

MINUTES

CLINTON TOWNSHIP PLANNING BOARD

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July 20, 2015

7:30PM

PUBLIC SAFETY BUILDING

1370 Route 31N

Annandale, NJ 08801

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

Chairman Cimei led the Flag Salute.

Chairman Cimei read the Public Notice.

This is the July 20, 2015 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 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.

Secretary Filardo called the roll.

MEMBERS PRESENT

D'Alleinne, Higgins, Kleinhans, Mullay, Cimei

MEMBERS ABSENT

Kilduff, Mardini, Scheick

Ms. Butcher arrived at 7:50pm

BOARD PROFESSIONALS/STAFF IN ATTENDANCE

Jonathan Drill, Esq., Board Attorney, Andrea Malcolm, PP, AICP, Board Planner and Denise Filardo, Board Secretary

PUBLIC HEARING

1. BEAVER BROOK MASTERS ASSOCIATION, Block 79.01, Lot 1

Applicant seeks Waiver of Site Plan approval for normal repair/maintenance and/or replacement of the two (2) existing tennis courts and chain link fence.

BB Attorney: Cameron MacLeod, Esq. of Hill Wallack covering for Ken Sauter. Mr. MacLeod described the application. The applicant is applying for a Waiver of Site Plan review and approval to remove and replace the two tennis courts and the 10 foot high surrounding chain link fence.

The following individual was sworn and testified:

1. Andrew Holt, P.E., P.P., C.M.E. (applicant's engineering expert);

EXHIBIT:

A-1 Plan titled "Beaver Brook Master Association Tennis Court Repairs / Replacement" prepared by Joseph D. Perello, LLA (of Suburban Consulting Engineers, Inc.) dated September 30, 2014, last revised July 20, 2015

The Board took a recess from 7:50pm to 8:05pm to enable Mr. Holt to make corrections to the plans.

Mr. Holt discussed the details of the application.

Beaver Brook Master Association is the "master" association for a large planned unit development known as the "Beaver Brook" planned unit development (PUD), and owns and maintains an open space lot contained in the Beaver Brook PUD. The property is 27.278 acres in size and is situated in the Planned Unit Development (PUD) overlay zoning district. The outdoor recreational tennis court facility which is permitted in the PUD zone, consists of two (2) tennis courts, a 10 foot high chain link fence surrounding the tennis courts, and other related site improvements, some of which site improvements are permitted accessory uses and structures such as a parking facilities and a driveway leading to the parking facilities.

BOARD FINDINGS:

- The outdoor recreational tennis court facility which is permitted in the PUD zone, consists of two (2) tennis courts, a 10 foot high chain link fence surrounding the tennis courts, and other related site improvements, some of which site improvements are permitted accessory uses and structures such as a parking facilities and a driveway leading to the parking facilities. The tennis court facility appears to have been constructed in or around 1988 as it is shown on the 1988 final plat for the Beaver Brook PUD.
- The asphalt pad, timber wall and gravel driveway located to the southeast of the tennis courts appear to have been constructed after the tennis courts and fence and without prior approvals as the applicant did not provide any proof of approvals to the Board.
- The applicant has applied to the Board for a waiver of site plan approval on the basis that the proposed development involves normal repair, maintenance or replacement.
- Testimony of Mr. Holt demonstrated that the surface of the courts was in poor condition and that the resurfacing was needed to provide a better surface for recreation.
- The Board accepts the applicant's representation that the encroachment is a result of subsequent amendments to the bulk standards following the original approval of the

subdivision, and the Board appreciates the applicant’s cooperation in decreasing existing non-conformities by proposing to relocate the existing tennis courts as reflected on Exhibit A-1. In addition, regardless of whether or not the asphalt pad, timber wall and driveway had been previously approved, the Board appreciates the applicant’s cooperation in removing those improvements from the property which will decrease the amount of impervious coverage.

- Provided that the proposed conditions are complied with, the Board finds that the proposed development does involve normal replacement so that a Waiver of Site Plan approval is warranted.

BOARD CONCLUSIONS:

- The Board concludes that it can and should grant a Waiver of Site Plan approval provided that the imposed conditions are complied with.

RELIEF GRANTED:

- The Board granted a Waiver of Site Plan approval in accordance with ordinance section 165-36.1.A(2) to allow the applicant to obtain zoning and construction permits for the proposed development.

The Board suggested that Secretary Filardo email a request to the Construction Official & Zoning Officer noting the two (2) imposed conditions so that the applicant does not have to wait for adoption of the resolution due to attorney Drill’s current work load.

Mr. Mullay moved and Mr. D’Alleinne seconded a motion to grant Waiver of Site Plan with conditions. The vote record follows.

<i>Roll Call: Beaver Brook Masters, Waiver of Site Plan with conditions</i>						
Member	Motion	2nd	Yes	No	Abstain	Absent
Butcher (Alt 2)			X			
D’Alleinne		X	X			
Higgins			X			
Kilduff (Alt 1)						X
Kleinhans			X			
Mardini						X
Mullay	X		X			
Scheick						X
Cimei			X			

NEW BUSINESS

1. APPROVAL OF VOUCHERS

Chairman Cimei moved and Mr. D’Alleinne seconded a motion to approve payment of the vouchers. The vote record follows.

Roll Call: Approval of Vouchers						
Member	Motion	2nd	Yes	No	Abstain	Absent
Butcher (Alt 2)			X			
D'Alleinne		X	X			
Higgins			X			
Kilduff (Alt 1)						X
Kleinhans			X			
Mardini						X
Mullay			X			
Scheick						X
Cimei	X		X			

REPORTS

Report from Council – No meeting last week, the next scheduled meeting is July 23rd.

Report from Ordinance Subcommittee – Planning to schedule a meeting prior to one of the upcoming August Planning Board meetings.

Report from Open Space – Did not meet this month, nothing to report.

Report from Environmental Commission – Nothing to report.

Attorney Drill discussed the upcoming Master Plan Re-Examination. The requirement is to reexamine, the Board may decide certain elements should be amended. For example, the Historic Preservation element is very old, the Board may find it is lacking in details. The board should start with asking planner how much time and cost it will take.

Mr. D'Alleinne moved and Mr. Mullay seconded a motion to have Clarke, Caton, Hintz begin the Master Plan Re-examination Process (at the same time they prepare the Highlands changes). The vote record follows.

Roll Call: Advise Clarke, Caton, Hintz to begin the Master Plan Re-exam process at the same time they prepare the Highlands changes.						
Member	Motion	2nd	Yes	No	Abstain	Absent
Butcher (Alt 2)			X			
D'Alleinne	X		X			
Higgins			X			
Kilduff (Alt 1)						X
Kleinhans			X			
Mardini						X
Mullay		X	X			
Scheick						X
Cimei			X			

ADJOURNMENT

Ms. Butcher moved and Mr. D'Alleinne seconded a motion to adjourn. All were in favor and the meeting was adjourned at 8:43pm.

Respectfully Submitted,
Denise Filardo

These minutes approved on January 9, 2017