

MINUTES OF CLINTON TOWNSHIP BOARD OF ADJUSTMENT

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PUBLIC MEETING

October 27, 2014

PRESENT: John Matsen, Sharon Stevens, Wayne Filus, Dave Roberts and John Lefkus.

PROFESSIONALS: John Drill, Attorney and Rebecca D'Alleinne, Administrator.

ABSENT: Tom McCaffrey and Sharol Lewis.

CALL TO ORDER

Vice Chairman Matsen called the meeting to order at 7:31PM.

PUBLIC NOTICE

This is a public meeting of the Zoning Board of the Township of Clinton, County of Hunterdon and State of New Jersey. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act in that an Annual Notice was published in the Hunterdon County Democrat and the notice of and agenda for this meeting was posted on the bulletin boards in the Municipal Building and outside the Planning and Zoning Office on the 1st Floor of the building and faxed to the Hunterdon County Democrat, the Express Times, the Courier News, the Hunterdon Review, and the Star Ledger, no later than the Friday prior to the meeting.

NEW BUSINESS

Vouchers

Vice Chairman Matsen moved and Dave Roberts seconded a motion to approve the vouchers for payment. The Board concurred unanimously.

MINUTES

Wayne Filus moved and John Matsen seconded a motion to adopt the minutes of September 22, 2014, as written. The Board concurred unanimously, with Sharon Stevens, John Lefkus and Dave Roberts abstaining.

PUBLIC HEARING

**TOWN OF CLINTON/WATER DEPT., Block 79.01, Lot 28**

Tara St. Angelo, Esq. introduced herself on behalf of the applicant. She reported that they were seeking a modification of a condition in Resolution #2013-15, which memorialized the approval of a pre-existing non-conforming use expansion. She indicated that they were seeking to eliminate Condition 1a, which required new fencing

around the property. During the course of constructing the project, the applicant determined that fencing was not needed. Ms. St. Angelo noted that the old fence was down, expressing the opinion that the building looked better without a fence, and indicated that the applicant didn't feel that they needed the fence for security. She commented that the entire facility was locked up and stated that the water department had previously used chlorine gas in the purification process, but that they no longer use it. She expressed the opinion that the fence with barbed wire was less aesthetically pleasing.

Andrew Holt was sworn as the Town of Clinton Water System consulting engineer. He presented his credentials, which were accepted by the Board. He distributed a set of photos, which were labeled Exhibit A-1 (Pre-Construction Photos) and Exhibit A-2 (Final Construction Photos), and were marked into evidence. Mr. Holt discussed Well #11 and the approved addition of a generator for emergency purposes. He referred to Sheet 3 of 3 from the previous approval and compared the original condition of the fence to the current condition. He indicated that everything was contained within the building and was vandal resistant. Mr. Holt commented on the pump station at McDonald's, noting that it did not have a fence. He pointed out that the CTSA pump station was across the street from their project and did not have a security fence. He discussed the previous use of chlorine gas and the risks, and stated that they no longer used that chemical for purification. Mr. Holt indicated that the fence also created an issue for grass maintenance.

John Lefkus asked about the gas line shut off and expressed concern about potential vandalism. Mr. Holt responded that tampering would only shut the generator off; noting that the facility was visited daily by an operator and that in the future they would be able to check it remotely. He discussed the agreed-upon testing schedule. Mr. Lefkus expressed concern about whether there might be code implications for locking devices and Jon Drill suggested a review by the township Construction Code Official. Dave Roberts commented on both the outdoor shutoff valves and the electrical box and whether they were secure. Vice Chairman Matsen asked about whether the water main was accessible and Mr. Holt indicated that specialized equipment was required to open it. Wayne Filus asked about security on the building, and Andrew Holt stated that it was the same as on their other facilities, except for the one on Lilac Drive. Sharon Stevens asked whether there was there a conscious decision to change the security standards and Mr. Holt responded that post-9/11, a vulnerability assessment had shown that fences were not considered an effective deterrent. Dave Roberts discussed the new water tank. There were no questions from the public and the hearing was closed.

Jon Drill reminded the Board to consider whether there was a change in circumstances or a good cause when changing a condition of a prior approval. He noted that they must also determine whether the negative criterion was still satisfied. John Lefkus expressed the opinion that the building looked better without the fence, but was concerned about the generator's security. Wayne Filus agreed, saying that he was in favor, but only if it were conditioned on a review by the construction official. Sharon Stevens commented that, during the last hearing, the Board's concern had been more about the condition of the old fence. She thought that taking down the fence was an improvement, but was concerned about the valve. Vice Chairman Matsen commented that it clearly looked better and that having the Building Official look at the site would help with the security issue. Sharon Stevens moved and Dave Roberts seconded a motion

to eliminate the fencing condition, subject to Building Official review of the security issues. Members in favor: Stevens, Filus, Lefkus, Roberts and Matsen.

ADJOURNMENT

Sharon Stevens moved and Wayne Filus seconded a motion to adjourn, and the motion passed unanimously. The meeting was adjourned at 8:12PM.

These minutes were approved on November 24, 2014.

Rebecca E. D'Alleinne, Administrator