



TOWN OF CLINTON

INCORPORATED APRIL 5, 1865

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PLANNING BOARD

Minutes of the Town of Clinton Planning Board meeting held on August 2, 2005 at 7:30pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Present:

Cagno
Gallagher
Hendricksen
Jones-Holt
Kovach
Schultz
Wiant

Absent:

Harrison
Smith

Attorney Joseph Novak, Robert A. Cutter PW/Business Administrator, Robert Clerico P.E. from Van Cleef Engineering, and Carolyn Neighbor PP from Schoor DePalma were present

Chairman Wiant 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 Mrs. Jones-Holt, seconded by Mr. Cagno, to approve the minutes of July 5, 2005

All Ayes. **Motion Carried.**
Abstain: Gallagher

Resolution- Adoption of Municipal Storm Water Plan:

A Motion was made by Mrs. Kovach, seconded by Mrs. Jones-Holt, to adopt the Resolution for the Municipal Storm Water Plan:

Roll Call:

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

All Ayes. **Motion Carried.**

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

Attorney Wendy Berger; Tim Troxler Landscape Architect from Hopewell Valley Engineering; Russell Smith Engineer from Hopewell Valley Engineering; Kenneth A. Huber, P.E. from Langan Engineering; and the Planning Board's independent Geo-Technical Consultant Todd Horowitz from Melick -Tully

Associates were present.

The following items were submitted into evidence:

- D39 Enlarged Colored Landscape Plan dated 8/2/05 (sheet 5 of 16 from site plans dated 7/11/05).
- D40 Site Cross Section dated 8/12/05.
- D41 Colored Rendering of Landscape and Lighting details dated 8/12/05.
- D42 Revised Geotech Study dated 7/12/05.
- D43 Revised Retaining Wall Study dated 7/12/05
- D44 Enlarged version of figure 4 from Geo Tech Study dated 8/12/05.
- D45 Colored rendering of Sheet # 5 of Revised Geo -Tech Study.

Mr. Tim Troxler, Landscape Architect, advised the board that after taking into consideration the board's concerns and after consulting with the board's professionals the landscape plan has been revised and is shown in detail on sheet 5 of the site plan. The plantings in front will consist of ground covering plantings that will cascade over the walls, a row of street trees along RT 173, Sugar Maples, Norway spruce and seasonal plantings will be planted along the front. The revised plan reflects more variety of plantings in the rear by the residential area. The rear plantings will consist of Birch Trees, Shade Trees, Evergreens, Holly, Norway Spruce and along the driveway on Center Street Sugar Maples will be added.

Ms. Neighbor inquired how high the plantings will be in the residential area and Mr. Troxler stated 8' high. Ms. Neighbor stated she was concerned with the height and advised the board that she did not feel 8' would add much of a visual barrier. Ms. Neighbor stated that she was also concerned about the buffering in front and she felt the Evergreen plantings would be slow growing and would not add much of a visual barrier from the front. Ms. Neighbor advised the board that the applicant had taken her comments and concerns into consideration when revising the rear landscaping with the exception of the landscaping along the residential property on the Center Street driveway. Ms. Neighbor suggested that the applicant might want to meet with the neighbor to come up with an agreement. Attorney Berger stated that in regard to the front the property across the street is a tire dealership and has no landscaping in front and the applicant is proposing 2 lines of buffering in the front. Attorney Berger added that the applicant is not obligated to plant on another property and the plan presented tonight is adequate and is the plan the applicant proposes.

A Motion was made by Mr. Hendricksen, seconded by Mrs. Jones -Holt, to open the meeting to the public for questions regarding landscaping. All Ayes. Motion Carried.

Mr. Kevin Proudfoot, 146 Center Street, suggested that a row of Evergreen Trees be planted to provide a visual barrier from his property and the driveway access along Center Street. Attorney Berger stated that the plan presented tonight shows screening along the property line.

Mr. Jeff Schaumburg, 21 Halstead Street, stated that he would like the opportunity to review the new exhibits presented tonight before any action is taken by the board. Chairman Wiant stated that he did not feel the board would take any action tonight.

A Motion was made by Mrs. Jones-Holt, seconded by Mr. Cagno, to close the meeting to the public. All Ayes. Motion Carried.

Mr. Hendricksen inquired if the landscaping plan had been designed in conjunction with the lighting Plan. Mr. Troxler responded that both plans had been designed together and that the planting design should not interfere with the lighting plan.

Mr. Kenneth Huber, P.E. for Langan Engineering was previously sworn in.

Mr. Huber stated that he was here tonight to testify on the two reports that were submitted to the board by Langan Engineering. The first report is a revised Geo-technical study dated July 12, 2005 and the second report is a retaining wall study dated July 12, 2005.

Mr. Huber testified that the Geotech study consisted of 8 new borings 5 to 10' deep, six of the borings were in the building footprint and two of the borings on the sides of the wall location. The test results encountered silt below the topsoil, and then decomposed rock material below the silt and then dolomite bedrock under the rock layer. Mr. Huber advised the board that the findings were outlined in detail in the revised Geo-Tech report. Mr. Huber added that in regard to the findings he believed that the site conditions will not impede construction and that the building can be constructed safely in this proposed area. Mr. Huber stated the retaining wall design is outlined in the revised wall design report and it is his opinion that the walls can be constructed safely.

Mr. Huber advised the board that he was in receipt of Mr. Horowitz's letter dated July 28, 2005 and Mr. Clerico's review letter dated July 28, 2005 and made the following comments:

Mr. Horowitz Letter Comment Section:

Paragraph 1- 3- The applicant agrees with.

Paragraph 4- If rock blasting is necessary protection measures will be coordinated with the contractor.

Paragraph 5- The applicant plans to have an on site rock crusher to process the excavated rock.

Paragraph 6- The placement of the concrete slab is a protection measure to minimize leakage.

Paragraph 7- The plan that summarizes the test drilling and grouting locations are shown on Exhibit D44.

Paragraph 8 – The applicant will make the recommended changes.

Paragraph 9 – Inspections will be in place.

Paragraph 10- Agree to change the bedding material.

Paragraph 11- This will be part of the applicants plan.

In regards to Mr. Clerico's letter dated July 28, 2005 Mr. Huber had prepared a response letter regarding the geotechnical issues dated August 2, 2005, which he went through with the board.

Mr. Todd Horowitz PE was here as the Planning Board's Geotechnical Consultant and was sworn in to testify.

Mr. Horowitz advised the board that he is in agreement with the overall concept and he is satisfied that Langan Engineering has addressed most of his concerns outlined in his report dated July 28, 2005. Mr. Horowitz stated that some type of protocol should be established if sink holes are encountered and that the Geotech report should clarify how the detention system will be built, Attorney Berger added that they will include this in the report. Mr. Horowitz concluded that the program that is outlined is sufficient and that the proposal provides an adequate design.

A Motion was made by Mr. Hendricksen, seconded by Mrs. Kovach, to open the meeting to the public for Geotechnical questions.

All Ayes. Motion carried.

Mrs. Dena Pender, Center Street, inquired about the extent of blasting and what the effect of blasting will be on the surrounding homes. Mr. Huber replied that the extend of blasting is unknown at this time and if blasting is necessary a photo video survey will be completed to document the existing conditions, the second step will be to record and document the ambient vibrations and then a plan will be put into place with the contractor.

Mrs. Jones- Holt questioned how far will the study include and Mr. Huber stated generally within 200-300' of the site.

Mr. Jeff Schaumburg, Halstead Street, inquired how the vibrations would be controlled if they exceed the level mandated by the state. Mr. Huber stated that we will do an initial review of the site before blasting to determine what methods will be used.

Mr. Kevin Proudfoot, 146 Center Street, asked the applicant if blasting was required what would be the worse case scenario regarding the timeframe of blasting. Mr. Huber replied that using the worse case scenario blasting would happen once or twice daily during the excavation process, which is done in the first stage of construction, which would not be expected to last more than a month and half. Mr. Wiant inquired if the neighbors would be notified and Mr. Huber responded "yes".

Mr. Sean Rogan, 23 Harrison Street, inquired if any structural damage could occur to the residential homes when blasting. Mr. Huber responded that when improper procedures are used damage could happen and that is why existing conditions prior to blasting are documented to protect the homeowners and the developer.

There being no further questions, a motion was made by Mrs. Jones-Holt, seconded by Mrs. Kovach, to close the meeting to the public. All Ayes. Motion Carried.

The board requested that the revised plans be forwarded to the Environmental Commission for their review. The meeting for Clinton Management will be carried to September 6, 2005.

Application for Clinton Main Street LLC –Block 11 Lot 6-19/21 Main Street:

At the request of Attorney Berger the application for exemption from site plan for Clinton Main Street LLC will be carried until September 6, 2005.

Master Plan Committee Update Report:

Mr. Cagno advised the board that the Committee met on July 19, 2005 and discussed the fee schedule, Industrial Tract and the Wargo Tract. Ms. Neighbor advised the board that they need to move to the next step in regards to the Wargo site and the Committee needs to determine if the Wargo site meets the criteria for a redevelopment study. Ms. Neighbor stated that abandonment falls under one of the accepted criteria and advised the board that the Wargo Tract has been abandon for at least 10 years. Ms. Neighbor stated that the council needs to authorize the Planning Board to complete a determination study, then a public hearing would be held on the study and the results would be sent back to the Governing Body. The next step would be for the Governing Body to authorize a redevelopment plan. Mr. Wiant inquired about the cost of the study and Ms. Neighbor stated that her costs would be approximately \$1,500.00. The board agreed to ask council to authorize the Planning Board to complete a redevelopment study of the Wargo Tract.

Voucher Approval:

A Motion was made by Mrs. Jones-Holt, seconded by Mrs. Kovach, to approve the attached voucher list: All Ayes. Motion Carried.

Board Discussion:

Mr. Gallagher inquired if there were any restrictions on satellite dishes in the Town; Mr. Hendricksen stated that there is an ordinance in place.

There being no further business a motion was made by Mr. Schultz, seconded by Mrs. Kovach, to adjourn the meeting at 10:20 pm.

Respectfully submitted, Allison McGinley Board Secretary.