



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

PLANNING BOARD

Minutes of the Town of Clinton Planning Board meeting held on October 4, 2011 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".

Attorney William Caldwell was asked to attend the meeting at 8:00pm

Roll Call:

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

Absent: Perez

Approval of Minutes:

A Motion was made by Mr. Hetzel, seconded by Mr. Hendricksen, to approve the September 6, 2011 minutes

All Ayes.

Abstain: Rogan

Motion Carried.

Proposed Demolition Ordinance:

Rosemarie Platt, Chairperson of the Historic Preservation Commission was present in the audience.

Mr. Feldmann was asked by the Planning Board to work on drafting a demolition ordinance to present to the Planning Board for review. Mr. Feldmann stated he was directed by Beth McManus, Town Planner to look at Flemington's Ordinance which has been very successful. Mr. Feldman explained the difference between Flemington ordinance and the Town of Clinton's proposed ordinance is Flemington's Historical Preservation Commission has the ability and responsibility to review the demolition applications, whereas the Town of Clinton has not given authority to the Town's Historic Preservation Commission. The Ordinance is broken down into three sections, Introduction, Demolition and Relocation of structures. Mr. Feldmann did not get into the procedural aspects which are outlined under notes on page 4 and 5 and thought tonight the board could discuss. Mr. Feldmann advised the board the Historic Preservation Committee has not had the chance to review the draft and stated it is important to get the commissions input. Chairman Gallagher stated the next step will be to forward to the commission for their review.

Mrs. Insel stated for the past ten years the commission has been working on a demolition ordinance, at this time the Town Historical Preservation Commission does not have the authority and the education to review all applications. Flemington has a component in their ordinance that permits the review to be done by their Town planner which the applicant pays for. Mrs. Insel suggested the town follow the same action. Chairman Gallagher stated he was not in favor of the additional fees and suggested perhaps there is a retired planner that can sit on the Historical Preservation Commission.

Rosemarie Platt advised the board the Commission felt that some basic architectural standards and guidelines should accompany the ordinance; the goal of the Commission is to preserve and maintain the street scape. Mrs. Platt was concerned about the Commission being overlooked. Mrs. Insel suggested the board should at least move forward with the demolition ordinance which can be amended down the road to include guidelines. Mrs. Insel asked Rosemarie Platt if the Commission would be opposed to doing it in two parts, Mrs. Platt stated she will address with the Commission.

Mr. Hendricksen inquired about the definition of demolition and partial demolition. Attorney Caldwell suggested to keep it simple and one suggestion would be to define demolition as a reduction in a set percentage of the assessed value of the structure. Any applicant that exceeds the set value will require Planning Board approval before proceeding forward. The board agreed to move the demolition requirements forward and Mr. Feldmann will work on the language revisions and submit to council for the first reading on October 25, 2011.

Recommendation regarding sidewalk licensing:

Mr. McGuire advised the board per last month's meeting he has drafted a memorandum to go to the Mayor & Council about putting in place licensing procedures for use of any town sidewalk. The memo outlines the Planning Board's concerns regarding liability and makes the Council aware of the need for insurance protection.

A Motion was made by Mr. Hendricksen, seconded by Mr. Feldmann, to recommend the town implement licensing requirements for use of town sidewalks, outlined in the memorandum.

All Ayes.

Nay: Hetzel

7-1

Motion Carried.

Expired Planning Board Approvals:

Mr. Caldwell advised the board Planning Board approvals do not expire only the period of protection expires, if the zoning changes after the period of protection lapses then the approval may no longer be valid to the applicant. Chairman Gallagher recommended the Master Plan Committee review the zones though out Clinton to see if any changes need to be reviewed.

Board Discussion:

The board talked about the abundant uses of restaurants on Main Street and the need for a balance. Attorney Caldwell suggested to limit restaurant uses the board can consider amending the Master Plan to no longer allow restaurants as a permitted uses in the zone. Chairman Gallagher asked the Master Plan Committee to review and make recommendations.

Voucher Approval:

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

Van Cleef Engineering Bank of America (August 2011) \$143.00

All Ayes. Motion Passed.

Mrs. Insel advised the board she received a request to meet with Mr. Dugan who is the Chairman of the Economic Development Committee in High Bridge. The meeting has been scheduled for October 20th.

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

All Ayes. Motion passed.

Respectfully Submitted,

Allison Witt
Land Use Administrator