

MINUTES OF CLINTON TOWNSHIP PLANNING BOARD

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PUBLIC MEETING

DATE: April 6, 2015

Chairman Cimei called the meeting to order at 7:30 PM.

Chairman Cimei led the Flag Salute.

The Public Notice was read by Chairman Cimei.

This is a public meeting of the Planning 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 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.

BOARD MEMBERS IN ATTENDANCE:

Kevin Cimei, Chris D'Alleinne, Rich Scheick, Brian Mullay, Suzanne Kleinhaus, John Kilduff, Sandra Butcher. Sam Mardini arrived at 7:35 PM and John Higgins arrived at 7:50 PM.

BOARD PROFESSIONALS IN ATTENDANCE:

Jon Drill, Attorney, Andrea Malcolm, Planner, Charles Hecht, RF Engineer, Rebecca D'Alleinne, Administrator and Denise Filardo, Administrative Trainee.

MINUTES APPROVED:

The minutes below were adopted on April 6, 2016 by the following votes of Board members:

Mr. Mullay moved and Mr. Higgins seconded a motion to approve the minutes of February 9, 2015, with noted corrections. The Board concurred unanimously, with Mr. Cimei abstaining. The motion was carried by a majority vote.

Roll Call: Minutes of February 9, 2015						
Member	Motion	2nd	Yes	No	Abstain	Absent
Cimei					X	
D'Alleinne			X			
Higgins		X	X			
Kleinhaus			X			
Mardini			X			
Mullay	X		X			
Scheick			X			
Kilduff, Alt. 1			X			
Butcher, Alt. 2			X			

Mr. Mullay moved and Mr. Higgins seconded a motion to approve the minutes of March 2, 2015. The motion carried unanimously.

Roll Call: Minutes of March 2, 2015						
Member	Motion	2nd	Yes	No	Abstain	Absent
Cimei			X			
D'Alleinne			X			
Higgins						X
Kleinhans	X		X			
Mardini			X			
Mullay			X			
Scheick		X	X			
Kilduff, Alt. 1			X			
Butcher, Alt. 2			X			

RESOLUTIONS APPROVED:

1. CLINTON AGRICULTURE/Subdivision, Block 7, Lot 3

Resolution #2015-06, Application #2015-04
 Re-Grant of "C" Variances, Exceptions and Minor Subdivision Approval to Divide Block 7, Lot 3 into New Lot 3.02 and Remainder Lot 3.

Eligible Members: Cimei, D'Alleinne, Mardini, Scheick, Higgins, Mullay and Kleinhans.

Mr. Mardini moved and Mr. D'Alleinne seconded a motion to approve Resolution No. 2015-06. The motion carried unanimously.

Roll Call: Clinton Agriculture, Resolution No. 2015-06						
Member	Motion	2nd	Yes	No	Abstain	Absent
Cimei			X			
D'Alleinne		X	X			
Higgins						X
Kleinhans			X			
Mardini	X		X			
Mullay			X			
Scheick			X			
Kilduff, Alt. 1					X	
Butcher, Alt. 2					X	

2. CLINTON AGRICULTURE/Site Plan, Block 7, Lot 3

Resolution #2015-07, Application #2013-14
 Modifications to Conditions of Resolution #2013-29 memorializing "C-1" and "C-2" Variances, Exceptions and Preliminary and Final Site Plan Approval and Extending the Time within Which the Site Plans Must be Signed

Eligible Members: Cimei, D'Alleinne, Mardini, Scheick, Higgins, Mullay and Kleinhans.

Jon Drill read changes in to the record: we will make one addition at request of the applicant, condition 2, allow substitution of modern material no more than 50% and the applicant must work with construction official on this.

Roll Call: Clinton Agriculture, Resolution No. 2015-07						
Member	Motion	2nd	Yes	No	Abstain	Absent
Cimei		X	X			
D'Alleinne			X			
Higgins						X
Kleinhans			X			
Mardini	X		X			
Mullay			X			
Scheick			X			
Kilduff, Alt. 1					X	
Butcher, Alt. 2					X	

3. **Resolution Memorializing The Recommendation That Block 53, Lot 3 (The Former Municipal Building Site) Be Determined To Be An Area In Need Of Redevelopment**
Eligible Members: Cimei, D'Alleinne, Mardini, Scheick, Higgins, Mullay and Kleinhans.

Roll Call: Recommendation that Former Municipal Building be determined to be an area in need of redevelopment						
Member	Motion	2nd	Yes	No	Abstain	Absent
Cimei			X			
D'Alleinne			X			
Higgins						X
Kleinhans			X			
Mardini		X	X			
Mullay	X		X			
Scheick			X			
Kilduff, Alt. 1					X	
Butcher, Alt. 2					X	

EXTENSION OF TIME REQUEST:

CLINTON POINT, LLC/COUNTRY GRIDDLE, Block 76, Lot 2

Application #2005-08

Applicant seeks a six month extension of time to meet the conditions of Resolution #2014-07.

Bill Robertson, Attorney for the applicant introduced himself to substitute for applicant's prior counsel, Mr. Walter Wilson.

On August 4, 2006 the Board granted a Minor Site Plan approval with site plan ordinance parking and loading exceptions along with the modification of condition #2 of Resolution No. 2008-04. This was memorialized in Resolution No. 2014-07 adopted on September 15, 2014. The essence of these approvals was to allow for an increase in the number of parking spaces on the property.

The applicant was required to make site plan revisions on the site plan to the satisfaction of the Township Engineer. The applicant was required to obtain the signatures of the Township Engineer, the Board Chair and Secretary on the site plan by March 15, 2015.

William P. Robertson, Esq., attorney for the applicant, requested by letter dated March 12, 2015 requesting an extension of time from March 15, 2015 to September 15, 2015.

The Board finds that the Country Griddle is a principally permitted restaurant in the C-1 zone. The Board also finds that good cause exists to warrant a further extension of time within which the applicant has to revise the site plan and obtain signatures on the site plan for March 15, 2015 to September 15, 2015 for the following reasons:

1. The applicant has experienced some unusual and unanticipated circumstances that made it impossible to make the required site plan revisions prior to the March 15, 2015 expiration date.
2. The applicant still wishes to proceed to complete the project and has applied for an extension of time to allow that to happen.
3. With an extension of time the applicant will not have to apply to the board to re-grant the 2014 approvals and the board will not have to re-hear the application.
4. There have not been any changes in the zoning of the property nor have there been any changes in the development of lots in the area surrounding the property.

Therefore the Board concludes that it can and should grant the extension of time that the applicant has to revise and obtain signatures on the site plan for March 15, 2015 to September 15, 2015. This relief is granted with conditions.

Mr. D'Alleinne moved and Mr. Scheick seconded a motion to grant the extension of time. The motion carried unanimously with Mr. Higgins abstaining.

<i>Roll Call: Extension of Time Request, Country Griddle</i>						
Member	Motion	2nd	Yes	No	Abstain	Absent
Cimei			X			
D'Alleinne	X		X			
Higgins					X	
Kleinhans			X			
Mardini			X			
Mullay			X			
Scheick		X	X			
Kilduff, Alt. 1					X	
Butcher, Alt. 2					X	

PRESENTATION:

Mike Wright, the Clinton Township Construction Official suggested modifications to the Waiver of Site Plan review ordinance section 165.36.1(2) regarding proposed developments which involve normal repair, maintenance or replacement.

Mr. Wright discussed the following:

With the cost of LED lighting coming down, many commercial businesses want to replace their old lighting to save energy. Similarly businesses replace air conditioners, gates, fences and retaining walls. Mr. Wright proposes that the Board allow the Zoning Officer to make these approvals via a zoning permit. This would save commercial businesses the time and expense of filing an application with the Board. This would also save the Board time by not having to hear these routine replacement applications.

Mr. Wright also suggested changing R1 & R2 zones to R as R1 and R2 no longer exist.

The Board agreed to consider these suggestions. The Board secretary will forward this list to Sam Mardini, Chairman of Ordinance Sub Committee.

PUBLIC HEARING:

T-MOBILE, Block 13.01, Lot 1, Application #2014-16

Applicant is seeking Preliminary and Final Site Plan and a conditional use to erect a permanent monopole to replace existing temporary cell on wheels (“COW”) located on an 18.28-acre lot with frontage on Route-22, Petticoat Lane, and I-78. The property is in the C-2 zone and currently contains agricultural fields, wooded areas and a series of dilapidated structures / buildings. Wireless facilities are conditionally permitted uses in the C-2 zone. The proposed site is in close proximity to two historic districts, namely the “Turnpike District” along Route 22 and the “Mountainview Youth Correctional Facility Historical District” adjacent to where the water tank site is located.

The following individuals were sworn by Jon Drill. The applicant’s professionals were qualified by the Board.

1. Joseph Menio (Applicant’s radio frequency engineering expert),
2. Dan Collins (Applicant’s FCC compliance expert),
3. Lauren Schmidt (Applicant’s historic preservation expert),
4. Joshua R. Cottrell, PE (Applicant’s civil engineering expert),
5. Timothy Kronk, PP (Applicant’s planning expert),
6. Charles Hecht (Board’s radio frequency engineering expert),
7. Andrea Malcolm, PP, AICP, (Board’s planning expert), and

Mr. Ferraro discussed the history of this application.

Mr. Collins discussed the Radio Frequency of the proposed monopole and stated that the RF at this site will be in compliance with both state & federal limits by comfortable margins.

Chairman Cimei invited questions from the public. There were none.

The Applicant and Board's RF professionals agreed that T-Mobile was deficient in coverage in this area and that the needed coverage could be accommodated by a 100 foot tower.

Mr. Ferraro read a letter 3/24/15 from Rich Stanzone, dated March 24, 2015 on behalf of Verizon Wireless stating that they would be interested in using this site tower also.

Chairman Cimei invited questions from the public. There were none.

Mr. Schmidt discussed the regulatory aspects of Historic Preservation. He discussed highlights of the email sent by State Historic Preservation Office ("SHPO") on April 14, 2014.

A monopole on a water tank would have direct affect & adverse visual effect on the Turnpike Historic District. The SHPO strongly suggests locating the monopole at 1480 RT 22 site as it avoids historic resources.

A discussion ensued regarding camouflage alternatives for the tower at both 100ft and 120ft. It was agreed that the applicant will come back to the board with camouflage options at both 100ft & 120ft.

Mr. Cottrell reviewed the site plan.

There was discussion regarding the landscape buffer.

Chairman Cimei invited questions from the public. There were none.

The Planners testimony along with additional photos will be saved for the next presentation. Mr. Mullay marked on the site plan locations where photo simulations should be taken from.

Mr. Drill stated that this application will be carried to May 4th and 18th with no further notice required.

APPROVAL OF VOUCHERS:

Mr. D'Alleinne moved and Mr. Scheick seconded a motion to approve payment of the vouchers. The Board concurred unanimously.

<i>Roll Call: Extension of Time Request, Country Griddle</i>						
Member	Motion	2nd	Yes	No	Abstain	Absent
Cimei			X			
D'Alleinne	X		X			

Higgins			X			
Kleinhans			X			
Mardini			X			
Mullay			X			
Scheick		X	X			
Kilduff, Alt. 1			X			
Butcher, Alt. 2			X			

REPORTS & ASSIGNMENTS:

1. Report from Council: None.
2. Report from Ordinance Committee: None.
3. Report from Open Space: None.
4. Report from Environmental Commission: None.

Chairman Cimei acknowledged that this is Becky D'Alleinne's last Planning Board meeting and thanked her for her years of hard work and dedicated service.

ADJOURNMENT:

Ms. Butcher moved and Mr. D'Alleinne seconded a motion to adjourn. The motion carried unanimously, and the meeting was adjourned at 9:30 PM.

Roll Call: Adjournment						
Member	Motion	2nd	Yes	No	Abstain	Absent
Cimei			X			
D'Alleinne		X	X			
Higgins			X			
Kleinhans			X			
Mardini			X			
Mullay			X			
Scheick			X			
Kilduff, Alt. 1			X			
Butcher, Alt. 2	X		X			

These minutes were approved on June 6, 2016.

Respectfully Submitted,
Denise Filardo
 Planning and Zoning Board Administrator