



## **TOWN OF CLINTON**

INCORPORATED APRIL 5, 1865

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### **PLANNING BOARD**

Minutes of the Town of Clinton Planning Board meeting held on April 5, 2011 at 7:30pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Chairman Gallagher 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".

**Attorney Caldwell, Robert Clerico and Carl Hintz were present.**

#### **ROLL CALL:**

**Present:** Gallagher, Feldmann, Hendricksen, Hetzel, Insel, Maher

**Absent:** McGuire, Perez, Rogan

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

A Motion was made by Mr. Hetzel, seconded by Mr. Hendricksen, to approve the March 1, 2011 minutes

**All Ayes.      Motion Carried.      Abstain:      Hendricksen, Insel**

#### **Preliminary & Final Site Plan Application- Block 1 Lot 60 & 60.01- Country View Builders:**

Attorney Walter Wilson, James Cosgrove, PE from Omni Environmental LLC, Catherine Mueller, PE from Page Engineering, Tylman R. Moon, PA from Tylman R. Moon and Associates and Jeffrey Charlesworth NJ Licensed Landscape Architect were present.

The following exhibits were submitted into evidence:

- A-24 Western wall revised design dated 4/5/2011
- A-25 Letter signed by HCSD dated 3/22/2011
- A-26 Elevation rendering of architectural dormer modification
- A27 Sample material board for windows & siding
- A28 Brick rendering and photo
- B13 Laurie Insel's certification transcripts were read and March meeting tape was listened to.

Attorney Wilson stated this hearing is a continuation of the public hearing and since the March meeting there is one change in respect to the retaining wall that Ms. Mueller will address tonight.

Attorney Patrick J. McNamara from Scarinci Hollenbeck advised the board that he is here tonight on behalf of Union Gap Village Homeowner's Association.

Ms. Catherine Mueller showed the board exhibit A-24 which reflects a revised wall design. The board had concerns at the March meeting whether the 9' foot retaining wall could actually be built, after completing a soil analysis and looking at the feasibility of the 9' wall it was determined the revised wall shown in exhibit A-24 was a better solution. The wall will be 75 feet in length, approximately 30 feet of the wall will be 5 feet at the highest point and then slope down, the wall will include fencing per the original proposal and will require building permit approval through the construction code office.

Ms. Mueller advised the board Hunterdon County Soil Conservation has confirmed the reclassification of the soils onsite to a class "D"(exhibit A-25).

Mr. Hintz indicated the landscape plans will need to be revised due to the redesign of the wall; Ms. Mueller stated she will revise the plans to the satisfaction of Mr. Hintz.

Mr. Hendricksen questioned if the revised wall design eliminates a snow stacking area, Ms. Mueller responded they have maintained two-feet at the dumpster location to the northwest area of the wall and stated there is adequate space for normal snowfall. Mr. Hendricksen disagreed and didn't find the amount of space feasible, Ms. Mueller added that in unusually large snow falls the snow can be trucked across the street into a large unregulated green area. Mr. Hintz stated the revised landscape plans need to take into consideration the snow removal and the plans should show the snow stacking areas.

Mr. Hendricksen suggested the grading plans for the west wall should have more detail in regard to the water runoff at the northeast part of the wall by building # 1, Ms. Mueller commented they can put in a swale and will indicate the swale on the revised plans. Mr. Feldmann inquired in regard to the slope if they will be using fill or material on site, Ms. Mueller responded they will be using material onsite.

Mr. Clerico thought the area in the southwest corner of the property seemed rather tight and felt by relocating one parking space it would significantly improve the area, Ms. Mueller stated she would take a closer look at the area to see if one parking spot could be relocated elsewhere.

Mr. Tylman R Moon, Architect from Tylman R. Moon & Associates was sworn in.

Mr. Moon went through the new exhibits; exhibit A-26- Dormers were added to the front elevations for aesthetic purpose; exhibit A-27 shows the vinyl siding colors and windows; exhibit A-28 shows the brick which is from the Marlton series, Glen Gery brick. Mr. Moon stated the architectural plans show four siding colors however, the applicant is only using three colors, they have eliminated the canyon blend siding, the plans will be revised to reflect the three colors. Mr. Moon advised the board the garage doors will be wood paneled white doors, the garage doors will have no glass, and it will be responsibility of the homeowners association to maintain the garage doors.

Mr. Hintz suggested the mailbox clusters should have a roof and side enclosures that matches the building siding, Mr. Moon stated he will send a rendering to Mr. Hintz for his review and approval.

A Motion was made by Mr. Hendricksen, seconded by Mrs. Insel, to open the meeting to the public for questions for Mr. Moon: **All Ayes. Motion carried.**

Attorney Patrick McNamara, on behalf of Union Gap Homeowner's Association asked Mr. Moon to identify the affordable units and the bedroom distribution.

Mr. Moon responded the project will have 13 affordable units, which are broken down as follows:

Three- 3 bedroom units, located in building # 1, Building # 5, and Building # 12, the three bedroom units all have at least three windows and need to be located on an exterior wall.

Eight- 2 bedroom units, two in Building # 17, two in building # 18, two in Building # 21, and 2 in Building # 22.

One- 1 bedroom unit in building # 16 and one- studio efficiency unit in building #16.

There being no further questions for Mr. Moon, a Motion was made by Mr. Hendricksen, seconded by Mr. Feldmann, to close the meeting to the public for questions for Mr. Moon.

**All Ayes. Motion carried.**

A Motion was made by Mr. Hendricksen, seconded by Mrs. Insel, to open the meeting to the public for questions for Catherine Mueller, Engineer:

**All Ayes. Motion carried.**

Attorney McNamara questioned if the redesigned wall will change the storm water runoff from building #1 through 4, and if the water would run off to the westerly side of the property onto Union Gap, Ms. Mueller testified that the roof drainage system in each building has underground drainage which will be directed into the detention pond, the redesign of the wall will not change the flow and will not drain onto Union Gaps' property.

Attorney McNamara questioned the new westerly wall, Ms. Mueller stated the wall will be two feet deep, the wall will contour to the slope; at the northern end the wall will be zero feet and increase to a maximum height of five feet towards the parking lot, fencing will also be installed on top of the walls, and low maintenance ground covering will be planted on the slope.

Attorney McNamara inquired if the applicant has obtained letters from the town water and sewer departments, Attorney Wilson stated he had the letters.

Attorney McNamara questioned the wetlands property across the street and inquired if it was suitable for stock piling snow, Ms. Mueller responded the DEP only regulates land disturbance and the snow stacking would not disturb the property and would not be regulated.

Attorney McNamara inquired if the sidewalk extension along Union Gap has been addressed, Attorney Wilson stated the position of the applicant is not to extend the sidewalks, at the time of the original approval the applicant made a contribution to the town in the amount of \$28,000 in lieu of extending the sidewalks along Village Drive.

Attorney McNamara inquired if the applicant has plans to dedicate the road to the town and if the undeveloped property would be dedicated as a conservation easement or dedicated to the town, Ms. Mueller stated they have no intention to dedicate the road. Attorney Wilson added the roadway is covered in a contractual agreement held between Union Gap Village and the applicant, and in regard to the property it has yet to be decided.

Attorney McNamara inquired if the proposed lighting would have any impact of Union Gap Village, Ms. Mueller responded the light fixtures will all have house shields, and the lighting complies with the Town of Clinton Ordinance, Ms. Mueller went over the lighting plan shown on Page 7 of the site plans.

Attorney McNamara inquired about site signage, Ms. Mueller stated the 7 foot high 6 foot wide sign will be located on the North Eastern corner of the property adjacent to Village Road, it will be lit by a small ground light and complies with the Town of Clinton Ordinance.

Attorney McNamara inquired about the distance from the westerly wall to the start of Village Road, Ms. Mueller stated the distance is approximately 134' from the curb to the start of the wall.

There being no further questions for Ms. Mueller, a Motion was made by Mr. Hendricksen, seconded by Mrs. Insel, to close the meeting to the public for questions for Ms. Mueller:

**All Ayes. Motion Carried.**

A Motion was made by Mr. Hendricksen, seconded by Mr. Hetzel, to open the meeting for questions for Mr. Jeffrey Charlesworth, Landscape Engineer:

**All Ayes. Motion Carried.**

Attorney McNamara inquired about landscaping in regard to the slope by the westerly wall and whether the trees that exist on site would remain. Mr. Charlesworth stated because of the slope by the wall they will be working with low ground cover shrubs and plants, and after a site visit and looking at the condition of the existing trees, it doesn't make sense to try to maintain them, all new landscaping will be installed.

Mr. Hendricksen questioned a couple of areas on the plan that show a light pole and a tree planting in the same area and inquired how the tree planting will effect the light pole, Mr. Charlesworth stated he would have to look at the areas to make sure there is no conflict. Mr. Clerico suggested the light poles should be shown on the landscape plan.

There being no further questions for Mr. Charlesworth, a Motion was made by Mr. Hendricksen, seconded by Mr. Feldmann, to close the meeting to the public for questions for Mr. Charlesworth.

**All Ayes. Motion carried.**

A Motion was made by Mr. Hendricksen, seconded by Mr. Feldmann, to open the meeting for questions for Mr. James Cosgrove, Stormwater Management Engineer:

**All Ayes. Motion carried.**

Mr. Feldmann inquired if any change in drainage would occur based on the change of the wall; Mr. Cosgrove responded the redesign of the wall will not change the drainage.

Mr. Hendricksen inquired about the small area between Union Gap and the wall and asked if there was a concern that erosion would happen on the slope, Mr. Cosgrove stated there is no need for concern.

There being no further questions for Mr. Cosgrove, a Motion was made by Mr. Hendricksen, seconded by Mr. Maher, to close the public meeting for questions for Mr. Cosgrove:

**All Ayes. Motion carried.**

Attorney Wilson stated at this time the applicant has no further testimony.

A Motion was made by Mr. Hendricksen, seconded by Mrs. Insel to open up the meeting to the public for comment and testimony:

**All Ayes. Motion carried.**

Jane Marino, Hillside Court, Union Gap was sworn in. Ms. Marino concerns were, impact of drainage to her property; the exposure of building 1 from her property in regard to lack of trees; lighting intensity; environmental concerns with stacking snow on adjacent property and the size of the signage. Ms. Marino's concerns were addressed by the professionals and Attorney Wilson advised Ms. Marino that he would look into and try to accommodate planting evergreen trees in the exposed area by building 1.

There being no further comments and testimony a Motion was made by Mr. Hendricksen, seconded by Mr. Feldmann, to close the hearing to the public:

**All Ayes. Motion carried.**

Attorney Wilson asked the board to clarify and decide on the two outstanding issues, the existing tree inventory and the extension of the sidewalk along Union Gap Village Drive. The board agreed based on testimony that was presented that an existing tree inventory was not necessary. Ms. Mueller stated the proposed sidewalks will stop at the southern end of village road and agreed to install a stripped crosswalk and curb cuts to the other side of the road.

A Motion was made by Mr. Hendricksen, seconded by Mr. Maher to grant a Waiver to the applicant not to install sidewalks in the northwest corner along Village Road and Buildings 1 through 4:

**Roll Call Vote:**

Ayes: Gallagher, Feldmann, Hendricksen, Hetzel, Insel, Maher

Nays:

**All Ayes. Motion carried.**

Attorney Wilson stated he hopes to have the revisions completed and submitted for the May 3, 2011 meeting and granted an extension of time to act on the application until May 3, 2011.

The board carried the preliminary and final application for Country View Builders to May 3, 2011 no further notice is required.

**Committee & Board Updates:**

Smart Growth Committee- Mrs. Insel informed the board the Smart Growth Committee is discussing funding for projects, and brainstorming different development ideas for the town, any recommendations would be helpful.

Chairman Gallagher informed the board the Historic Committee is looking for a Planning Board representative to meet with them to discuss a demolition ordinance, Chairman Gallagher asked Mr. Feldmann if he would be interested, Mr. Feldmann agreed and will contact Rosemary Platt.

Chairman Gallagher advised the board then from now on any site plan exemption requests will first meet with the Site Plan Committee before coming to the planning board. The Site Plan will verify the board has what they need to make an informed decision.

**Voucher approval:**

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

**All Ayes. Motion carried**

There being no further business a Motion was made by Mrs. Insel, seconded by Mr. Feldmann, to adjourn the meeting at 10:40pm.

Respectfully submitted,

Allison Witt  
Land Use Administrator