

MINUTES OF CLINTON TOWNSHIP PLANNING BOARD
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PUBLIC MEETING

DATE: April 15, 2013

PRESENT: John Higgins, Chris D'Alleinne, Michael Brady, Brian Mullay, Kevin Cimei, Richard Scheick, Peter Marra and Suzanne Kleinhans.

PROFESSIONALS: Cathleen Marcelli, Engineer, Jon Drill, Attorney, and Rebecca D'Alleinne, Administrator.

ABSENT: Sam Mardini.

CALL TO ORDER

Chairman Higgins called the meeting to order at 7:30P.M.

PUBLIC NOTICE

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 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, the Star Ledger and the North County Branch of the Hunterdon County Library, no later than the Friday prior to the meeting.

MINUTES

Brian Mullay moved and John Higgins seconded a motion to approve the minutes of March 4, 2013 as written. The Board concurred unanimously.

Peter Marra moved and Rich Scheick seconded a motion to approve the minutes of March 18, 2013, as corrected. Michael Brady abstained and the remainder of the Board members concurred unanimously.

Chris D'Alleinne moved and Kevin Cimei seconded a motion to approve the Executive Session Minutes of March 19, 2012, as corrected. Suzanne Kleinhans and Peter Marra abstained, and the remainder of the Board members concurred unanimously.

Brian Mullay moved and Michael Brady seconded a motion to approve the Executive Session Minutes of May 14, 2012. Chris D'Alleinne, Suzanne Kleinhans and Peter Marra abstained and the remainder of the Board members concurred unanimously.

Brian Mullay moved and Rich Scheick seconded a motion to approve the Executive Session Minutes of August 20, 2012, as corrected. Chris D'Alleinne, Kevin

Cimei, Suzanne Kleinhans, and Peter Marra abstained and the remainder of the Board members concurred unanimously.

RESOLUTIONS

CINGULAR/AT&T, Block 59, Lot 3 (79 Beaver Ave)

Resolution#2013-03, Application #2013-03

Jon Drill noted that he had several typos and read them into the record. Peter Marra moved and John Higgins seconded a motion to approve the resolution as corrected. Members in favor: Higgins, D'Alleinne, Scheick, Cimei, Kleinhans and Marra.

SPRINT/SPECTRUM, Block 59, Lot 3 (79 Beaver Ave)

Resolution#2013-05, Application #2012-17

Jon Drill read corrections into the record. Suzanne Kleinhans moved and Kevin Cimei seconded a motion to approve the resolution as corrected. Members in favor: Higgins, D'Alleinne, Scheick, Cimei, Kleinhans and Marra.

HIONIS FARMS, Block 4, Lot 20

Resolution #2013-06, Application #2012-12

Jon Drill reported that the draft under consideration was Draft #3. Brian Mullay moved and John Higgins seconded a motion to approve the resolution as written. Members in favor: Higgins, D'Alleinne, Scheick, Mullay with abstentions by Cimei and Marra. Brian Mullay recused from the following resolution.

CINGULAR/AT&T, Block 89, Lot 5.02 (1217 Rt. 31)

Resolution#2013-07, Application #2013-05

Jon Drill read several corrections into the record, noting that Draft #3 was under consideration. Peter Marra moved and Kevin Cimei seconded a motion to approve the resolution as written. Members in favor: Higgins, D'Alleinne, Scheick, Cimei, Kleinhans and Marra. Mr. Mullay returned to the meeting.

ROUND VALLEY ANIMAL HOSPITAL, Block 3.03, Lot 2

Resolution #2013-08, Application #2010-12

Jon Drill read the corrections to Draft #1 into the record. Peter Marra moved and Rich Scheick seconded a motion to approve the resolution as corrected. Members in favor: Higgins, D'Alleinne, Brady, Scheick, Mullay and Marra.

Brian Mullay recused himself from the following hearing.

CAPITAL IMPROVEMENT REVIEW

N. HUNTERDON HIGH SCHOOL, Block 79, Lot 1

Application #2013-06

James Watt, Esq. introduced himself on behalf of the applicant and introduced William Mowery, NHHS Maintenance Manager. Chairman Higgins discussed the use variance that might have been required had the sign been visible from the road and expressed the opinion that the sign was not visible. The Board concurred and proceeded to hear the capital improvement review.

Mr. Mowery was sworn. He indicated that he had been employed by the school district for 32 years. He reported that the existing scoreboard was installed in 1975 and was in poor condition. Exhibit A-1 (Aerial Photo), Exhibit A-2 (Front of Existing Scoreboard) and Exhibit A-3 (New Scoreboard) were marked into evidence. Jon Drill reminded the Board that the hearing was a capital improvement review and that they needed to determine whether the change was not inconsistent with the Master Plan. Mr. Mowery indicated that the proposed sign was at least 500 feet from Route 31. He stated that the older scoreboard was 6 by 16 feet and that the new one would be located in the same location. The new board would be 12 by 18 feet and would have LED lights. Chris D'Alleinne asked about electricity usage and Mr. Mowery responded that their electrician did not feel that an upgrade would be necessary. Chairman Higgins asked about new posts and Mr. Mowery stated that new posts would be installed. Peter Marra moved and Chris D'Alleinne seconded a motion that the proposed sign was not inconsistent with the Master Plan and directed the Administrator to send a letter to that effect. The Board concurred unanimously. Mr. Mullay returned to the meeting.

PUBLIC HEARINGS

ROLLING HILLS CARE CENTER, Block 23, Lot 7

Application #2012-03

Lloyd Tubman, Esq. introduced herself on behalf of the applicant. The Public Hearing was opened in due form. She discussed the history of their approval, reporting that Transco Pipeline had exercised its easement rights and cleared part of the area on the site plan that was to have remained vegetated. James Hill, Engineer and Joseph Kiernan, Vice President of Rolling Hills were sworn. Ms. Tubman reported that there would be two conditions from which the applicant would need relief related to getting signed site plans and obtaining a Certificate of Occupancy. She proposed that they be relieved of the condition and that they would bond for the landscaping. Ms. Tubman asked for permission to meet with the landscape architect and proposed a six-month extension to October 15, 2013.

Mr. Hill presented his credentials which were accepted by the Board. Exhibit A-1 (Aerial Photo) was marked into evidence and he pointed out the area of vegetation that had been removed. He noted that a number of trees had been removed by Transco. Exhibit 2 (Copy of Approved Landscape Plan) and Exhibit A-3 (Proposed Adjustment to Landscaping Plan) were marked into evidence. He indicated that anything within the yellow lines representing the easement had been removed. Mr. Hill pointed out the area

of trees that had been removed on the applicant's property and stated that the applicant would like to work with the Board's landscape architect. Jon Drill noted that the Board needed to give Brian Bosenberg direction. Discussion ensued concerning the objective of providing adequate screening for the neighbors. Kevin Cimei asked if the new plan would change the view of the facility. He expressed the opinion that the facility should be similarly screened as it was in the original approval. Ms. Tubman noted that the applicant would like to show good faith by bonding for the improvements and Mr. Hill stated that he estimated approximately \$23,000 would be necessary. Resolution language was discussed and the suggestion was to offer an extension to April 1, 2014. There were no questions from the public. The Public Hearing was closed. Chris D'Alleinne moved and Peter Marra seconded a motion to make the two changes to the resolution as discussed. Members in favor: Higgins, D'Alleinne, Brady, Scheick, Cimei, Mullay, Kleinhans and Marra.

Mr. Cimei and Mr. Marra recused themselves from the following application and left the meeting.

HIONIS FARMS, Block 4, Lot 20
Application #2012-12

The Public Hearing was opened in due form. Chairman Higgins stated that some of the Board members had visited the site to see the development, noting that he had visited the site twice. Chris D'Alleinne discussed the new roadway. Brian Mullay commented on the topography and the detention basin, noting that he had not seen sanitary facilities. Suzanne Kleinhans noted that she had seen the progress on the greenhouse and the current conditions. Rich Scheick stated that he had walked the entire site and Michael Brady indicated that he had also participated in the site walk.

Guy DeSapio, Esq. introduced himself on behalf of the applicant. Robert Templin, Engineer and Surveyor, Pete Hionis, Applicant and Cathy Marcelli, Board Engineer were sworn. Chairman Higgins stated that the objective was to get an approved site plan that adequately represents the conditions and forms a contract between the Hionises and the township. Mr. Templin presented his credentials, which were accepted by the Board. There were no questions about his credentials from the public.

Mr. DeSapio discussed the technical issues in Cathy Marcelli's report. He went through the items and indicated that the applicant was prepared to comply. He discussed the asphalt millings and noted that they would comply. Cathy Marcelli asked for the prior survey references to be placed on the survey plan and asked for a copy. Outdoor storage and the dimensions of outdoor storage containers were discussed. Mr. Hionis stated that typical outdoor storage items would consist of potting soil, pallets, peat moss, pots and shipping racks. Mr. Hionis described his operation, noting that they grow seasonal plants and flowers. He stated that the season started in March and that the busy times were spring, summer and fall. He noted that the plants were all in pots.

Gutter-connected greenhouses and hoop houses were discussed. Exhibit A-1 (Linx Greenhouses product literature) was marked into evidence. Mr. DeSapio pointed out the area on the site where the greenhouses would be erected. Mr. Hionis explained the purpose of a hoop house, noting that it was covered with plastic, which would control the environment of the plants. Exhibit A-2 (Declonet Literature for Gutter-Connected Greenhouses) was marked into evidence. It was noted that a building permit would be

needed for the greenhouses. Cathy Marcelli asked about outdoor storage and whether there would be storage at other locations on the property. Chairman Higgins called a recess at 9:00PM. The meeting was called to order at 9:10PM.

Mr. DeSapio commented that his client was unsure what the definition of outdoor storage was for a farm operation. Mr. DeSapio discussed temporary outdoor storage. Chairman Higgins commented on work in process. He discussed the racks that were close to the fence line. Mr. Hionis stated that the plan is to store items below the berm. Active use was discussed. Mr. DeSapio stated that a detail of stone driveway and detail of fencing will be provided to the Board engineer. A gate was discussed. Exhibit A-3 (Picture of Chain Link Fence) was marked into evidence. Mr. Hionis stated that no overnight parking was allowed on the property. He indicated that the truckers were not supposed to arrive before hours and idle on the local residential road. Jon Drill discussed a resolution condition for the applicant to accept responsibility for keeping trucks from idling on the street. Cathy Marcelli asked if this was a similar situation at the other work site. Mr. DeSapio suggested that deliveries by outside truckers will be coordinated by the applicant.

Sanitary facilities were discussed and Mr. Hionis located the Porta-John on the site plan. Mr. Templin will add that to the site plan drawings. Mr. Hionis stated that presently, there was a generator providing electrical service to the existing well. Brian Mullay asked about the hours of operation for the generator. Cathy Marcelli asked that it be shown on the drawings. The sequence of construction notes will be added to the plans and the dimensions of the parking area will be shown. Mr. Hionis reported that they had an environmental expert, Amy Green, who was working with the DEP. An implementation schedule will be provided. Cathy Marcelli commented that the deadline from the DEP had been missed and asked for regular updates on the process. Chairman Higgins stated that it was a condition of the Hunterdon County Agricultural Development Board resolution to conform to the DEP requirements. Truck turning radii were discussed and Mr. Templin stated that the parking area was not sized for tractor trailers to turn around and that most of the deliveries would be by step vans. He indicated that he would work with the Board engineer. Cathy Marcelli expressed the opinion that he needed to be certain that there was sufficient space for tractor to do a "K" turn. Mr. Hionis reported which gutter-connected greenhouse had been selected from the exhibits. The recycling and garbage area will be shown on the plan. Asphalt was discussed and Mr. Templin noted the fact that the driveway had to be sealed as per the DEP requirements.

Chris D'Alleinne asked about lighting in the hoop and greenhouses, and Mr. Hionis stated that there was none. Mr. D'Alleinne asked about a heat source for the greenhouses and Mr. Hionis reported that there was none at the present time. Outside approvals were discussed. Days and hours of operation are on Monday through Saturday, and Sunday, a family member will check on the facility. The hours are 8:00AM-6:00PM or 7:00PM. Offseason would be 8:00AM-5:00PM. Brian Mullay asked about the hours of operation for the generator and Mr. Hionis stated that he doesn't run it at night. Mr. Mullay asked what he was going to do with the leveled area on the property and Mr. Hionis stated that it would be used as an additional growing area. Chairman Higgins asked about truck traffic on a normal business day and Mr. Hionis stated that he rented one and owned two 26-foot box trucks, estimating 3 trips each per day. He indicated that

he had used tractor trailers to move the product in the fall. The number of deliveries was discussed. Cathy Marcelli asked that the future planting be area be designated on the site plan. Mr. DeSapio commented that the applicant wished to reserve the right to plant in other areas on the property. Chairman Higgins noted that the approved site plan would be a snapshot in time, noting that operations change. Cathy Marcelli commented that the stormwater management design plan took only the current impervious coverage into account and was concerned that if, in the future, there was an intent to create more impervious cover, that the detention basin plan should be designed to accommodate the increase. She also pointed out that the noise level or the generator should not exceed 65 decibels at the property line during the day. The hearing was opened for public comment.

David Penna, 4 Muirfield Lane, was sworn. He asked about the 17 hoop houses and 20 greenhouses and the total of 300,000 mums that would be delivered. He discussed the box trucks, the capacity of each truck and the number of trips in and out. Mr. Penna expressed concern about public safety and the diminished quality of life. He discussed truck idling and suggested that the gate be moved 53 feet further into the property. He expressed the opinion that the site was a truck depot.

Susan Molineaux, 3 Muirfield Lane, was sworn. She asked about the gate and also proposed that the gate be moved back into the property. She asked about a landscaping plan. Mr. Templin explained that they would plant evergreens at the driveway. She asked whether the berm would be extended farther to the west. Exhibit A-4 (Site Plan Berm Extension Plan) was marked into evidence. Chairman Higgins called a recess at 10:26PM. The meeting was called to order at 10:34PM.

Mr. De Sapio discussed the landscaping and stated that the applicant preferred to plant trees as opposed to installing a berm. It was determined that Cathy Marcelli would be the arbitrator. Ms. Molineaux asked about who was in charge of garbage and Jon Drill suggested that the person to contact would be the zoning officer.

Pat Rooney, 9 Heather Hill Way, was sworn. He commented on the interstate highway and the right-of-way along the frontage road. Jon Drill stated that the Board had no legal right to make the applicant change their access point.

Jeanne Gronwald, 14 Gleneagles Dr., was sworn. She expressed the opinion that the subdivision road was not built for the weight of the trucks and asked for a new road. Jon Drill recommended that she contact the Township Council.

Charles Burton, 12 Gleneagles Dr., was sworn and asked about water restrictions. Chairman Higgins stated that the applicant had permits for an agricultural well.

Barbara Burton, 12 Gleneagles, Dr., asked about the well and Cathy Marcelli responded that it was the Town of Clinton's well.

Bill Carver, 6 Muirfield Lane, was sworn. He discussed the employees, some of whom were seasonal. He asked about the condition of the road and Chairman Higgins commented that it was in generally poor condition.

Mark Freeman, 3 Gleneagles Drive, was sworn. He asked about the seal on the driveway, and Cathy Marcelli reported that it would be inspected by the DEP. Jon Drill explained that the Planning Board was not allowed to go beyond whether a proposal meets ordinance requirements. He noted that an applicant may get an approval from the Board, but there were conditions that could be imposed, such as a building permit. He stated that there were some things over which they do have jurisdiction. Chairman

Higgins discussed the conditions that could be imposed and how they would be enforced. The Public Hearing was closed.

Chairman Higgins discussed landscaping and berm resolution conditions. Jon Drill read his suggested language, noting that the gate condition should be at least the length of a truck. Michael Brady moved and Brian Mullay seconded a motion to approve the site plan, with conditions as discussed. Members in favor: Higgins, D'Alleinne, Brady, Scheick, Mullay and Kleinhans.

NEW BUSINESS

1. Approval of Vouchers: Brian Mullay moved and Rich Scheick seconded a motion to pay the vouchers. The Board concurred unanimously.

ADJOURNMENT

Rich Scheick moved and Chris D'Alleinne seconded a motion to adjourn. The motion passed unanimously, and the meeting was adjourned at 11:10PM.

These minutes were approved on May 6, 2013.

Rebecca E. D'Alleinne
Administrator