

# MINUTES OF CLINTON TOWNSHIP BOARD OF ADJUSTMENT

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## IN-PERSON PUBLIC MEETING

DATE: May 20, 2024

Chairman McTiernan called the meeting to order at 7:00 pm.

Chairman McTiernan read the Public Notice.

This is the May 20, 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.

### MEMBERS IN ATTENDANCE

Bayly, McTiernan, Naylor, Pfeffer, Stevens

### MEMBERS ABSENT

Kiefer, Lyte, Ryan

### PROFESSIONALS/STAFF IN ATTENDANCE

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

### MEETING MINUTES

Ms. Stevens made a motion and Mr. Pfeffer seconded the approval of the April 15, 2024, Special meeting minutes. All members present voted yes. Meeting minutes were approved.

The March 25, 2024, Special Meeting minutes were carried to the June 24, 2024, meeting.

### VOUCHERS

Chairman McTiernan reviewed and approved the May 20, 2024, vouchers.

## RESOLUTIONS

None at the time of this meeting.

## REQUEST FOR EXTENSION OF TIME

None at the time of this meeting.

## PUBLIC HEARING

### 1. APPLICATION NO. BOA 2024-07 GOMEZ – 84 OLD MOUNTAIN ROAD – B 16 L 16

APPLICANT IS SEEKING C VARIANCE TO REPLACEMENT/COVER EXISTING STONE STAIRS IN FRONT OF THE DWELLING WITH 8’5” DECK AND STAIRS. EXISTING STONE STAIRS ARE 74’8” SETBACK FROM THE ROAD, THE FRONT YARD SETBACK IS 100’. NEW DECK/STAIRS TO REMAIN APPROXIMATELY THE SAME DISTANCE FROM THE ROAD. VARIANCE RELIEF REQUESTED FOR THE FRONT YARD SETBACK.

Mr. Gerard Gomez and Michelle Gomez, homeowners, were both present at the meeting and sworn in by Board Attorney Jon Drill.

Mr. Gomez explained the nature of the application as explained above. He wants to replace the existing old, deteriorated stairs with new stairs and deck. The existing front yard setback is 100 feet from the road. The existing stairs, as well as the proposed new stairs and deck, are located 74 feet from the front property line.

Mr. Drill explained that this falls within the Township code section for effect on existing lots. The house was built in 1926 and is grandfathered, therefore, qualifies for a C (1) Hardship variance.

Chairman McTiernan asks the public if there is anyone present to comment.

Mr. Nick Cocadillas, of 73 Old Mountain Road, commented that he lives directly across the street from the subject property and is the closest visible neighbor. He stated that despite the proposed stairs and deck being screened by larger trees in front of the house, it will only enhance the appearance of the neighborhood.

Board Attorney, Jon Drill, asks for a motion to approve a variance for the stairs and deck to be constructed within the property line setback at 74’ 6” under the condition that the proposed project be constructed substantially similar to the plans submitted. The applicant shall have two (2) years to submit permits for the project, and two (2) years to obtain a certificate of occupancy for the same. Mr. Drill also advised that the Board request Secretary Gribbin compose a memo to allow the construction office to process and issue construction permits prior to the completion of the resolution.

All members present for this meeting voted ‘yes’ to approve the application above.

**2. APPLICATION NO. BOA 2024-04**  
**210 MAIN STREET LLC – 210 MAIN STREET – B 19 L 32**

APPLICANT IS SEEKING PRELIMINARY AND FINAL SITE PLAN APPROVAL AS WELL AS USE VARIANCE RELIEF PURSUANT TO N.J.S.A. 40:55D-70d1, TO ENGAGE IN MIXED USES INCLUDING: WAREHOUSE STORAGE; OUTDOOR STORAGE OF HEAVY EQUIPMENT, VEHICLES, AND CONSTRUCTION MATERIALS; EQUIPMENT MAINTENANCE SHOP; OFFICE; AND COMMERCIAL AT PROPERTY 210 MAIN STREET, LEBANON, NJ.

Mark Peck, applicants Attorney with Florio Perucci, was present at the time of this meeting. Also present, Mr. Michael Fisher, applicant Engineer, and applicant Joe Porchetta, principal and managing member of Porchetta Construction, LLC.

Applicants Attorney, Mr. Peck, explains the nature of the application as described above. The applicant is seeking approval for indoor/outdoor storage of construction materials, construction equipment, and trucks; and the allowance of a maintenance center/repair shop, and retail store. The site would be subleased for multi-use with no significant changes to the exterior of the property.

The site has 4 existing buildings, parking, and outdoor storage. The site is also surrounded and screened by a block wall.

The applicant does not have any plan to alter the exterior site or change the existing buildings on the property.

The Board Engineer, Larry Plevier, comments on the report he prepared for the subject application. He stated that the current parking on site safely accommodates 70 spaces. Mr. Plevier advised the applicant to submit a parking study or plan to the Board for review so as to comply with ADA requirements.

The Board and the public had no questions on the report submitted by the Board Engineer, Mr. Larry Plevier.

The applicant, Joe Porchetta, explains the nature of his business and gives a detailed background on the generational history.

It was further determined that the Board Landscape Architect, Jim Mazzucco, was no longer needed moving forward on this application.

The applicant is to review the previously approved resolution for the conditions. Should the applicant need any relief from the existing conditions of approval, they will be discussed at the next Board meeting.

Board Attorney, Mr. Jon Drill, requested an extension on the subject application from July 18, 2024, to September 30, 2024. The applicant accepted this extension request.

This application was carried to the next Board meeting on June 24, 2024.

**3. APPLICATION NO. BOA 2022-12**  
**TEEN CHALLENGE - 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 EXISTING CHAPEL, NEW GARAGE FOR STORAGE AND AFTER THE FACT APPROVAL FOR TWO (2) GARAGES CONSTRUCTED BY PRIOR OWNER.

*The application is continued from June 26, 2023, July 24, 2023, September 25, 2023, October 23, 2023, November 27, 2023, December 18, 2023, January 29, 2024, February 26, 2024, March 25, 2024, & April 15, 2024.*

Joe Rand was present on behalf of the subject application. Guliet Hersch, applicant's attorney, was also present at the time of the hearing.

Amy SantaMaria, Attorney for the objectors, was present at the time of the hearing.

Ms. SantaMaria started her questioning by asking for an explanation on where the information for exhibit A-47 came from.

Mr. Rand responded with the fact that he didn't know much. He stated that Ms. Melissa Oliveira, on the Executive Leadership Team, told him that she completed the JotForm shown in exhibit A-47.

Exhibit A-47 was entered into evidence.

More discussion on the maximum capacity of the facility. Mr. Rand testifies that at maximum capacity, the facility holds 77 people.

A further breakdown was given of residents to staff which was as follows: 67 total residents, 5 women and 62 men, and 10 total staff, 2 women and 8 men.

Chairman McTiernan called for a 5-minute break.

Following the break, all members present at the start of the meeting were present.

Mr. Rand corrected the figures previously mentioned for the full capacity of the facility.

Mr. Rand gave the breakdown as follows: 6 female residents, 61 male residents, 2 female staff, and 8 male staff. Out of the 6 female residents, there are 0 female apprentices. Out of the 61 male residents, there are 7 male apprentices. There are 7 male apprentices for the 7 existing cabins.

There was a question regarding the lighting on site.

Mr. Rand stated that there was a light study done measuring distances of the location of the lights from the street, and other surrounding areas. He stated that the lights

main lights were on a switch, most were on a timer, and after hours for the residents to move through the site safely, the lights through the site are on motion sensors.

A question was asked about a van coming and going from the site after 10:00pm.

Mr. Rand stated that they had GPS reports dating 3 months back and would look into it.

Mr. Pfeffer referenced the Dolan & Dean report dated 10/11/2023, page 2 indicates 7:30am-9:30pm timeframe for operation.

Chairman McTiernan opened the floor to public question.

John Matthews, of 202 Stanton Mountain Road, asked Mr. Rand questions about his predecessors' testimony. He also asked questions about the construction foreman and how people heard about the program in general. Mr. Rand responded that word mostly spread through word of mouth. Mr. Rand further explained that the program is a cross between people entering the program with problems and people entering the program for discipleship, so the program is mostly sought out.

Mitch Feldman, of Bass Lane, asks about standards given by the State in June 2023 regarding drug facilities and asked if they were exempt from those standards. Ms. Hersch stated that those standards applied to a rehab based on the definition given by the State. Mr. Feldman continues by stating the success rate was mentioned to be 23% for a 12-month period, he asks what the success rate would be for the full 15 months the program is offered. He asked further if there was ever any thought put into changing the program in any way to increase the success rate. Mr. Rand responds with quality over quantity.

Betty Higley, of 116 Stanton Mountain Road and representing Nancy Funkhauser of 268 Stanton Mountain Road, continues her questions from the special meeting on April 15, 2024. She asked about the videos from a banquet hosted sometime around 2015, specifically if former Mayor John Higgins and former Construction Official Michael Wright were shown in the video. Mr. Rand stated that they were presenting a C.O. to the former Director of Adult & Teen Challenge. It was reiterated that exhibits A-40a-f were all C.O.'s ranging from 2014-2018. It was also stated that the former Construction Official Michael Wright was affiliated with the church where the banquet was held. It was also stated that Mr. Wright brought in construction crews through members of the church to complete some projects on site.

Cliff Balard, a Clinton Township resident, asked Mr. Rand if the program was vetting for illegal aliens. Mr. Rand explains that the prospective residents are required to produce 2 valid forms of identification when enrolling. Mr. Balard asked about the current security system on site, to which Mr. Rand responded that there were cameras in the parking lots of the property. Mr. Balard asked Mr. Rand about how long he thought it would take someone to walk about 1/8 of a mile. Mr. Rand responded with about 20 minutes, to which Mr. Balard asked how long it would take for anyone on site to figure out that someone was missing from the site. Mr. Rand

answered with 2 minutes. Mr. Balard asked of all the permission they are requesting from the Board, are any of them related to the security on site. Mr. Rand responded with no. Mr. Balard continued with asking if any percentage of the programs budget was dedicated to security. Mr. Rand responded with no.

Chairman McTiernan asks if anyone else from the public had any more questions for Mr. Rand. With no more questions from the public, Mr. Drill asked the applicant for an extension through to September 30, 2024. Mr. Rand agreed to the extension request.

This public hearing was carried to the next Board meeting on 06/24/2024 at 7:00pm.

## **ADJOURNMENT**

A motion was made by Mr. Bayly to adjourn the meeting at 10:10 pm. All members present at the meeting were in favor. The meeting was adjourned.

Respectfully Submitted,

*Taylor Gribbin*

Planning and Zoning Board Secretary

These minutes were approved on July 22, 2024.