

Minutes of the Reorganization Meeting of the Town of Clinton Planning Board Meeting held on Tuesday, January 4, 2005 at 7:30pm in the Municipal Building, 43 Leigh Street, Clinton NJ.

Attorney Jeremy Novak called the meeting to order at 7:30pm and administered the Oaths of Office to Mr. Larry Cagno, Mr. John Harrison, Mr. Rodney Hendricksen, and Mr. David Wiant.

Attorney Novak read the Administrative Statement.

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 and the proposed agenda, which notice was posted, made available to newspapers and filed with the clerk of the Town of Clinton in accordance with Section 3 (d) of the Public Laws of 1975."

PRESENT:

Cagno
Gallagher
Harrison
Hendricksen
Jones-Holt
Kovach
Schultz
Smith
Wiant

ABSENT:

ELECTION OF CHAIRMAN:

A motion was made by Mr. Smith, seconded by Mrs. Kovach, to nominate David Wiant as Chairman for the year 2005, passed unanimously.

The Board thanked Mr. Cagno for serving as Chairman for the last 15 years.

Chairman Wiant then chaired the meeting.

ELECTION OF VICE- CHAIRMAN:

A motion was made by Mrs. Jones-Holt, seconded by Mr. Harrison, to nominate Mr. Hendricksen as Vice-Chairman for the year 2005, passed unanimously.

APPOINTMENT OF BOARD ATTORNEY:

Motion by Chairman Wiant, seconded by Mr. Hendricksen to appoint Jeremy Novak as the Board's Attorney for 2005, passed unanimously.

Be it Resolved that Jeremy Novak, Esq. is hereby appointed to serve as Planning Board Attorney for the Town of Clinton Planning Board and;

Whereas there exists a need for the performance of the statutory legal services for the year 2005 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 local Public Contracts Law (N.J.S.A. 40A1101 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids.

Now Therefore, Be It Resolved by the Town of Clinton Planning Board as follows:

The Mayor and Council are hereby authorized and directed to execute an agreement with Jeremy Novak, attorney for 2005.

This contract is awarded without competitive bidding as a "Professional Service" under the provision of the Local Public Contracts Laws, subject to N.J.S.A. 40A:5-11 which states that "No local unit shall be required to advertise for bids for any work performed pursuant to 40A:5-4".

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

APPOINTMENT OF BOARD ENGINEER and ALTERNATE ENGINEER:

Motion by Mr. Smith, seconded by Mr. Schultz, to appoint Robert Clerico of Van Cleef Engineering to serve as the Board's Engineer for 2005, and Robert C. Bogart of Maser Consulting to serve as the alternate engineer for 2005, passed unanimously.

Be it Resolved that Robert Clerico of VanCleaf Engineering is hereby appointed to serve as Planning Board Engineer and Robert Bogart of Maser Consulting is hereby appointed to serve as alternate engineer for the Town of Clinton Planning Board and;

Whereas there exists a need for the performance of the statutory engineering services for the year 2005 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 local Public Contracts Law (N.J.S.A. 40A1101 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids.

Now Therefore, Be It 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 and Robert Bogart, alternate engineer for 2005.

This contract is awarded without competitive bidding as a "Professional Service" under the provision of the Local Public Contracts Laws, subject to N.J.S.A. 40A:5-11 which states that "No local unit shall be required to advertise for bids for any work performed pursuant to 40A:5-4".

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

APPOINTMENT OF BOARD PLANNER and ALTERNATE PLANNER:

Motion by Mr. Hendricksen, seconded by Mr. Harrison, to appoint Carolyn Neighbor as the Board Planner for 2005 and James Dodge as the Board's Alternate Planner for 2005, passed unanimously.

Be it Resolved that Carolyn Neighbor of Schoor DePalma is hereby appointed to serve as Planning Board Planner and James Dodge is hereby appointed to serve as alternate planner for the Town of Clinton Planning Board and;

Whereas there exists a need for the performance of the statutory planning services for the year 2005 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 local Public Contracts Law (N.J.S.A. 40A1101 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids.

Now Therefore, Be It Resolved by the Town of Clinton Planning Board as follows:

The Mayor and Council are hereby authorized and directed to execute an agreement with Carolyn Neighbor, planner and James Dodge, alternate planner for 2005.

This contract is awarded without competitive bidding as a "Professional Service" under the provision of the Local Public Contracts Laws, subject to N.J.S.A. 40A:5-11 which states that "No local unit shall be required to advertise for bids for any work performed pursuant to 40A:5-4".

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

APPOINTMENT OF SECRETARY:

Motion by Mr. Harrison, seconded by Mr. Cagno, to appoint Allison McGinley as Board Secretary for 2005, passed unanimously.

COMMITTEE APOINTMENTS:

Site Plan Committee:

Rodney Hendricksen to serve as Chairman, Frank Gallagher, Megan Jones-Holt, Janice Kovach, and Robert Smith will serve on the site plan committee.

The Site Plan Committee will meet on the third Tuesday of each month at 7:30pm in the Municipal Building as needed.

Master Plan Committee:

Larry Cagno to serve as Chairman, Frank Gallagher, Megan Jones-Holt, and Janice Kovach will serve on the Master Plan Committee.

Meetings of the Master Plan Committee will be held on an as needed basis.

Cross Acceptance Committee:

Rodney Hendricksen, Janice Kovach, and Robert Smith, will serve on the Cross Acceptance Committee.

Bicycle/Pedestrian Committee:

David Wiant and Larry Cagno will serve on the Bicycle/Pedestrian Committee.

COAH Committee:

Mr. Gallagher, Mr. Schultz, Mr. Wiant and Mr. Smith will serve on the COAH Committee.

DESIGNATION OF THE OFFICIAL NEWSPAPERS:

A motion was made by Mr. Harrison, seconded by Mrs. Jones-Holt that the official newspapers would be the Hunterdon Review, the Hunterdon Democrat and the Courier News, passed unanimously,

DESIGNATION OF MEETING NIGHTS:

The board will continue to meet on the first Tuesday of each month at 7:30pm and the third Tuesday of the month for any carry over items.

FEES FOR AGENDA:

A motion was made by Mr. Hendricksen, seconded by Mr. Harrison, that the fee for receiving the agenda for a year would remain at \$35.00, passed unanimously.

REGULAR MEETING:

The meeting of the Town of Clinton Planning Board began at 7:55pm.

Approval of Minutes:

A Motion was made by Mr. Smith, seconded by Mr. Harrison to approve the minutes of December 7, 2004 with the following change:

Page 2- delete Mr. Wiant seconded the budget recommendations and replace with Mr. Schultz.

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

Attorney Wendy Berger; Martin DeSapio, architect; Russell Smith of Hopewell Valley Engineering were present.

The following items were submitted into evidence:

- C1) Architectural drawings of 1st floor revision date 12/10/04.
- C2) Architectural drawings of office level 1 & 2 revision date 12/10/04.
- C3) Architectural drawings of Roof Plan revision date 12/10/04.
- C4) Elevation Section revision date 12/10/04.
- C5) Colored rendering of exhibit C4.
- C6) Colored Site Plan dated 1/4/05.
- D1-13) Revised Site Plan revision date 12/10/04
- D14) Site Cross Section 1/4/05.

Affidavit of Service and proof of Publication were found to be in order.

Attorney Berger advised the board that because of the zoning change that the property now falls into a C4 zone and the plans had been revised to met the new ordinance requirements of a C4 zone. Attorney Berger stated that the new plans comply with the zoning and the applicant is not seeking any variances.

Attorney Berger stated that the new plan reduced the proposed building addition from 59,574 SF to 57,527 SF, the existing building is 9,788 SF for a total of 67,315 SF. Attorney Berger stated that applicant is now proposing 184 parking spaces in the exterior lot, 55 parking spaces in the parking garage and 34 banked spaces for a total of 273 spaces. Attorney Berger stated that the proposed banked parking spaces are located in the area closest to the residential properties however, if the board desires they can install the proposed banked spaces.

Mr. Martin DeSapio, architect went through the revised architectural plans with the board.

Exhibits C1 & C2- reflect the breakdown of the square footage of each floor on the proposed building.

Exhibits C3- Roof plan shows the relationship of the roof on the proposed building to the existing building and the location of the HVAC system with the screening. Mr. DeSapio stated that the HVAC units would be between 7-8' high and the screening would be between 8-10' high.

Mr. Clerico inquired if the screens were acoustical screens or visual and Mr. Desapio replied that though the screens were not designed as acoustical screens they would help reduce the noise level. Ms. Neighbor asked if any testing had been done at the ambient noise level, Mr. DeSapio responded "no". Ms. Neighbor requested that Amy Greene the applicant's Environmental Consultant provide the board with a chart that compares the ambient noise levels.

Exhibit C4 - show the elevation sections. Mr. DeSapio stated that the roof elevation is 277.0 which does not include the 3' for the roof cornice and the 10' for the screening. Mr. DeSapio stated that the height of the proposed building complies with the 35' height ordinance.

Mr. Wiant inquired if they had prepared a prospective drawing of the elevation looking up from RT 173, which was requested at a previous meeting, Mr. DeSapio responded "no". Mr. Smith added that he was concerned with the impact of the building from Rt 173.

Exhibit C5- is a colored rendering of C4 which shows the building material. Mr. DeSapio stated that the proposed building will be brick with cream color stucco, the window glass will be tinted, the cornice and the screens will be made of a cream color metal. The building will include canopies over the entrances at the lower level, parking level entrance, and office level on the north and south side of the building.

Mr. DeSapio advised the board that the internal lighting, with the exception of security lights, will be turned off when the offices close at night. Ms. Neighbor stated she was concerned with the lighting on the north side because the interior light spillage would be more of a factor in the winter months when it gets dark earlier and the foliage is off the trees. Mr. DeSapio advised the board that he will discuss these concerns with the lighting consultant and will provide the board with some information on the interior light spillage onto the site. Mr. Wiant added that it would be helpful to provide the board with the type of tinting on the window glass.

Attorney Berger stated that Ms. Neighbor referenced dumpster screening in her review letter and that after reading the ordinance was unclear on the type of screening that was required. Ms. Neighbor stated that her concern was the view that the residents would have looking down onto the site and in addition to the dumpster enclosures, she would suggest a screen to cover the tops of the dumpsters.

Ms. Neighbor stated that she was also concerned about the residents looking down onto the roof of the building and asked what type of material was proposed. Mr. DeSapio advised the board that they would go with a gray ADPM membrane roof or a built up roof with off- white gravel.

A motion was made by Mr. Harrison, seconded by Mr. Smith, to open up the meeting to the public for questions.

Terry Thompson, 130 Center Street, inquired if after the proposed building was built could it be possible to knock down the existing building and rebuild a building the same size as the proposed building. Mr. DeSapio stated that this application maximizes the total net area of the site. Mr. Thompson inquired if the HVAC system could be located in the interior of the first floor. Mr. DeSapio stated that the air handlers need the outside elements.

Kevin Proudfoot, 146 Center Street, inquired if they make HVAC screens that are both visual and acoustic, Mr. DeSapio responded "yes".

Dena Pender, 137 Center Street, stated that the length of the HVAC looked like the same length of the existing building, Mr. DeSapio advised Ms. Pender that the HVAC system was approximately the same length of the existing building.

Kevin Proudfoot, 146 Center Street, inquired if there was a cost difference between the acoustic screens versus the visual screens and Mr. DeSapio responded "yes".

Patrick McGuire, 94 Center Street, stated that he would like to see more information on the ambient noise levels from the property line in different conditions, such as with and without foliage.

Mr. Clerico inquired why the applicant had moved the building forward in the new proposal. Mr. DeSapio stated the building was moved forward to maximize the allowable building area, and that the new proposal moved the building further away from the residential properties and improved the traffic flow of the site.

There being no further questions from the public a motion was made by Mr. Harrison, seconded by Mr. Schultz, to close the meeting to the public.

Mr. Russell Smith from Hopewell Valley Engineering went over the revised site plans with the board. Mr. Smith read through the zoning requirements of the C4 zone and the proposed building which is shown on page 1 of the revised site plan.

Mr. Smith stated that dumpster location is in the northwestern corner of the parking lot and the loading area which is 40' long was moved to the southwest corner of the northern parking area. Mr. Clerico inquired if Mr. Smith thought that delivery trucks such as UPS or Fed Ex would use the loading area, Mr. Smith responded "probably not". Mr. Clerico stated that he thought the applicant had asked for a waiver of the loading area and Mr. Smith stated that if the board wishes they could remove the loading area.

Mr. Schultz inquired if any guard rails were proposed on the westerly circulation due to the steep slope. Mr. Smith thought that was a good suggestion and if the board desires would add guard rails to the plan.

Mr. Wiant inquired about the access to the sidewalk in front of the property. Attorney Berger stated that anyone that wanted to access the sidewalk would have to walk down the driveway. Mr. Smith added that they could look into designing a walkway that would adjoin the sidewalk.

Mr. Smith briefly went through the retaining walls which are shown on page 3 of the revised site plans, Mr. Smith advised the board that the Geo-Tech Engineer will go into more detail on the walls at the next meeting.

Mr. Schultz asked the board members if they should look into retaining the services of a geologist due to the amount of retaining walls and the limestone.

A motion was made by Mr. Schultz, seconded by Mr. Harrison, to hire a Geologist as an independent board consultant. Some members thought it was a good idea others discussed waiting for further testimony from the applicant's geologist to determine if it was necessary.

Roll Call Vote:

Ayes: Cagno, Harrison, Schultz

Nays: Gallagher, Hendricksen, Jones-Holt, Kovach, Smith, Wiant

6-3 Motion Failed.

The Board agreed to reconsider hiring a geologist at a later date.

Due to the time frame the meeting for Clinton Management will be carried until February 1, 2005.

There being no further business a motion was made by Mr. Harrison, seconded by Mr. Schultz to adjourn the meeting at 10:45pm.

Respectfully submitted,

Allison McGinley
Board Secretary.