

MINUTES

CLINTON TOWNSHIP PLANNING BOARD

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February 3, 2020

7:00PM

PUBLIC SAFETY BUILDING

1370 Route 31N

Annandale, NJ 08801

Chairman Cimei called the meeting to order at 7:02pm.

Chairman Cimei led the Flag Salute.

Chairman Cimei read the 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 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.

MEMBERS PRESENT

Glaser, Higgins, Kleinhans, Kochanowski, Lazarus, Scheick, Cimei

Ms. Butcher arrived at 7:17pm

MEMBERS ABSENT

Kilduff

BOARD PROFESSIONALS/STAFF IN ATTENDANCE

Jonathan Drill, Board Attorney

There were no members of the public in attendance for this meeting.

MEETING MINUTES

1) MEETING MINUTES JANUARY 6, 2020

Mr. Higgins motioned and Mr. Kochanowski seconded the motion to adopt the Minutes of January 6, 2020. The vote record follows.

<i>Roll Call: Minutes of January 6, 2020</i>						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Butcher (Vice Chair)						X
Glaser (Alt. 2)			X			
Higgins	X		X			
Kilduff (Alt. 1)					X	X
Kleinhans			X			
Kochanowski		X	X			
Lazarus			X			
Scheick					X	
Cimej, (Chair)			X			

2) CLOSED SESSION MEETING MINUTES JANUARY 6, 2020

Mr. Kochanowski motioned and Mr. Lazarus seconded the motion to adopt the Closed Session Minutes of January 6, 2020. The vote record follows.

<i>Roll Call: Closed Session Minutes of January 6, 2020</i>						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Butcher (Vice Chair)						X
Glaser (Alt. 2)			X			
Higgins			X			
Kilduff (Alt. 1)					X	X
Kleinhans			X			
Kochanowski	X		X			
Lazarus		X	X			
Scheick					X	
Cimej, (Chair)			X			

RESOLUTIONS

None.

REQUEST FOR EXTENSION OF TIME

1) CRC COMMUNITIES AT HEADLEY FARM ESTATES, INC.

Block 46, Lots 33 & 33.0

Application No. 2010-01

Request for Three-One-Year Extensions of Final Subdivision Approval Pursuant to N.J.S.A. 40:55D-52b. and Three-One-Year Extensions of Deadline to Obtain Signatures and Record Final Plat.

Guliet Hirsch, Esq. provided history of the development approvals and construction. Headley Farm Estates Subdivision consists of 23 lots, including 21 clustered single-family building lots and two (2) open space/stormwater management basin lots on a tract of land comprising 155.32 acres. Final Subdivision approval was granted on May 3, 2010 with memorializing Resolution 2010-12 adopted on September 20, 2010. Amended Final Subdivision Approval was granted on December 19, 2011 with memorializing Resolution No. 2011-15 adopted on February 6, 2012. A Two-year Extension of Final Subdivision Approval was granted by the Board on December 1, 2014 with memorializing Resolution No. 2014-17 adopted on January 12, 2015. A further Extension of one (1) year to February 6, 2017 was granted on March 21, 2016 with memorializing Resolution No. 2016-07 adopted on November 7, 2016. The last extension as memorialized in Resolution No. 2017-02, extended the approval to February 6, 2020 under authority of N.J.S.A. 40:55D-52b.

Required governmental approvals have been obtained. Required site improvements have been substantially completed, including storm sewers, roads up to base course, detention facilities, underground fire storage tanks and soil erosion and sediment control measures. The cost of these improvements was \$2,350,000. The only on-site improvements not yet installed are the top course of paving and landscaping.

This application seeks: (a) a four and one-half (4½) year extension pursuant to N.J.S.A. 40:55D-52b of the final protection period from February 6, 2020 to August 6, 2024; and (b) a four and one-half (4½) year extension of the time within which to obtain signatures on the final plat and record the final plat with the Hunterdon County Clerk from February 6, 2020 to August 6, 2024.

BOARD FINDINGS & CONCLUSIONS

- the applicant has installed \$2.35M worth of site improvements
- economic conditions are the cause of the applicant's inability to sell any of the lots
- there have been no changes to the neighborhood
- on November 7, 2018, Ordinance No. 1121-18 was adopted, placing the CRC- Headley property in the AH-8 Affordable Housing Zoning District. The AH-8 Zone is intended to produce a 400 dwelling unit inclusionary development, including 104 low and moderate income units, to assist the Township in satisfying its Third Round Mount Laurel affordable housing obligations pursuant to a Final Judgment of Compliance and Repose entered January 9, 2019

- given the current uncertainty about whether the submitted Highlands center petition will be approved, and whether other State permits will be issued to allow the Headley property to be developed for higher density inclusionary housing, the requested extension is justified

RELIEF GRANTED

Grant of Four and One-Half (4½) Year Extension of the Final Protection Period.

Mr. Kochanowski motioned and Mr. Scheick seconded the motion to grant the requested extensions of time. The vote record follows.

<i>Roll Call: CRC Headley Farm Estates, Inc – Extensions of Time</i>						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Butcher (Vice Chair)						X
Glaser (Alt. 2)			X			
Higgins			X			
Kilduff (Alt. 1)						X
Kleinhans			X			
Kochanowski	X		X			
Lazarus			X			
Scheick		X	X			
Cimei, (Chair)			X			

APPROVAL OF VOUCHERS

Mr. Cimei motioned and Mr. Scheick seconded the motion to approve payment of the Vouchers. The vote record follows.

<i>Roll Call: Vouchers</i>						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Butcher (Vice Chair)			X			
Glaser (Alt. 2)					X	
Higgins			X			
Kilduff (Alt. 1)						X
Kleinhans			X			
Kochanowski			X			
Lazarus			X			
Scheick		X	X			
Cimei, (Chair)	X		X			

UPDATE - SUPERIOR COURT OF NEW JERSEY APPELLATE DIVISION

Re: Clinton Township compliance with Third Round Mount Laurel Affordable Housing Obligation.

Attorney Drill reported to the Board that the Township won its appeal filed by Jeff Kantowitz on behalf of Clinton 94, LLC (David Meiskin principal for Clinton 94, LLC). The Appellate Division affirmed Judge Miller's entry of the Judgment of Compliance and Repose.

CLOSED SESSION

Board attorney Drill read Resolution to enter closed session.

On the motion of Mr. Kochanowski seconded by Mr. Glaser, the Board entered into closed session at 7:27pm pursuant to N.J.S.A. 10:4-12 (the Open Public Meeting Act) to obtain attorney client privileged legal advice from its attorney, Jon Drill, regarding Reexamination Reports where confidentiality is required in order for Attorney Drill to exercise his ethical duties as a lawyer.

The Board re-opened the Public Session at 7:48pm.

WORKSESSION ON 2020 MASTER PLAN PERIODIC REEXAMINATION REPORT

Attorney Drill suggested that going forward this document named and referred to as the 2020 Periodic Reexamination Report and Amendment to the Land Use Plan Element of the Master Plan

Board Planning Expert, Tom Behrens, Jr. provided a detailed overview of the report attached herewith.

The Board established a schedule for revisions discussed, and set a target date for Public Hearing on March 2, 2020.

DISCUSSION OF BOARD OF ADJUSTMENT 2019 ANNUAL REPORT

Mr. Cimei suggested having the Ordinance Subcommittee review the roof mounted solar and vehicle electric charging station issues.

REPORTS

- 1) Report from Council – Discussed the noise ordinance and the Boy Scouts stopped by.
- 2) Report from Ordinance Subcommittee – None.
- 3) Report from Open Space – None.
- 4) Report from Environmental Commission – None.

ADJOURNMENT

Mr. Lazarus motioned and Mr. Kochanowski seconded a motion to adjourn. The motion carried unanimously, and the meeting was adjourned at 9:20pm.

Respectfully Submitted,

Denise Filardo

Planning and Zoning Board Secretary

These minutes were approved on March 16, 2020.