



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 15, 2013 at 7:30pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Attorney William Caldwell 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".

ROLL CALL:

Present: Gallagher, Mayor Kovach, Feldmann, Hetzel, McGuire,

Absent: Maher, Perez, Rogan, Duffy

Election of Chairman:

A Motion was made by Mr. Feldmann, seconded by Mr. McGuire, to nominate Mr. Gallagher as Chairman for 2013.

All Ayes. Motion Carried.

Chairman Gallagher proceeded to run the meeting.

Election of Vice Chairman:

A Motion was made by Mr. Hetzel, seconded by Mr. Feldmann, to nominate Mr. McGuire as Vice Chairman for 2013:

All Ayes. Motion Carried.

Appointment of Board Attorney:

A Motion was made by Chairman Gallagher, seconded by Mr. Hetzel, to appoint William Caldwell as the Board's Attorney for the 2013 calendar year

All Ayes. Motion Carried

Be it Resolved that William Caldwell, Esq. from Carter, Van Rensselaer & Caldwell 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 2013 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 2013.

A Motion was made by Mr. Hetzel, seconded by Mr. Feldmann, to adopt the Planning Board Professional Resolution for William Caldwell from Carter, Van Rensselaer & Caldwell:

All Ayes. Motion Carried.

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

Appointment of Board Engineer:

A Motion was made by Mr. Hetzel, seconded by Mr. Feldmann to appoint Robert Clerico from Van Cleef Engineering as the Board Engineer for the 2013 Calendar Year:

All Ayes. Motion Carried.

Be it Resolved that Robert Clerico 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 2013 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 2013.

A Motion was made by Mr. Hetzel, seconded by Mr. Feldmann, to adopt the Planning Board Professional Resolution for Robert Clerico from Van Cleef Engineering:

All Ayes. Motion Carried

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

Appointment of Board Planner:

A Motion was made by Mr. McGuire seconded by Mr. Feldmann, to appoint Carl Hintz from Clarke, Caton & Hintz as the Board Planner for the 2013 Calendar Year:

All Ayes. Motion Carried.

Be it Resolved that Carl Hintz from Clarke, Caton & Hintz is hereby appointed to serve as the Planning Board Planner for the Town of Clinton and;

Whereas there exists a need for the performance of the statutory Planner services for the year 2013 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, Planner for 2013.

A Motion was made by Mr. McGuire, seconded by Mr. Hetzel, to adopt the Planning Board Professional Resolution for Carl Hintz from Clarke, Caton & Hintz:

All Ayes. Motion Carried.

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

Committee Appointments:

Site Plan Committee:

Mr. McGuire to serve as Chairman, Mr. Feldmann, Mr. Hetzel to serve on the Site Plan Committee. Mr. Maher 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. Gallagher to serve as Chairman, Mr. McGuire, Mr. Hetzel, Mr. Feldmann to serve on the Master Plan Committee. Mr. Gallagher suggested once the new Council Liaison is on board then they can replace one of the members appointed tonight. Meetings of the Master Plan will be held on the third Tuesday of each month on an as needed basis.

Designation of Meeting Nights:

The board will continue to meet on the first Tuesday of each month at a new time of 7:00pm and the third Tuesday of the month for any carry over items. (copy of schedule attached).

All Ayes. Motion Carried.

Designation of the Official Newspaper:

The Hunterdon Review, the Hunterdon Democrat, the Courier News and NJ. Com to serve as the official newspapers:

All Ayes. Motion Carried.

Adoption of the Town of Clinton Planning Board By Laws:

A Motion was made by Mr. Hetzel, seconded by Mr. Feldmann to adopt the Town of Clinton Planning Board Bylaws:

All Ayes. Motion Carried.

A Motion was made by Mr. Hetzel, seconded by Mr. McGuire, to adjourn the Reorganization Meeting at 7:545pm.

All Ayes. Motion Carried.

Regular Meeting of Town of Clinton Called to Order at 7:45pm:

Approval of Minutes:

A Motion was made by Mr. Hetzel, seconded by Mr. McGuire, to approve the Dec 4, 2012 Executive minutes and the December 4, 2012 minutes with the following changes:

Under budget recommendations (regular minutes) delete the word reduction

All Ayes. Motion Carried. Abstain: Mayor Kovach

Reconsideration of Exemption from Site Plan request- Block 22 Lot 17- Cara’s Seafood:

Attorney Walter Wilson and Cara Lin, applicant were present.

Attorney Wilson advised the board the applicant has submitted some updated documentation and is asking the board to reconsider the waiver of site plan request. Attorney Wilson stated the survey submitted tonight shows the site is capable of handling 22 parking spots. Attorney Wilson added the owner is not willing to delineate the parking spaces and the Town of Clinton ordinance allows non-delineation of parking spaces if no site plan application is required. The board agreed with the updated information that tonight they would reconsider the exemption from site plan request.

The following items were submitted into evidence:

- A-1 Survey
- A2- Reduced copy of parking alternative.

The applicant is looking to add limited seating for not more than 15 seats. The applicant has a counter bar that seats six and the applicant would like to add tables for nine for a total of 15 seats. The applicant checked with the Board of Health the occupancy limitation of 15 will only require one bathroom accessible to the public. Attorney Wilson stated the building owner is not willing to make any exterior modifications however, the applicant is willing to designate one space as a handicap space with signage, Attorney Wilson suggested using the space to the far right next to the property line which will be van and wheel chair accessible. Mr. Gallagher inquired if the sign in front can be brought up to code, Attorney Caldwell stated only under a site plan application can you ask the building owner to bring the sign up to current standards.

The board questioned what tenants occupy the building currently and what the overall parking requirements were for each business.

Ms. Ding M Lin (Cara Lin) was sworn in. Ms. Lin stated the building tenants that are occupying the building are Bo Bo’s Kitchen, a Hardware store, and my business, Cara’s seafood and the last space which was Antnee’s BBQ is vacant. Attorney Wilson testified the breakdown of parking using the Town of Clinton ordinance parking formula is:

Bo Bo’s Kitchen- has approximately 150 square feet for patron use, based on the restaurant parking formula 1 space for 50 sq. feet of patron use, 3 spaces would be required.

Hardware Store- has approximately 750 square feet, based on the retail formula 1 space for 180 square feet of retail area 5 spaces would be required.

Cara's Seafood- 450 square feet used for patron use, based on the restaurant parking formula 1 space per 50 square feet of patron use, 9 spaces would be required.

Total use of spaces are 17 spaces, plus one handicap space, the board determined the survey shows the site can handle 20 spaces plus 1 handicap space which would leave the vacant space 3 available spaces.

The board would like to see the handicap space marked, the location of the space will be worked out with the construction and code enforcement officer.

A Motion was made by Mr. Hetzel, seconded by Mr. Feldmann, to approve the waiver of site plan conditioned upon the applicant delineating the handicap space, seating not to exceed 15 seats, wheel stops installed in the front spaces, applicant to receive all necessary change of use permits and approvals through the construction office and the approval is subject to standard conditions relating to the application including but not limited to sign approvals, board of health approvals, payment of all outstanding fees, escrow and permits and any outside agency approvals that may be necessary.

Roll Call Vote:

Ayes: Gallagher, Mayor Kovach, Feldmann, Hetzel, McGuire

Nays:

All Ayes. Motion Passed.

Mr. Hetzel advised the board he had a conflict of interest with the next application, due to the lack of a quorum Mr. Duffy Council Liaison who was appointed to the planning Board for 2013 agreed to come to the meeting, the board suspended the agenda until Mr. Duffy could arrive.

Voucher approval:

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

All Ayes. Motion Passed.

Mr. Duffy arrived and Mr. Hetzel left the meeting.

Exemption from site plan request for Block 10 Lot 7- Meredith Hyland- (Fourchette):

Meredith Hyland applicant and Joan Bloomer building owner were present.

Ms. Hyland advised the board she is opening a retail shop that will sell cheese, olive oil, gourmet salts and high end linens and in addition to the retail end would like to host special event nights that would allow the public to bring in a bottle of wine and sit down to taste different cheeses. Ms. Hyland stated she was here tonight to get permission to have seating for approximately 20 people on special event nights. The events would be open to the public and reservations in advance would be necessary. Presently we plan to use one table for display which will be converted to seating and we will bring in an additional table during the event nights. The cheese served is already prepared and there will be no cooking on site. Ms. Hyland stated she hopes the event nights will draw additional traffic into town. Ms. Hyland advised the board she spoke with the Board of health and they only thing they require is that the bathroom be partitioned off from the food and sink area.

A Motion was made by Mr. Feldmann, seconded by Mayor Kovach to approve the waiver of site plan conditioned upon the applicant receiving all necessary change of use permits and approvals through the construction office and the approval is subject to standard conditions relating to the application including

but not limited to sign approvals, board of health approvals, payment of all outstanding fees, escrow and permits and any outside agency approvals that may be necessary.

All Ayes. Motion passed.

There being no further questions a Motion was made by Mr. Duffy, seconded by Mr. McGuire to adjourn the meeting at 9:45pm.

Respectfully submitted,

Allison Witt
Land Use Administrator