

Minutes of the Town of Clinton Planning Board meeting held on February 1, 2005 at 7:30pm in the Municipal Building.

Present:

Gallagher
Jones-Holt
Kovach
Smith
Wiant
Smith

Absent:

Cagno
Harrison
Hendricksen
Schultz

Attorney Novak, Robert Clerico P.E. from Van Cleef Engineering, Carolyn Neighbor PP from Schoor DePalma were present.

Chairman Wiant called the meeting to order at 7:30pm and read the “Administrative Statement” and “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 as 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”.

Approval of Minutes:

A Motion was made by Mr. Smith, seconded by Mrs. Jones-Holt to approve the minutes of January 4, 2005 with the following correction:

Page 8- Roll Call Vote change 6- 0 to **6-3** motion failed.

All Ayes. Motion Carried.

Application for Preliminary & Final Site Plan- Block 21 Lot 25- Clinton Management

Attorney Wendy Berger; Martin DeSapio, architect; Russell Smith of Hopewell Valley Engineering; Harvey Yesowitz, PE from Harlyn Associates; and the applicant were present.

The following items were submitted into evidence:

D15 - Notice documents presented at the meeting of January 4, 2005.

D16- Revised Site Layout dated February 1, 2005.

D17- Revised architectural drawing of sheet A-3 reflecting the light intensity data.

Attorney Berger advised the board that Mr. Smith met with Mr. Clerico to address some of the issues in Mr. Clerico's report and that the revised site layout (exhibit D16) is a result of the meeting.

Mr. Smith stated his meeting with Mr. Clerico focused on the driveway location in regards to the site distance and the slope. Mr. Smith stated the new plans reflect the relocation of the driveway, which is further west and is aligned with the STS driveway located across the street. Mr. Smith added that the relocation of the driveway increases the site distance to the east and also increases the length of the driveway which reduces the slope from the proposed 18% to 11%, which would also flatten out at the bottom of the driveway.

Mr. Smith stated that in addition to the driveway modification, the new plan reflects a change in the parking. The 16 space parking bay in the front was relocated to the north side of the property and that by relocating the spaces they eliminated the dead end parking circulation. Mr. Smith stated that the new plan reflects 33 banked spaces, 55 spaces in the parking garage and 185 spaces in the exterior lot for a total of 273 spaces.

Mr. Smith advised the board that the new plan reflects two 12 x 25' loading spaces placed at the upper and lower level which would accommodate a UPS or FED size truck. Mr. Smith added that the applicant would still require a waiver from the board for the standard size requirements of a loading dock.

Mr. Smith advised the board that as a result of his meeting with Mr. Clerico several items on Mr. Clerico's review letter dated December 29, 2004 have been addressed and at this time he would like to review the items with the board.

General Comments:

- A1 The total proposed banked parking will be 33 spaces.
- A2(i) (ii) The isle width proposed is 25 feet with a stop bar design on the pavement.
- A2(iii) The 16 spaces have been eliminated.
- A3(i) The new plan increases the site distance
- A3(ii) The new plan reflects a 10-11% slope on the driveway which will flatten out at the bottom.
- A3(iii) Applicant will apply to NDOT for permits.
- A3 (iv) The left hand turn will be prohibited onto Center Street, no restrictions are proposed at the RT 173 driveway.
- A3(v) Will address.
- A4 (i) (ii) Will address.
- A5 The loading area has been relocated, applicant requesting waiver for size.
- A6 Will provide signage detail.
- A7 Amy Greene will provide testimony
- A8 Geo Tech Engineer will provide testimony at the March 2005 meeting.

Grading:

- B1 Will address.
- B2 (i) The Geo Tech Engineer and the Landscape Consultant will provide testimony.
- B2 (ii) Will provide safety fence details

- B2 (iii) The sidewalk steps have been eliminated, sidewalks have been provided at the upper level that connect to the entrance door, lower level sidewalk that connects with the entrance door and sidewalks have been added to connect along the driveway that will connect with RT 173.
- B3 Will discuss at the march meeting.
- B4 Will comply with all the items
- B5 Will discuss at the March meeting

Drainage:

- C1 – C4 Will address.
- C5 Will apply to NJDOT for permits
- C6 & C7 Will provide

Utilities:

- D Will provide

Lighting & Landscaping:

- E1-E2 Will discuss at March meeting
- E3 New Plans revised to incorporate light fixtures.

Mr. Smith stated that the plan incorporates three different light fixtures that provide a different light distribution throughout the site. The V shape fixture will project light forward. The round shape fixture will provide a wider area of light and the oval shape fixture will distribute light along the driveways. The light poles will be 15' high and 12' high along the driveway by Center Street.

Mr. Wiant inquired if the light fixtures were necessary along the Center Street access and Mr. Smith stated that lights are added for vehicle safety. Ms. Neighbor suggested that the lights along the Center Street driveway could be incorporated into the existing evergreen trees and Attorney Berger stated that they could incorporate the suggestion into the plan.

Mr. Clerico stated that the revised layout has numerous benefits. The plan reduces the slope, improves the site distance, resolves some of the drainage and grading issues. Mr. Clerico inquired if the applicant moved the banked parking to the southwest corner, would it allow the applicant to move the building back approximately 18-20', which would provide the room to add better landscaping in the front and would soften the visual look of the building from RT 173. Mr. Smith replied that moving the parking spaces to the southwest corner was not feasible without having to add more walls to the site. Mr. Robert Smith stated that the board needs to consider the impact on the residents if the building was moved back. Ms. Neighbor stated that moving the building back 18' will not make a big difference on the residential side but will make a large visual impact from RT 173.

Mr. Clerico stated that another option would be to permanently remove the parking spots along the front of the building and relocate the 25 parking spaces closer to the building which would allow more room for landscaping. Mr. Clerico stated that in order to make a decision on how much parking is necessary for the site they would have to hear more testimony.

Mr. Harvey Yesowitz, P.E. from Harlyn Associates stated that building 4 spaces per 1000SF and banking 1 space per 1000SF is an acceptable ratio for an office building. If you went by this ratio you could built 219 spaces and bank 54 spaces. Mr. Yesowitz stated that if we banked the

additional spaces in front of the building more landscaping could be added as additional screening.

Mr. Clerico inquired what would be the likelihood of needing the banked spaces in the future and Mr. Yesowitz replied parking is driven by the type of tenants that will occupy the building.

Mr. Yesowitz stated that the exit onto Center Street will include signage prohibiting vehicles from making a left hand turn. The board discussed the different ways to limit the traffic on Center Street.

Mr. Gallagher stated that in Mr. Yesowitz July 2004 letter he indicated that the traffic will operate at a "C" level of service during peak hours and inquired what it would take to operate at a "D" level of service. Mr. Yesowitz replied that he did not have that information with him to respond.

Mr. Martin DeSapio stated that he had revised sheet A3 from the architectural drawings (exhibit D17) which reflects the new dumpster enclosure. The dumpster will include a brick 16 x 4 enclosure that will be 8' high around the dumpster. There will be a roof built over the dumpster and 2 gates with an 8' opening for access to the dumpsters will be built.

Mr. DeSapio advised the board that they also included a chart showing the light intensity data on the revised sheet A3. Mr. DeSapio stated that his mechanical engineer completed a photometric analysis of each level of the building which includes the light spill from the interior of the building to the parking lot. Mr. DeSapio testified that the light intensity on the site will be 0.5 footcandle and along the residential line 0.3 footcandle.

Ms. Neighbor stated that her concern was if at night the lights were left on how would the glow impact the residential area. Mr. DeSapio replied that the windows will have tinted glass that will be 1" thick and in addition, occupancy sensor lights could be installed to control the lights when the building is not occupied at night.

Mr. DeSapio commented on the Environmental report in regards to placing the HVAC units on ground level. Mr. DeSapio stated that putting the units on the ground would create more noise because the noise would bounce off the building. Mr. DeSapio added that with all four units running on the roof they still met the required decibel levels mandated by the state.

Ms. Neighbor stated that at the last meeting she requested information on the ambient noise level, Mr. DeSapio stated he did not have that information but would refer the request to the Environmental Consultant.

A motion was made by Mrs. Jones-Holt, seconded by Mrs. Kovach, to open up the meeting to the public for questions.

John Baka, 21 Water Street, inquired if the applicant had given any consideration to closing the access to Center Street and just providing one entrance and exit off Rt 173. Mr. Yesowitz responded that providing access from Center Street and RT 173 best serves the site.

Patrick McGuire, 94 Center Street, asked Mr. Yesowitz if it was his opinion that enforcement of the no left hand turn onto Center street would be enforced strictly through signage or by direct enforcement. Mr. Yesowitz responded that by providing different alternatives into the site will reduce vehicles violating the no left hand turn.

Kevin Proudfoot, 146 Center Street, inquired if the 12' high light poles next to the residential area could be replaced with lower level lighting? Mr. Russell Smith stated that you would have to install a tremendous amount of ground light bollards, which would not be practical

Dena Pender, 137 Center Street, inquired if they would consider using acoustical screening around the HVAC units. Attorney Berger stated that the units meet the noise requirements and that acoustical screening would not be necessary. Mr. Wiant suggested that Attorney Berger confer with her applicant and look into using the acoustical screening because of the concerns from the board and public regarding the noise level. Mr. Wiant also stated that at the last meeting they had requested information on the ambient noise levels and would suggest that they provide that information to the board at the March Meeting.

Mark Carroll, 145 Center Street, inquired if the ingress from Center Street could be eliminated, Mr. Yesowitz replied that because of the roadway patterns of the area both points of access would be preferred.

Kevin Proudfoot, 146 Center Street, asked if the HVAC units remained on the roof wouldn't that be considered at grade level to the residential homes, Mr. DeSapio responded the units would meet the second floor level of the residential homes. Mr. DeSapio added that the four HVAC units would transmit a volume of 50 decibels which would compare to the noise level of an interior office building.

There being no further questions, a motion was made by Mrs. Jones-Holt, seconded by Mr. Smith to close the meeting to the public.

Attorney Berger stated that at the next meeting she would have the GeoTech Engineer and the Landscape Engineer here to testify. Attorney Novak advised Attorney Berger that per Mr. Wiant's suggestion that perhaps she should discuss with her client the possibility of using the acoustic screening around the HVAC units.

Clinton Management will be carried to March 1, 2005.

Voucher Approval:

A Motion was made by Mr. Smith, seconded by Mrs. Jones-Holt to approve the following voucher:

Schoor DePalma	Dec 2004 Planner Fees	Clinton Mgmt	\$479.25
----------------	-----------------------	--------------	----------

Correspondence:

The board received a copy of a letter written by Attorney William Caldwell to the Board of Adjustment recommending a modification to the ordinance in regards to a pre-existing, non-conforming continued use. Attorney Novak suggested that the language needs to be more detailed and will discuss this with Attorney Caldwell before making any recommendations to the Council.

Comments:

Mrs. Kovach advised the board the next meeting for the Highlands will be held on Thursday February 3, 2005. The COAH meeting is scheduled for Friday February 4, 2005 at 6:00pm in the council room.

Mr. Gallagher stated that he would like to step down from the COAH Committee, Mr. Smith will replace Mr. Gallagher.

Mr. Gallagher advised the board that he was concerned with the site lighting at Bank of America and whether it was in compliance with the site plan approval, Mr. Wiant stated that Mr. Leonard should look into it.

Mr. Wiant stated that the Master Plan Committee should meet on Tuesday February 15, 2005 at 7:30pm in the council room for a workshop.

A motion was made by Mrs. Jones-Holt, seconded by Mr. Smith, to enter into Executive Session at 10:25pm to discuss personnel matters.

All Ayes. Motion carried.

A motion was made by Mr. Smith, seconded by Mrs. Kovach, to adjourn the Executive Session at 10:30pm.

All Ayes. Motion carried.

There being no further business a motion was made by Mr. Gallagher, seconded by Mr. Smith to adjourn the meeting at 10:31pm

Respectfully submitted,

Allison McGinley, Board Secretary