



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 2, 2013 at 7:00pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Chairman Gallagher called the meeting to order at 7:00pm 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 10:00pm 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”.

Chairman Gallagher welcomed Mrs. Megan Jones Holt who was previously sworn in.

ROLL CALL:

Present: Gallagher, Mayor Kovach, Feldmann, Hetzel, Jones-Holt, Maher, McGuire, Perez

Absent: Rogan

Approval of Minutes:

A Motion was made by Mr. Hetzel, seconded by Mr. Maher, to approve the minutes of February 5, 2013 meeting:

All Ayes. Motion carried.
Abstain: Jones-Holt, Perez

Site Plan Committee Report:

Mr. Hetzel informed the Planning Board the Site Plan Committee met to review an amended site plan application for Country View Builders/ Park Valley Clinton LLC and an Amended Major Subdivision application for Hunterdon Capital LLC. The Committee recommends the Planning Board deem both application’s complete and schedule a public hearing.

Completeness Determination for Block 1 Lots 60 & 60.02 Country View Builders Inc. / Park Valley Clinton LLC

A Motion was made by Mr. Hetzel, seconded by Mr. McGuire, to deem the Amended Preliminary & Final application complete:

All Ayes. Motion Carried
Abstain: Jones- Holt

The application will be placed on the May 7, 2013 Planning Board agenda for a public meeting.

Completeness Determination for Hunterdon Capital LLC- Block 31 Lots 24.02-24.05:

A Motion was made by Mr. Hetzel, seconded by Mr. McGuire, to deem the amended Major Subdivision application complete:

All Ayes. Motion carried.
Abstain: Jones- Holt

The application will be placed on the May 7, 2013 Planning Board agenda for public hearing.

Site Plan Waiver request for Block 12 Lot 3.01- John Erzak & Holly Belmonte:

Mr. Erzak advised the board they are looking to open up a waxing studio at 19 Route 22 (Dickens Lane) in Unit # 4, which was previously occupied by Dickens Jewelers. The waxing studio will require state licensing however local approval must be obtained before the state can approve their permit. Proposed are two rooms dedicated to waxing and possibly a third will be added. Clients will be scheduled on 15 minute intervals, the business will require three employees and no major construction will be necessary.

A Motion was made by Mayor Kovach, seconded by Mr. Hetzel, to approve the waiver of site plan request and permit the change of use conditioned upon the applicant receiving all necessary change of use permits and approvals through the construction office and is subject to standard conditions relating to the application including but not necessarily limited to sign permit 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 carried.

Mayor Janice Kovach and Mrs. Megan Jones-Holt recused themselves from the Capital Improvement presentation.

Town of Clinton Capital Improvement Presentation- Well # 16:

Mr. Andrew Holt, Clinton Water System Consulting Engineer and Councilman Robert Smith were present.

Mr. Holt stated he was here tonight to give a brief presentation for a proposed well # 16 water production facility that will be located on a one- acre dedicated water easement in the northwest corner of Block 18 Lot 5, in accordance with an agreement between the owners of Block 18 Lot 5, Z& F Realty LLC. The site fronts on Moebus place on the northbound side of Route 31 in the Town of Clinton. The new water production facility have been in the working stage for the last 20 years when studies were done and the site was deemed viable to house the facility. The Town of Clinton derives its water from nine other wells and overtime the wells tend to lose their capacity it is recommended that we rotate the wells so the wells have a chance to recharge, unfortunately this has not been a luxury that has been available to the Town in the past number of years because of the high demand on our system. Presently the Town Water company has over 4,800 connections which serve water to the Town of Clinton, Borough of Lebanon, Clinton Township, parts of Franklin Township and Union Township on a twenty-four seven basis. It is my recommendation as the Town of Clinton Consulting Water Engineer that the proposed water production facility should be built. The well has been drilled and tested and is now pending DEP approval to allow the new ground water source.

The production facility was planned to be constructed in 2007 however due to the highlands act that came into play the proposal was postponed. The property is located in the planning area of the Highlands district however the Highlands council still maintains jurisdiction of all water sites. The plan has been approved by the Highlands and is now pending DEP approval. The well will be located 465 feet underground, it will have the capacity to pump 500 gallons of water per minute, however presently it is restricted by the Highlands to a 250 gpm pump capacity. In addition to the new well, a treatment facility building will be built to make the water portable to serve the Town of Clinton Water System. The water

treatment building will be a 43 x 28, single story masonry building, the perimeter of area will be fenced and security lights on a sensor will be installed on the site. The building will consist of clapboard siding, stone foundation and will blend in architecturally with the proposed Fallone project. The well will be constructed outside the building and piping will be constructed to connect to the building. A natural gas generator and dedicated gas line will be installed. Mr. Holt stated that in regard to noise decibels from the water production facility, the well will pump underground; the emergency power generator is located inside the block building the sound decibels will fully comply with local and state ordinances. In respect to the storm water runoff the site drains from Route 31, in a northerly direction, here is a headwall on site were a lot of the field runoff is collected before going into the Raritan River, due to the increase in impervious coverage a pipe detention area will be installed which will allow the water runoff to be released out slowly through the infrastructure to mitigate peak runoff. The cost of bonding for this project will be 1.6 million and we anticipate coming in under budget. Mr. Holt advised the board the new facility will help rest and recharge the other wells but will not increase the permit allocation that is an issue we are working on. Presently the state permit allocation is 732 million gallons of water per year and no more than 88 million gallons of water per month.

Councilman Robert Smith added that DEP water restrictions are governed by the State not the Town. The Town has a meeting scheduled with DEP to address some of the capacity issues. Steps have been taken to determine where some of the allocated water is going. The Town walked every foot of pipe and picked up a number of leaks that were not surfacing above ground, also a new metering and calibration program is going into place that will help pick up on lost revenue and help the Town get a more accurate count on gallons used. We are hoping to get this resolved with the DEP; the goal is not to penalize The Town of Clinton.

Mr. Holt concluded and advised the board if approvals are granted the projected start date for the project will be the summer of 2013.

A Motion was made by Mr. Feldmann, seconded by Mr. Maher, to open the meeting to the public:

Mr. Steven Ackaway, 20 Leigh Street inquired if there were any cost the town would occur if the project didn't happen, and if there were any impacts to neighboring properties. Mr. Holt responded the site is a viable site and there is a high degree of certainty the water production facility will be built. The bond for well # 16 has been structured into the water rates as of 2009 and there is no impact to the neighboring properties.

A Motion was made by Mr. Hetzel, seconded by Mr. Feldmann, to close the meeting to the public.

The Board finds the new water production facility is consistent with the Utility Component of the Town of Clinton's Master Plan therefore; A Motion was made by Mr. Hetzel, seconded by Mr. McGuire, to recommend the project to the Governing Body

All Ayes. Motion carried.
Nays:

Mayor Kovach and Mrs. Megan Jones- Holt rejoined the meeting. Chairman Gallagher and Mr. Hetzel recused themselves from the Waiver of site for Block 11 lot 15. Vice Chairman McGuire proceeded to run the meeting.

Waiver of site plan request- Block 11 Lot 15- Peter & Alice DiGiambattista.

Peter DiGiambattista, applicant and Connie Banfield, store manager were present. The applicant is looking to open up a frozen yogurt self -serve store at 47 Main Street. The location previously was an antique consignment store. Mr. DiGiambattista stated there will be minor interior renovations to include

some plumbing, electrical and partition walls. The interior will have four tables seating two at a table. There will be six self-serve yogurt machines with different flavors, and a toppings counter, customers will serve themselves and will be charged per ounce. In addition to the interior tables, there will be tables outside for customers. The applicant was reminded that a four-foot wide clearance must be maintained at all times. The board has some safety concerns regarding the location of the exterior tables and the location of the site driveway. Ms. Banfield & Mr. DiGiambattista agreed the board has valid concerns and will take the safety issues into consideration when placing the tables outside. Mrs. Jones-Holt inquired if the applicants were aware there are four other places on Main Street that sell yogurt, Ms. Banfield responded that the proposed business will be more elaborate as far as flavors and toppings. Mr. DiGiambattista advised the board that he has purchased the building and is looking to open up the store by July 2, 2013.

A Motion was made by Mrs. Jones-Holt, seconded by Mr. Feldmann, to open the meeting to the public:

Ms. Laurie Rodriguez, manager of JJ scoops stated she also was concerned with the demographics of the new yogurt shop and the impact on JJ scoops. Vice Chairman McGuire responded it is not the Board's place to determine economic viability the goal of the Planning board is to meet the Town Ordinances and Master Plan.

Mr. Steven Ackaway, 20 Leigh Street, raised the question regarding handicap accessibility; he was advised that any change of use will be reviewed by the construction office for compliance.

A Motion was made by Mr. Feldmann, seconded by Mr. Maher, to approve the waiver of site plan request and permit the change of use conditioned upon the applicant receiving all necessary change of use permits and approvals through the construction office and is subject to standard conditions relating to the application including but not necessarily limited to sign permit 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 carried.

Voucher Approval:

A Motion was made by Mayor Kovach, seconded by Mr. Feldmann, to approve the attached voucher list:

All Ayes. Motion Carried.
Abstain: Jones-Holt

Board Discussion:

Mrs. Jones-Holt suggested the board look at their Master Plan for preservation of the downtown and look into limiting the number of the same type of uses permitted at one time. The board will explore their options.

There being no further business, A Motion was made by Mr. Maher, seconded by Mrs. Jones-Holt to adjourn the meeting at 8:55pm.

Respectfully submitted,

Allison Witt
Land Use Administrator