



TOWN OF CLINTON
INCORPORATED APRIL 5, 1865
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PLANNING BOARD

Minutes of the Town of Clinton special Planning Board meeting held on November 25, 2013 at 7:15pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Chairman Gallagher called the meeting to order at 7:15pm 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”.

Due to conflicts with some members of the Planning Board the board has applied the MLUL which allows the board to cross-populate if there is a lack of eligible voters to make up a quorum.

ROLL CALL:

Present: Gallagher, Feldmann, Berson, Sailer, Smith , Recame

Absent:

Attorney William Caldwell, Board Engineer Robert Clerico, Planner Kendra Lelie on behalf of Carl Hintz were present.

Application for an Amended Preliminary & Final Site Plan – Block 9 Lot 1- The Hunterdon Art Museum. Attorney Robert Simon, Herold Law, Mr. David Fantina, Engineer, Mr. John Madden, Planner and Marjorie Nathanson, Museum representatives were present.

The following items were submitted into evidence:

A8 Colored photograph of the mill presented by Ed Gagne.

Attorney Simon reminded the board that at the last meeting testimony was presented by Mr. Fatina and Mr. Madden and tonight Ms. Nathanson will testify.

Ms. Marjorie Nathanson, Executive Director of the Hunterdon Art Museum was sworn in. Ms. Nathanson advised the board the museum is very active in the community it offers classes for children, adults, special needs and schools, the museum also rents the facility for special events. The gallery hours are Tuesday – Sunday from 11:00am to 5:00pm, classes are scattered throughout the day and usually start at 9:00am and end by 9:30pm. The Museum employees a core group of nine employees of which three are full time and the remaining employees come in a various times during the week, the busiest staff days are Tuesday and Thursdays. The museum will have eight parking spaces which will be primarily used by

staff. Ms. Nathanson stated when the terrace was built we saw an opportunity for the museum and the Town of Clinton, the space is a place where people gather to see the iconic views and to put parking onsite would mar the terrace and the viewing space. The site is amazing and breathtaking it is a vision of what this town is, to leave open space is beneficial to the museum and the town. Ms. Nathanson testified since last meeting she has had an opportunity to survey the parking facilities in the area and during the peak hours of 10 and 2 there is always parking at the Water Street lot. Ms. Nathanson stated that if the application was approved she would require employees to use the Water Street lot.

Mr. Smith inquired besides the employee parking had anyone factored in the guest parking, Ms. Nathanson stated the spaces would be for employee parking only, guests and visitors look for parking off site and they would continue to. Mr. Berson inquired when the classes are held where would you drop off the kids, Ms. Nathanson stated we haven't had parking in the last three years, parents have found parking and then walk their kids in. Mr. Feldmann inquired how many classes a week, Ms. Nathanson stated it varies since we have had no parking in the last year we have not eliminated any programs and people have found parking. Mr. Sailer inquired about the number of guests that attend the outside events, Ms. Nathanson stated depends on the event it can be anywhere from 25 to 100 guests, those events are generally on Friday or Saturday nights when the businesses are closed.

Chairman Gallagher asked for clarification on the use of the patio at the last meeting you stated the patio was open to the public and the board raised concerns about installing fencing to block the public in the future. Ms. Nathanson responded the patio is private space for the last 60 years the Museum has welcomed visitors to use the space and when the museum is not using the patio for events this would not change. If the variance is granted we will define the space with cement planters placed on the edge of the terrace along the sidewalk, the planters will be filled with ornamental grasses which will be a lovely addition to the terrace and the town.

Kendra Lelie, from Clarke Caton and Hintz advised the board she has been in contact with the museum and has reviewed the proposed planters. The planters will have drains underneath and will be placed ten feet apart, Ms. Lelie suggested the museum look at seasonal plantings the museum may want to consider annual displays that will work in regard to aesthetics and functionality. The planter will deter vehicles from pulling up on the depressed curb however she recommends eight foot spacing between planters.

The board opened the meeting for cross-examination:

CJ Gaylor, business owner at 26 Main Street questioned the availability of empty spaces at the Water Street Parking lot.

Mr. Madden advised the board that since the last meeting he put together a parking analysis of the availability of open parking spaces during the peak time frame of 10:30- 1:30 over an eight day period in November. The analysis included the core areas of Main Street, Leigh Street, Lower Center Street, and the Lower Center Street parking lot. Included also in the study was Water Street Parking Lot. Mr. Madden testified that his study reflects the following available spaces:

Wednesday at noon- 1 space and 1 handicap spaced in the core area, 14 empty spaces and 2 handicap spaces in the Water Street lot.

Saturday at noon- 16 spaces in the core area and 2 spaces in Water Street lot.

Saturday at 10:30am- 21 spaces in the core area, 26 spaces and 2 handicap spaces at the Water Street Lot.

Friday at 12:20pm- 6 Spaces and 1 handicap space in the core area, 16 spaces and 2 handicap spaces at the Water Street lot.

Friday 10:45am- 6 spaces in the core area, 18 spaces at the Water Street Lot,

Friday 11:40am- 7 spaces and 1 handicap space in the core area, 22 spaces and 2 handicap spaces at the Water Street Lot.

Friday 1:30pm- 8 spaces and 1 handicap space in the core area, 13 spaces and 2 handicap spaces at the Water Street lot.

Wednesday 1:00pm- 3 spaces in the core area, 15 spaces at the Water Street lot.

Mr. Madden stated the conclusion of the study reflects that at various times of the day there are parking spaces available. Mr. Madden stated in his opinion when people come into Clinton the Museum is not their sole destination patrons generally do a cluster of activities within an easy walking distance. In order to mitigate the concerns that the museum will take away parking from the core area the board can put a condition on their approval that the museum employees park in the Water Street lot. Mr. Madden stated based on the testimony at the November 5, 2013 meeting the positive criteria has been satisfied and the based on the parking review the results show there is available parking which satisfies the negative criteria. Mr. Madden advised the board that if the application was denied the onsite parking spaces would be controlled by the museum and would be used for employee parking.

Mr. Sailer voiced concerns that the parking was studied in November rather than the busy summer months, Mr. Madden agreed depending on the event it is hard to find parking on a Saturday in the summer, however in the summer Saturdays is when the museum has the lowest demand. Ms. Nathanson added that we do not run any programs on Saturdays and weddings are generally in the evening when the stores in town are closed.

The board opened up the meeting to the public:

Elizabeth Matto, resident of Readington stated she comes to Clinton frequently to shop, eat and believes the museum is a real asset to the town she supports the museums request.

Jennifer Kaiser, resident of Hunterdon County, is in support of the museum and has safety concerns with cars backing out over the sidewalk.

Kathy Ahart, resident of Franklin Township stated aesthetically it will look horrible if you have parking and is in support of the museum.

CJ Gaylor, business owner at 26 Main Street state she has been in town 15 years and has some serious issues with eliminating any parking and is not in favor of the museum proposal.

Mr. Ed Gayne, trustee of the museum stated the museum is a draw for the town and the elimination of parking will not impact the town.

Mr. Mark Zhutimat business owner in town for 13 years stated the beauty of the town effects business and parking in front will block the views.

Ms. Mary Kaylor, Main Street advised the board that she has received complaints that there is no parking in town, I wish the museum well but I also want that for my business she is concerned with losing parking.

Mr. Mike Amatelli, Center street concerned with the traffic study presented by Mr. Madden and stated parking is very important to the town and is critical to retailers.

Ms. Alexis Tersigni town resident stated she loves the views when driving down Lower Center Street and it would be a shame to have parked cars blocking the view.

Kathy Ahart, resident of Franklin Township, commented that we have three main parking lots in town and she feels there is adequate parking.

Ms. Joan Bloomer, 34-36 Main Street stated she was 100% opposed to deleting 8 parking spaces, the town has parking problems and is concerned with the accuracy of Mr. Maddens traffic study. Ms. Bloomer stated the eight spaces are critical to the town and asked the board to consider the small town merchant's needs.

Ms. Jennifer Kaiser, resident of Hunterdon County stated prior to the terrace being built there was an area for parking which as not delineated but she never remembers seeing more than 3 to 4 cars parked, but now cars will be crossing a public sidewalk and backing into a busy road, which she feels is a safety concern.

Mr. William Thompson, 32 West Main Street stated he works on Main Street and is here as a father of a five year old who walks to school and work and when crossing over the bridge it looks beautiful as it exists today the board has an opportunity to better the town. In the last 3 ½ years the town has a lot of new businesses' open up which are doing well and even expanding parking is a necessary evil but ugly and when you go to Frenchtown and Lambertville parking is hard to find but people still go, I believe it's a good problem by being successful town when you have to look a little for parking.

There being no further comments the board closed the meeting to the public.

Attorney Simon stated at last month's meeting the board addressed concerns with the Museum adding parking, the museum has no plans to prevent the public from accessing the patio, the museum may want to add sculptures in the future and may need security fencing but it will not prevent public access. This proposal is a nice opportunity for the board to make a mark in town, during the last three years there has not been a problem with the lack of eight spaces, the Museum has volunteered to move employee parking into the Water street lot to free up parking in town. Attorney Simon summarized that the town needs the museum to thrive economically and the museum contributes many benefits to the town, the eight private spaces are not a solution to parking issues, it is about making a difference to the community for many years. Attorney Simon stated he feels the applicant has met the positive and negative criteria and at this time he asks the board to grant the variance.

A Motion was made by Mr. Sailer, seconded by Mr. Feldmann to grant the parking variance, conditioned upon the museum employees parking in public lots off Water Street or the Municipal Lot:

Board deliberation.

Mr. Berson likes the proposal but is struggling with the parking study, enforcement of employee parking, depressed curb and feels the applicant did not make an effort to reduce the negative impact on parking and feels something better can be offered.

Mr. Recame agreed with Mr. Berson the employee parking issue is hard to enforce, after listening to merchants the parking study results are in jeopardy, he is concerned with the depressed curb issue but wished the applicant would come up with a compromise perhaps four spaces closer to the mill could remain, not in favor of granting the variance.

Mr. Feldmann stated he really like the view but feels it is a detriment to loose parking, and questioned if the spaces outweigh the view, he feels Mr. Madden made a good faith effort on the traffic report but with all due respect it was not a traffic engineer study. Mr. Feldmann feels losing parking is a detriment to the town and is willing to consider other options.

Mr. Smith stated he was concerned if the museum uses the spaces for employees the town loses the view and inquired if the museum could offer temporary parking and questioned whether beauty outweighs

function and stated he would like to hear from the boards planner.

Kendra Lelie stated as a planner you plan for pro smart growth, cluster uses and as a board you should look at your ordinance passed by the governing body for parking in the C-1 zone. Section 88-53 (A) states parking is generally provided on the street or in common parking lots and the buildings and signage are oriented to pedestrian traffic. Ms. Lelie stated it appears the general acceptance is not being able to provide parking, the ordinance does acknowledge the use of shared parking. In a town like Clinton, Frenchtown, New Hope and Lambertville when you do not have a parking issue the town is dying. The Museum building is a landmark you have to think about aesthetics very carefully. The museum is a draw to the town and you treat landmarks differently. Ms. Lelie added from a Planning perspective the parking may not be as important.

Mr. Sailer stated there has not been parking on site for three years and there has been no impact, feels open space is better for the town.

Chairman Gallagher stated he understands the struggles the members are having the site plan was presented a year ago and when we look at it now we see open space which is aesthetically pleasing to the eye. I think the parking issues have been made on both sides both sides have valid issues but we need to take into consideration not only the merchants but the residents of the town. I believe a convincing argument has been made about safety I am not comfortable with cars backing out and we have to find ways to make downtown safer. When you look over the bridge the area pops it looks great and we as a planning board only have one shot at this.

Attorney Simon stated the museum appreciates the varying views and at this point any revised application has to come from the board members of the museum. Attorney Simon stated he would need time to discuss with the Museum representatives.

After looking at the calendar A Motion was made by Mr. Berson, seconded by Mr. Sailer to table the vote and carry the hearing to a special meeting night of Monday December 16, 2016.

All Ayes. Motion Carried.

There being no further business a motion was made by Mr. Sailer, seconded by Mr. Berson to adjourn the meeting at 10:15pm.

All Ayes. Motion Carried.

Respectfully submitted

Allison Witt
Land Use Administrator