



TOWN OF CLINTON

INCORPORATED APRIL 5, 1865

43 Leigh St., P.O. Box 5194

Clinton, N.J. 08809-5194

(908) 735-8616 FAX (908) 735-8082

PLANNING BOARD

Minutes of the Town of Clinton Planning Board meeting held on December 6, 2005 at 7:30pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Present:

Cagno
Gallagher
Hendricksen
Jones-Holt
Kovach
Smith
Schultz
Wiant
Walton

Absent:

Attorney Joseph Novak, Robert Clerico and Carolyn Neighbor were present.

Chairman Wiant called the meeting to order at 7:40pm 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 Mrs. Jones-Holt, to approve the minutes of November 14, 2005

All Ayes. Motion Carried.
Abstain: Cagno, Schultz, Wiant

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

Attorney Wendy Berger, Russell Smith Engineer from Hopewell Valley Engineering, Martin DeSapio, architect, and Kenneth A. Huber, P.E. from Langan Engineering were present.

Attorney Berger stated that they had completed all of the testimony on the application and tonight they are seeking a vote from the board.

Carolyn Neighbor advised the board that she had written a supplemental report dated December 6, 2005, which deals with the sign on Center Street, landscaping and lighting. Ms. Neighbor commented that the board should consider the following items in their final deliberation:

- 1). Sign- the content and location should be clear.
- 2). Lighting- the applicant is proposing the lights turn on at dusk and turn off at 10:00pm, the board needs to decide.
- 3). Noise- Residents have requested a post noise level report and the board should decide if this is a reasonable condition.
- 4). Deliveries- Board needs to consider any restrictions of trucks using the Center Street access.
- 5). Blasting- as a condition the board may want to consider imposing additional restrictions such as hours of operation
- 6). Rock Crusher- Board needs to decide if the Rock Crusher should be on site.
- 7). Fair Share Plan- The developers fee ordinance has been adopted and when the development is complete under the employment terms the town will be obligated to provide 8 additional COAH units. The ordinance requires the developer pay a fee of 2% of the assessed value of construction to an affordable housing fund.

Per the boards request Attorney Berger agreed to install the Center Street sign on the west side of the road and the content of the sign will read "Clinton Business Center". Attorney Berger also agreed to the post noise test, routing construction vehicles out of the main entrance and in regard to the blasting and the crusher, the applicant will comply with the noise and time requirements within the ordinance. Attorney Berger stated that she was not aware of the new Fair Share Plan Ordinance.

Attorney Novak stated that the Ordinance goes into effect after it is published and at this time he was waiting for confirmation to see if it was published.

The board discussed the sign variance that the applicant is seeking which will allow a commercial sign in a residential zone. Attorney Berger stated she was not aware that the sign on Center Street would require a variance and if that is the case she would like to withdraw the sign from the application. Mr. Smith stated that the sign is a safety issue and is necessary from a fire and rescue standpoint and the sign will also reduce unnecessary traffic going down Center Street. The board agreed and felt the sign was necessary.

A Motion was made by Mr. Smith, seconded by Mr. Hendricksen, to grant a sign variance with the following conditions:

The 1 ½ x 2' sign will be placed on the west side of the driveway, 10' from the right of way, and will contain only the name of the development which cannot include "Town of", "Center" or any number, the sign must be one-sided and the name must face the east side, the sign will be mounted no higher than 3' high and located no less than 3' from the side property line.

Roll Call Vote:

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

Nay:

A Motion was made by Mrs. Kovach, seconded by Mr. Cagno, to grant a Waiver from the design standards of a loading dock and to permit a 15' x 25' loading dock.

Roll Call Vote:

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

Nay:

A Motion was made by Mrs. Jones-Holt, seconded by Mr. Hendricksen, to grant a waiver from the parking requirements and approve 242 parking spaces, 31 banked spaces which include 28 banked spaces in the northeast corner of the property and 3 spaces adjacent to the parking garage, with the 3 spaces adjacent to the garage being the last to be built if needed in the future.

Roll Call Vote:

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

Nay:

A Motion was made by Mr. Smith, seconded by Mr. Hendricksen, to grant Preliminary and Final Site Plan Approval:

Mr. Clerico recapped the conditions outlined in his report dated October 25, 2005 that he thought the board may want to consider conditioning the approval on:

- 1). The plan should be modified to increase the access aisle to 28' and reduce the adjoining sidewalk to 4' wide.
- 2). NJ DOT approval for the improvements within the RT. 173 right-of-way should be made a condition of approval.
- 3). Applicant should convey Title 39 enforcement.
- 4). Redesign wall to meet NJDOT design standards to include 4' wide horizontal shelf.
- 5). Applicant must retain the services of a licensed Engineer from the firm Langan Engineering and Environmental Service to oversee, supervise, and certify the conformance of the retaining wall.

Chairman Wiant advised Attorney Berger that due to the timeframe the application for Clinton Management and Clinton Main Street will be carried to the January 3, 2006 meeting.

Master Plan Committee Update Report:

Carolyn Neighbor drafted a memo dated November 29, 2005 outlining the different definitions of "a Change of Use" due to the time frame the discussion will be tabled until the January meeting.

Board of Adjustment Update Report:

Mr. Walton stated that the Board of Adjustment granted Mr. Lee an extension of time on his site plan approval and the board approved an amendment to H. Craig Stem's site plan approval.

Voucher Approval:

A motion was made by Mr. Smith, seconded by Mrs. Kovach, to approve the attached voucher list.
All Ayes. Motion Carried.

Redevelopment Discussion:

Redevelopment study discussion will be deferred until the January Meeting.

Board Discussion:

Mr. Smith advised the board that he was on the Planning Board as a representative of Mayor Holt and

would not be on the board next year, he wanted to let everyone know that it has been a pleasure serving the board with everyone.

A Motion was made by Mr. Hendricksen, seconded by Mr. Gallagher, to enter into an Executive session at 10:30pm.

A Motion was made by Mr. Schultz, seconded by Mrs. Kovach to adjourn the Executive session at 10:45pm.

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

Respectfully Submitted,

Allison McGinley
Planning Board.