

# MINUTES OF CLINTON TOWNSHIP BOARD OF ADJUSTMENT

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## IN-PERSON PUBLIC ANNUAL REORGANIZATION MEETING

DATE: January 22, 2024

Secretary Taylor Gribbin called the meeting to order at 7:01 pm.

Secretary Taylor Gribbin read the Public Notice.

This is the January 22, 2024, public meeting of the Zoning Board of Adjustment 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 Star Ledger notice of and agenda for this meeting was posted on the bulletin board at the front of the Municipal Building, the front door of the Public Safety Building and sent to the Hunterdon County Democrat and the Star Ledger no later than the Friday prior to the meeting.

### FLAG SALUTE

Secretary Taylor Gribbin led the Flag Salute.

### MEMBERS IN ATTENDANCE

Bayly, Kiefer, Lyte, McTiernan, Naylor, Pfeffer, Ryan

### MEMBERS ABSENT

Stevens

### PROFESSIONALS/STAFF IN ATTENDANCE

- 1) Jonathan Drill, Esq., Board Attorney
- 2) Tom Behrens, Board Planning Expert
- 3) Larry Plevier, Board Engineer
- 4) Jim Mazzucco, Board Landscape Architect
- 5) Jackie Klapp, Board Stenographer
- 6) Taylor Gribbin, Board Secretary

### SWEARING IN OF NEWLY APPOINTED MEMBERS

Secretary Taylor Gribbin asked for nominations for Chairman for 2024.

A motion was made by Mr. Ryan and seconded by Mr. Pfeffer to appoint Mr. Dan McTiernan Chairman for 2024. Motion carried; vote shown below:



**APPOINTMENT OF PROFESSIONALS/STAFF/NEWSPAPERS**

	AREA OF EXPERTISE	EXPERT	FIRM
1	Attorney	Jonathan Drill, Esq.	Stickel, Koenig, Sullivan & Drill, LLC
2	Conflict Attorney	Jay B. Bohn, Esq.	Schiller & Pittenger, PC
3	Architects	TBD	TBD
4	Engineering Expert	Larry Plevier, PE, CME	Mott MacDonald
5	Traffic Expert	Larry Plevier, PE, CME	Mott MacDonald
6	Lighting Expert	Jason Harkins, LLA, RLA	Mott MacDonald
7	Conflict Engineering Expert	Antoinne Hajjar, PE, PLS, PP, CME, CPWM	Land Solutions Engineering, LLP
8	Planning Experts	Joseph H. Burgis, PP, AICP and Tom Behrens, PP, AICP	Burgis Associates, Inc.
9	Landscape Architect	Jim Mazzucco, LLA	B.W. Bosenberg & Co., Inc.
10	Conflict Landscape Architect	John Morgan Thomas, ASLA	John Morgan Thomas
11	Environmental Expert	Jeffrey K. Keller, PhD	Habitat by Design
12	Geology & Hydrogeology Expert	Matthew J. Mulhall, PG, MS, ME	M2 Associates, Inc.
13	Wireless Communications Expert	Charles A. Hecht, PE	Charles A. Hecht Associates, Inc.
14	Board Stenographer	Jacqueline Klapp, Certified Court Reporter	Jacqueline Klapp
15	Secretary provided by Township	Taylor Gribbin	Township of Clinton
16	Newspapers for publication of legal notices	Hunterdon County Democrat, The Star Ledger	New Jersey Advance Media

The board voted to approve Professionals on the list above, numbers 1-15. Vote is shown below:

Member	Motion	2nd	Yes	No	Not Eligible	Absent
Bayly			X			
Kiefer			X			
Lyte			X			
McTiernan (C)			X			
Naylor (Alt 2)			X			
Pfeffer (VC)			X			
Ryan (Alt 1)			X			
Stevens						X
VACANT						

**APPROVAL OF THE 2024 BOARD NEWSPAPERS**

The Board voted unanimously to approve the 2024 Board Newspapers listed above. Motion carried; the vote is shown below:

Member	Motion	2nd	Yes	No	Not Eligible	Absent
Bayly			X			
Kiefer			X			
Lyte			X			
McTiernan (C)			X			
Naylor (Alt 2)			X			
Pfeffer (VC)			X			
Ryan (Alt 1)			X			
Stevens						X
VACANT						

**APPROVAL OF THE 2024 BOARD OF ADJUSTMENT MEETING CALENDAR**

The board voted to approve the 2024 meeting calendar. The vote is shown below:

Member	Motion	2nd	Yes	No	Not Eligible	Absent
Bayly			X			
Kiefer			X			
Lyte			X			
McTiernan (C)			X			
Naylor (Alt 2)			X			
Pfeffer (VC)			X			
Ryan (Alt 1)			X			
Stevens						X
VACANT						

**APPROVAL OF THE 2024 BOARD OF ADJUSTMENT RULES & REGULATIONS**

The board voted to approve the 2024 Rules and Regulations. The vote is shown below:

Member	Motion	2nd	Yes	No	Not Eligible	Absent
Bayly			X			
Kiefer			X			
Lyte			X			
McTiernan (C)			X			
Naylor (Alt 2)			X			
Pfeffer (VC)			X			
Ryan (Alt 1)			X			
Stevens						X

**RESOLUTIONS**

**1. RESOLUTION NO. 2022-09**

**JOSEPH AND MARY JANE VOLTURO**

**1148 STANTON LEBANON ROAD - BLOCK 16.01, LOT 34.01**

**APPLICATION BOA-2022-04**

RESOLUTION MEMORIALIZING THE PARTIAL DENIAL AND PARTIAL APPROVAL OF THE APPLICATION AS FOLLOWS: (1) DENIAL OF “D(1)” USE VARIANCE TO ALLOW TWO (2) PRINCIPAL STRUCTURES ON LOT 34.01; AND (2) GRANT OF RELIEF FROM N.J.S.A. 40:55D-35 AND EXCEPTION REGARDING TREE REPLACEMENT TO ALLOW THE CONSTRUCTION OF A NEW SINGLE-FAMILY DWELLING AND ASSOCIATED IMPROVEMENTS ON LOT 34.01

It was determined that Mr. McTiernan was the only Board member eligible to vote on this resolution. A motion was made by Mr. McTiernan, seconded by Mr. McTiernan, to approve the above resolution. Motion carried; vote is shown below:

Member	Motion	2nd	Yes	No	Not Eligible	Absent
Bayly					X	
Kiefer					X	
Lyte					X	
McTiernan (C)	X	X	X			
Naylor (Alt 2)					X	
Pfeffer (VC)					X	
Ryan (Alt 1)					X	
Stevens						X

**2. RESOLUTION NO. 2023-04**

**CLINTON AGRICULTURAL ASSOCIATES**

**1461 ROUTE 22 EAST - BLOCK 14, LOTS 6 & 7**

**APPLICATION NO. BOA-2020-07**

RESOLUTION MEMORIALIZING MODIFICATION OF CONDITION #1 OF RESOLUTION NO. 2021-09 TO EXTEND THE TIME WITHIN WHICH THE APPLICANT MUST APPLY FOR AND OBTAIN PRELIMINARY AND FINAL SITE PLAN APPROVAL

A motion was made by Ms. Kiefer, seconded by Mr. Pfeffer, to approve the above resolution. Motion carried; vote is shown below:

Member	Motion	2nd	Yes	No	Not Eligible	Absent
Bayly			X			
Kiefer	X		X			
Lyte			X			
McTiernan (C)			X			
Naylor (Alt 2)					X	
Pfeffer (VC)		X	X			
Ryan (Alt 1)					X	
Stevens						X

**3. RESOLUTION NO. 2024-05**

**ADULT AND TEEN CHALLENGE NEW ENGLAND AND NEW JERSEY, INC.  
AND TEEN CHALLENGE OF NEW JERSEY, INC.**

**245 STANTON MOUNTAIN ROAD - BLOCK 19, LOT 32**

**APPLICATION BOA-2022-12**

RESOLUTION MEMORIALIZING GRANT OF WAIVER OF SITE PLAN APPROVAL TO APPROVE THE INSTALLATION OF TWO (2) GENERATORS AND TWO (2) ABOVE-GROUND PROPANE TANKS SUBJECT TO CONDITIONS.

A motion was made by Ms. Kiefer, seconded by Mr. Pfeffer, to approve the above resolution.

Motion carried; vote is shown below:

Member	Motion	2nd	Yes	No	Not Eligible	Absent
Bayly			X			
Kiefer	X		X			
Lyte			X			
McTiernan (C)			X			
Naylor (Alt 2)			X			
Pfeffer (VC)		X	X			
Ryan (Alt 1)					X	
Stevens						X

**PUBLIC HEARING**

**1. APPLICATION NO. BOA 2022-02**

**1734 ROUTE 31 LLC. (ST. LUKES)**

**1734 ROUTE 31 – BLOCK 70 LOT 12**

APPLICANT IS SEEKING FINAL MAJOR SITE PLAN APPROVAL

Township Board Planner Tom Behrens, Township Board Engineer Larry Plevier, and Township Board Landscape Architect Jim Mazzucco were present at the time of the meeting to discuss the memos prepared for the applicant. The applicants engineer, Jess Symonds with Boswell Engineering was present at the meeting.

The applicant met with the Township Engineer and the Sewage Authority to discuss logistics.

M2 Associates’ Geological report based on the GZA Report was discussed. The Board agreed to the M2 report dated 01/18/2024.

Mr. Pfeffer made a motion seconded by Chairman McTiernan to approve the applicants request for final major site plan approval subject to conditions to be outlined via resolution. Motion was carried; the vote is shown below:

Member	Motion	2nd	Yes	No	Not Eligible	Absent
Bayly			X			
Kiefer			X			
Lyte			X			
McTiernan (C)		X	X			
Naylor (Alt 2)			X			
Pfeffer (VC)	X		X			
Ryan (Alt 1)			X			
Stevens						X

[The Board took a 5-minute recess]

**2. APPLICATION NO. BOA-24-02  
REGENCY LANDSCAPE, LLC.**

**1741 ROUTE 31 – BLOCK 68 LOT 14**

APPLICANT IS SEEKING PRELIMINARY AND FINAL SITE PLAN APPROVAL & D(3) VARIANCE RELIEF

The applicant, managing member of Regency Landscaping, and purchaser of 1741 Route 31 property, Tony Catanzaro, and the applicant’s Attorney, Kara Mezynski, were present at the time of the meeting. Applicants Planner, Jim Kyle, and the applicants Engineer, Christian Kastrud were also present.

Mr. Catanzaro gave a background on Regency Landscaping and the business model today. Testimony was given by the applicant to address the compatibility of the property located at 1741 Route 31 with Regency Landscaping. The applicant agreed to revise the plans maximum height of materials from 6 foot to 3 foot in height to comply. The applicant also agreed to comply with installing an overlay to the existing sign on site to remain grandfathered.

The impacts to the Spruce Run Reservoir located near the site were discussed. It was determined that the location as well as the grade of the property physical would not be able to drain toward Spruce Run.

Mr. Pfeffer made a motion and Mr. Bayly seconded the motion to approve the applicants request for preliminary and final site plan approval and request for D(3) variance relief subject to conditions to be outlined via resolution. Motion carried; the vote is shown below:

Member	Motion	2nd	Yes	No	Not Eligible	Absent
Bayly		X	X			
Kiefer			X			
Lyte			X			
McTiernan (C)			X			
Naylor (Alt 2)			X			
Pfeffer (VC)	X		X			
Ryan (Alt 1)					X	
Stevens						X

3. **APPLICATION NO. BOA 2022-12**  
**ADULT AND TEEN CHALLENGE NEW ENGLAND AND NEW JERSEY INC.AND TEEN CHALLENGE OF NEW JERSEY INC.**  
**245 STANTON MOUNTAIN ROAD – BLOCK 19 LOT 32**  
THE APPLICANT IS SEEKING A USE VARIANCE AND PRELIMINARY AND FINAL SITE PLAN APPROVAL FOR EXPANSION OF DINING HALL TO PROVIDE A CONFERENCE ROOM AND ADDITIONAL DINING SPACE, EXPANSION OF EXISITNG CHAPEL, NEW GARAGE FOR STORAGE AND AFTER THE FACT APPROVAL FOR TWO (2) GARAGES CONSTRUCTED BY PRIOR OWNER.

The Applicant was granted an extension through the end of March 2024.

Hearing will be continued in a Special meeting scheduled for January 29, 2024.

### **ADJOURNMENT**

A motion was made by Mr. Bayly to adjourn the meeting at 10:00 pm.

Respectfully Submitted,

*Taylor Gribbin*

Planning and Zoning Board Secretary

These minutes were approved on March 25, 2024