of smoothies and organic sandwiches and salads in conjunction with the wellness center. Since that time the customers needs have changed and with the change of season she has started to offer soups, hot chocolate, and coffee and has put in a small seating area where customers can sit down. Ms. Rodriguez also asked the board for permission to include outside seating. Vice Chairman McGuire stated the board is in the process of developing an ordinance to allow outdoor seating and Ms. Rodriguez would have to apply under a separate application for outdoor seating.

Vice Chairman McGuire inquired about cooking and if any venting was required, Ms. Rodriguez stated all the hot food was heated via a crock pot and no venting was needed or required and she has received Board of Health approval.

Mrs. Insel inquired if the business was geared to her customers for the wellness center or geared as a separate business, Ms. Rodriguez stated that all foods offered are organic, vegan and vegetarian which is geared towards her customers, we do get walk-ins, people in the area are looking for a healthier way of eating, the food and the wellness center go hand in hand.

A Motion was made by Mrs. Insel, seconded by Mr. Rogan, to exempt the applicant from site plan and allow the applicant to add the additional food and drink items to her menu.

**Roll Call Vote:**

**Ayes:** Hetzel, Insel, McGuire, Perez, Rogan, Trepkau

Nays:

**All Ayes.**

**Motion carried.**

**Voucher Approval:**

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

**All Ayes.**

**Motion Carried**

There being no further business a Motion was made by Mrs. Insel, seconded by Mr. Perez to adjourn the meeting at 8:25pm.

Respectfully submitted,

Allison Witt  
Land Use Administrator