



TOWN OF CLINTON

INCORPORATED APRIL 5, 1865

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PLANNING BOARD

Minutes of the Town of Clinton Planning Board meeting held on May 3, 2005 at 7:30pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Present:

Cagno
Gallagher
Harrison
Hendricksen
Megan Jones-Holt
Kovach
Schultz
Smith

Absent:

Wiant

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

Vice Chairman Hendricksen called the 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".

Approval of Minutes:

A Motion was made by Mr. Smith, seconded by Mr. Cagno, to approve the minutes of April 5, 2005

All Ayes. Motion Passed.

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

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

The following items were submitted into evidence:

- D32 Rendered layout and drainage plan
- D33 Site Cross Section from RT 173 to Center Street dated 5/3/05

- D34 Composite of landscaping and lighting dated 5/3/05
- D35 Preliminary & Final Site Plan dated 4/8/02 revised 4/11/05 –sheets 1-15
- D36 Architectural Plans A1-A4 revision # 4 dated 4/12/05
- D37 Letter from Leonard Savino from Langan Engineering dated 5/3/05
- D38 Robert Clerico's review letter dated 4/29/05

Attorney Berger advised the board that tonight Russell Smith the Engineer was here to testify on the new plan.

Mr. Smith stated that the new plan has incorporated the boards, the professionals and the public's concerns and comments.

Mr. Smith gave the board a brief overview of the changes:

The building has been shifted 60' south towards RT 173. The site will have two access points, the main access point is off RT 173 which has been moved 100' to the west to provide better site distance. The second access point from Center Street is reduced to 18' in width and only allows right turns out and left turns in. The site will have 273 parking spaces, 55 in the garage, 190 surface spaces and 28-banked spaces, which calculates 4 ½ spaces per 1,000 SF.

Mr. Smith stated that the new plan incorporates several improvements, the green space has increased, the building height has been reduced from 4 stories to 3 stories, the impervious coverage has been reduced, there will be fewer retaining walls, the new plan manages earthwork better because there will be less cut and fill, the site distance has been improved, and the driveway slope has been reduced.

Mr. Smith stated that there are two components to the drainage system, the outlet structure and the underground detention system. The detention system will be located underground at the front portion of the parking garage. The design will include manholes to provide access for maintenance and cleaning to the system. Mr. Smith testified that the design was reviewed by the Geo Tech Engineer and it is his opinion that the design is structurally adequate.

The lighting has been designed to include 15' and 12' high pole mounted lights. The lights will be designed with shoebox fixtures that will force the light to shine downwards. There will be three lights along Center Street that will be 12' high. The 15' Pole lights will be designed with a 175-watt metal halide bulb and the 12' pole lights will be designed with a 100-watt metal halide bulbs.

The maple trees along RT 173 will be replaced with 6 new maple trees. The trees will be planted at 14-16' high and at full maturity will reach 30-50' high. Maple trees will also be planted along the driveway and Norway spruce trees will be planted by the retaining walls. The 8-10' Norway Spruce trees will be planted at the end of the walls and the 6-7' Norway Spruce trees will be planted in the middle. The trees will reach 40' high at full maturity. In addition, 18" Cottoneasters will be placed to grow over the wall to add more screening. The rear site landscaping will include Junipers and Red Cedar trees, which will grow to be approximately 24' high and Crimean Linden will be planted in the islands. Mr. Smith advised the board that on page 5 of the site plan is a complete list of plantings.

Mr. Smith testified that the proposal complies with the C-4 zoning requirements and no variances are requested however, the applicant is requesting a waiver from the loading zone requirements because the 15 x 25' loading zone is undersized.

Attorney Berger stated that she had received Mr. Clerico's report and had not had time to respond in writing however, she objected to Mr Clerico's comments on Page 3 & 4 stating she felt the comments were inflammatory. Attorney Berger stated that the new proposal had taken into consideration all of the board and the public's concerns and that the project is in full compliance and does not violate any zoning or ordinance requirements. Mr. Clerico responded that it was not a question of what he liked or did not

like that he was simply trying to provide the board with a clear understanding of what is going to be built.

Ms. Neighbor inquired if further testimony regarding landscaping would be provided and Attorney Berger suggested that Ms. Neighbor send over her comments and requests so the applicant can address them at the next meeting.

Attorney Berger briefly went through Mr. Clerico’s report:

General Comments:

Item A2 (i)- The applicant’s traffic engineer gave testimony and they believe that a 25-foot wide access aisle is adequate.

A3- will show modification

A4- will comply

A5- loading area waiver requested

A6- the applicant has not proposed any signage at this time. Mr. Hendricksen stated that the sign should be shown on the plan and Attorney Novak added that the site plan approval should include signage.

A7- will forward the plan to the Environmental Commission

A8- will provide further testimony

Grading:

B2(i) (ii)- will provide further testimony

B2(iii)- no sidewalk access along RT 173 is proposed.

B4 & B5- will comply

Drainage:

C- Geo Tech Engineer will provide further testimony

Utilities:

D- all items will be addressed.

Landscaping & Lighting:

Will work with Carolyn Neighbor.

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

All Ayes. Motion Carried.

Mrs. Dena Pender, 137 Center Street, inquired about the lighting along Center Street and Mr. Smith stated that there will be three 12’ high lights with shoebox type fixtures.

Mr. Kevin Proudfoot, 146 Center Street, inquired if the lights on Center Street were necessary and Mr. Smith responded from a traffic safety standpoint the lights would be necessary. Mr. Smith added that the lights will be on a timer and will turn off at a set time.

Mr. Thompson, 130 Center Street, inquired if the applicant is considering using any landscaping that would be deer resistant and Mr. Smith stated that he was unsure if any of the proposed plants are deer resistant.

Mrs. Megan Jones-Holt inquired what the time schedule was for the lights on Center Street and Mr. Smith stated that he will provide a time schedule to the board and incorporate the schedule into the plan.

Mrs. Christine Schaumburg, 21 Halstead Street, inquired if the lights will be on a timer and if so would the applicant consider turning the lights off by 9:00pm and Mr. Smith responded that the lights will be on a timer and they would consider turning the lights off by 9:00pm.

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

All Ayes. Motion Carried.

The meeting for Clinton Management will be carried to June 7, 2005.

Exemption from Site Plan-Clinton Main Street LLC- Block 11 Lots 6 & 7 (19-21 Main Street):

Attorney Wendy Berger, Mr. Martin DeSapio, architect and the applicant Mr. Alex Reizner were present.

The following items were submitted into evidence:

A2 Revised Plan dated 4/27/05

Attorney Berger advised the board that the applicant is in the process of preparing and recording the deed to merge the two lots and they will provide a copy to the board. Attorney Berger stated that at last month's meeting the question was raised on the rear parking area, which Mr. DeSapio will testify on tonight.

Mr. DeSapio stated that the new plan has super-imposed the parking layout, which includes a total of 9 spaces in the rear. Tenant A has 2 spaces, Tenant B has 5 spaces, Tenant C has 1 space and the proposed Tenant D will have 1 space. Attorney Novak inquired if the spaces were part of the tenant's lease. Attorney Berger stated that only tenant A has parking stipulated in the lease.

Mr. DeSapio advised the board that the proposed apartment will be 1,229 SF.

Attorney Berger stated that last month a question arose in regard to the access from the parking lot to the street and Attorney Berger advised the board that the property has a recorded easement dated April 26, 1947 which permits the use of the alleyway. The recorded easement states "a right to travel over the open alley" and she will provide the board with a copy. The question arose on who actually owns the alley and Mr. Bob Smith suggested that Attorney Novak contact Attorney Cushing for clarification.

Mr. Gallagher inquired if the applicant is seeing more volume in traffic in the alleyway with the new retail business that is there and Mr. Reizner responded "no".

Mr. DeSapio advised the board that in reference to Mr. Daniel's letter the applicant will be required to provide a full set of documents and meet all building requirements before the building department will issue any permits. Mr. DeSapio stated that after having a conversation with the DCA a fire escape will be not be required and if one was deemed necessary the escape would be located in the back corner of the building and would not effect the parking or front of the building.

Attorney Novak advised the board that they need to decide if they will accept this application under an exemption from site plan.

Ms. Neighbor advised the board that another issue is deed restricting the apartment as an affordable housing unit and if approved by the board it will fall under the existing ordinance for low-income housing.

Mr. Schultz stated that before proceeding any further he would like to hear more input from the Fire Official and have the applicant notice the owners within 200'.

A motion was made by Mr. Schultz, seconded by Mrs. Jones-Holt, to accept this application as an exemption from site plan with the following conditions:

- 1). Applicant to notice property owners within 200'.
- 2). Applicant to provide legal notice of the June meeting in the newspaper.
- 3). Applicant to get additional input from Jack Daniels
- 4). A copy of the proposed deed with the affordable restrictions submitted to the board for their review.

Roll Call:

Ayes: Cagno, Gallagher, Harrison, Hendricksen, Jones-Holt, Kovach, Schultz, Smith

Nays:

All Ayes. Motion Carried.

The application for Clinton Main Street LLC will be carried to the June 7, 2005 meeting.

Amendment to the Town of Clinton Master Plan- Municipal Storm Water Management Plan:

Mr. Clerico gave the board a brief outline on the municipal stormwater management plan.

There being no questions from the public, a Motion was made by Mr. Smith, seconded by Mr. Harrison, to accept the Municipal Stormwater Plan and adopt the plan as an amendment to the Town of Clinton Master Plan:

Roll Call:

Ayes: Cagno, Gallagher, Harrison, Hendricksen, Jones-Holt, Kovach, Schultz, Smith

Nays:

All Ayes. Motion Carried.

COAH:

Carolyn Neighbor advised the board that the handout they received outlines the round three COAH obligations. COAH has credited the town with 54 units and the town needs to come up with a total of 25 affordable units. Carolyn Neighbor advised the board that she would like to meet with the COAH Committee for additional input on how the town will come up with the 25 units before the Planning Board adopts the plan.

Master Plan Committee Report:

Mr. Cagno stated that the committee discussed the Industrial Zone and procedures for a Minor Site Plan. Mr. Cagno stated that the next meeting will be held on May 17, 2005.

Board of Adjustment Update Report:

Mr. Harrison reported to the board that Mico Petroleum has dropped their lawsuit against the board for the denial of a convenience store; however, the board has been advised that the new trend is to allow gas stations to incorporate convenience stores as an accessory use. Based on advice from Attorney Caldwell the board may want to consider an amendment to the Town Ordinance prohibiting the accessory use. The board agreed this should be forwarded to the Master Plan Committee for their recommendation.

Voucher Approval:

A motion was made by Mr. Harrison, seconded by Mr. Hendricksen, to approve the following vouchers:

Schoor DePalma	Planner Fees	Planning Board	\$284.00
Schoor DePalma	Planner Fees	Clinton Management	\$461.50

All Ayes. Motion Carried.

Correspondence & Board Discussion:

The board is in receipt of a letter from Mr. Latino dated 4/21/05. The Board directed Mr. Clerico to review the permit and Attorney Novak will send a letter to Mr. Latino requesting a copy of the deed.

Mrs. Kovach advised the board that a meeting for the County Municipal Partnership will be held on May 23, 2005 at the Warren County College.

There being no further business a motion was made by Mr. Harrison, seconded by Mrs. Kovach, to adjourn the meeting at 10:30pm.

Respectfully Submitted

Allison McGinley, Board Secretary

