

MINUTES

CLINTON TOWNSHIP PLANNING BOARD

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January 15, 2018

7:30PM

PUBLIC SAFETY BUILDING

1370 Route 31N

Annandale, NJ 08801

Board Secretary Filardo called the meeting to order at 7:30pm.

Secretary Filardo led the Flag Salute.

Secretary Filardo 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.

SWEARING IN OF NEW MEMBERS

Prior to the start of the meeting, Board Attorney, Jonathan Drill swore in the following Board members:

- 1) John Higgins
- 2) Dan McTiernan
- 3) David Pfeffer

MEMBERS PRESENT

Butcher, Higgins, Kilduff, Kleinhans, Mardini, McTiernan, Pfeffer, Cimei

MEMBERS ABSENT

Scheick

BOARD PROFESSIONALS/STAFF IN ATTENDANCE

Jonathan Drill, Esq., Board Attorney,

NOMINATIONS AND ELECTIONS

NOMINATION OF BOARD CHAIR

Mr. Mardini motioned and Mr. McTiernan seconded a motion to appoint Mr. Cimei as the Board Chairman for 2018. The vote record follows.

<i>Roll Call: Nomination of Kevin Cimei as Board Chairman</i>						
Member	Motion	2nd	Yes	No	Abstain	Absent
Butcher			X			
Cimei			X			
Higgins			X			
Kleinhans			X			
Mardini	X		X			
McTiernan		X	X			
Scheick						X
Kilduff, Alt. 1			X			
Pfeffer, Alt 2					Not Eligible	

NOMINATION OF BOARD VICE CHAIR

Mr. McTiernan motioned and Mr. Cimei seconded a motion to nominate Sam Mardini as Vice Chairman. The vote record follows.

<i>Roll Call: Nomination of Sam Mardini as Vice Chairman</i>						
Member	Motion	2nd	Yes	No	Abstain	Absent
Butcher			X			
Cimei		X	X			
Higgins			X			
Kleinhans			X			
Mardini			X			
McTiernan	X		X			
Scheick						X
Kilduff, Alt. 1			X			
Pfeffer, Alt 2					Not Eligible	

NOMINATION OF BOARD VICE CHAIR PRO TEMP

Mr. Cimei motioned and Mr. McTiernan seconded a motion to nominate Suzanne Kleinhans as Vice Chair Pro Temp. The vote record follows.

<i>Roll Call: Nomination of Suzanne Kleinhans as Vice Chair Pro Temp</i>						
Member	Motion	2nd	Yes	No	Abstain	Absent
Butcher			X			
Cimei	X		X			
Higgins			X			
Kleinhans			X			

Mardini			X			
McTiernan		X	X			
Scheick						X
Kilduff, Alt. 1			X			
Pfeffer, Alt. 2					Not eligible	

SELECTION OF BOARD EXPERTS

Mr. Mardini motioned and Mr. McTiernan seconded a motion to approve the Board Professionals. The vote record follows.

<i>Roll Call: Approval of 2018 Board Professionals</i>						
Member	Motion	2nd	Yes	No	Abstain	Absent
Butcher			X			
Cimei			X			
Higgins			X			
Kleinhans			X			
Mardini	X		X			
McTiernan		X	X			
Scheick						X
Kilduff, Alt. 1			X			
Pfeffer, Alt. 2					Not Eligible	

APPROVAL OF THE 2018 MEETING CALENDAR

Mr. Mardini moved and Mr. Kilduff seconded a motion to approve the 2018 calendar with new meeting start time of 7:00pm. The vote record follows.

<i>Roll Call: Approval of 2018 Calendar with Meeting start time of 7:00pm</i>						
Member	Motion	2nd	Yes	No	Abstain	Absent
Butcher			X			
Cimei			X			
Higgins			X			
Kleinhans			X			
Mardini	X		X			
McTiernan			X			
Scheick						X
Kilduff, Alt. 1		X	X			
Pfeffer, Alt. 2					Not Eligible	

RESOLUTION APPROVING OF THE 2018 RULES AND REGULATIONS

Mr. McTiernan motioned and Ms. Kleinhans seconded a motion to adopt the 2018 Rules and Regulations. The vote record follows.

Roll Call: Approval of 2018 Rules and Regulations						
Member	Motion	2nd	Yes	No	Abstain	Absent
Butcher			X			
Cimei			X			
Higgins			X			
Kleinhans		X	X			
Mardini			X			
McTiernan	X		X			
Scheick						X
Kilduff, Alt. 1			X			
Pfeffer, Alt. 2					Not Eligible	

APPROVAL OF VOUCHERS

Mr. Cimei motioned and Mr. Mardini seconded a motion to approve the vouchers for payment. The vote record follows.

Roll Call: Payment of Vouchers						
Member	Motion	2nd	Yes	No	Abstain	Absent
Butcher			X			
Cimei	X		X			
Higgins			X			
Kleinhans			X			
Mardini		X	X			
McTiernan			X			
Scheick						X
Kilduff, Alt. 1			X			
Pfeffer, Alt. 2					Not Eligible	

APPROVAL OF MINUTES

None.

RESOLUTIONS

- 1) OAK KNOLL VILLAGE, Block 82, Lot 64
 Application No. 2015-10
 Resolution No. 2015-22
 Waiver of Site Plan Review and Approval to perform repair and maintenance by removing and replacing lighting heads on existing lighting poles.
Adoption carried to the next meeting.

- 2) NEW YORK LIFE INSURANCE COMPANY, Block 3, Lot 26
 Application No. 2015-12
 Resolution No. 2015-23

Waiver of Site Plan Review with an Exception and Approval to perform repair and maintenance by removing and replacing lighting heads on existing lighting poles.

Adoption carried to the next meeting.

WAIVER OF SITE PLAN REVIEW

T-MOBILE NORTHEAST, LLC, Block 4.03, Lot 36.01

Application No. CTPB-2017-11

Applicant is seeking Waiver of Site Plan approval to upgrade its existing facility upon the wireless transmission tower on the property located at 1130 Route 22 West.

The applicant was represented by Michael Breen, Esq.

T-Mobile operates a conditionally permitted wireless telecommunications facility, as a co-locator on the site, which is a leased portion of the property. The T-Mobile facility consists of nine (9) cellular antennas mounted on the existing 153-foot tall monopole, with the centerline of the antennas at 138-feet above ground level, with the equipment cabinet located in the existing fenced-in compound. The monopole and compound were originally approved by the Board by virtue of the grant of Conditional Use and Preliminary and Final Site Plan Approval to T-Mobile's predecessor, Omnipoint Communications in 1999. The Board also previously approved the following co-locators on the site:

- 1) Sprint
- 2) AT&T
- 3) Verizon Wireless

The following individuals were sworn and testified during the hearing:

- 1) Josh Cottrel, PE (applicant's engineering expert),
- 2) Andrea Malcolm, PP, AICP (Board's planning expert)

EXHIBITS

A-1 Photo of existing monopole

Attorney Breen qualified Mr. Joshua Cottrell, PE, the applicant's engineering expert. Mr. Cottrell's credentials were accepted by the Board.

Mr. Cottrell's referenced Exhibit A-1 and the plans during his testimony which included the following:

- The applicant is proposing an upgrade to the existing tower consisting swapping out the internal components of the two (2) radio cabinets located on the ground within the fenced in equipment compound.
- A third new cabinet which will be the same size as the existing cabinet, will be installed on the existing concrete pad which requires a new breaker.
- The equipment base will not be enlarged.
- The height of the tower will not be increased.
- Identification of the following three (3) co-locators, Sprint, AT&T and Verizon Wireless, including the height of all antennas.

- The centerline of T-Mobile’s antennas will remain the same.

Attorney Drill read from CTPB Resolution No. 2015-20, specifically the top of page six (6) to clarify all existing carriers and existing heights.

BOARD FINDINGS AND CONCLUSIONS

- the Board finds that the proposed development will satisfy the grounds for waiver of site plan review and approval provided the conditions set forth below are imposed and complied with.
- the addition of the two sectors and antennas located on each along with the equipment cabinet upgrade will not affect any typical site plan design elements, including parking, drainage, building arrangement, landscaping, buffer or lighting.
- the additional antenna and equipment will not increase the height or width of the monopole and the proposed upgrade to the equipment in the equipment cabinet will not alter the overall design of the equipment shelter. As such, there are no impacts to the existing site plan or current layout of the site.
- the facility was previously granted all necessary approvals by the appropriate approving authority,
- the height and width of the monopole will not increase,
- the approval of the proposed development will not create a condition for which variance relief is required under the MLUL,
- the proposed development is a modification of an existing wireless telecommunications facility that will not substantially change the physical dimensions of the monopole and will not change the dimensions of the compound.
- the monopole is not proposed to be extended in height and the additional antennas being proposed will not project out from the monopole further than the existing antennas on the monopole as they are being added at the same height as the existing antennas.
- provided that the imposed conditions are complied with, a Waiver of Site Plan can and should be granted.

RELIEF GRANTED

Waiver of Site Plan Review and Approval - Subject to conditions.

Mr. McTiernan motioned and Ms. Kleinhans seconded a motion to grant a Waiver of Site Plan Approval. The vote record follows.

Roll Call: T-Mobile Blk 4.03, Lot 36.01 – Waiver of Site Plan						
Member	Motion	2nd	Yes	No	Abstain	Absent
Butcher			X			
Cimei			X			
Higgins			X			
Kleinhans		X	X			
Mardini			X			
McTiernan	X		X			
Scheick						X
Kilduff, Alt. 1			X			
Pfeffer, Alt. 2					Not Eligible	

PUBLIC HEARING

CHABAD OF HUNTERDON COUNTY, Block 90, Lot 2.15

Application No. CTPB-2017-08

Applicant is seeking Final Site Plan Approval to allow construction of a Synagogue, Community Center, and Religious Education Building and related Site Improvement

Mr. Cimei exited the meeting at 8:16pm prior to the start of this hearing. Vice Chairman Mardini chaired the remainder of the meeting.

The applicant's attorney Michael Camerino, Esq. stated that all reports from Board professionals have been received and the applicant will comply with all reports and the plans will be modified accordingly.

The following individuals were sworn and testified under oath during the hearing:

- 1) John McDonough, PP, AICP (applicant's professional planner and landscape architectural expert),
- 2) Richard Perry, AIA (applicant's architectural expert),
- 3) Andrea Malcolm, PP, AICP (Board planning expert),
- 4) Cathy Marcelli, PE (Board's engineering expert),
- 5) Ben Anderson (interested party owning a neighboring lot located at 3 Springhouse Court),
- 6) Robert Brinker (interested party owning a neighboring lot located at 1 Springhouse Court)

The following individuals were sworn to testify, were available to answer questions about the documents they prepared, but no one on the Board and no members of the public had any questions for them:

- 1) Robert Zederbaum, PE (applicant's engineering expert),
- 2) Robert Clerico, PE (applicant's stormwater engineering expert)

Attorney Camerino noted that the Landscaping issues have been resolved and that John McDonough would be speaking only as Landscaping Expert this evening. Attorney Camerino qualified Mr. McDonough and Mr. McDonough's qualifications were accepted by the Board.

Mr. McDonough's testimony included the following:

- An overview of Landscaping plan on Sheet L1.
- Adequate forestation will be provided by the applicant, specifically with one-hundred thirty-eight (138) two-inch caliper trees plus thirty-nine (39) shrubs.
- The applicant will be in conformance with the Township Landscape Ordinance.

There were no questions from Board Members on Mr. McDonough's testimony.

Board Engineer Marcelli requested that the applicant install a silt fence and the Attorney Camerino agreed on behalf of the applicant.

Attorney Camerino qualified Richard Perry the applicant's architectural expert. – equals Mr. Perry's qualifications were accepted by Board. There were no questions regarding Mr. Perry's qualifications from the public.

EXHIBIT

- A-1 Exterior Fence Elevation Detail prepared by Landau Zinder (Richard Perry, AIA);

Mr. Perry's testimony referenced Exhibit A-1 noting that the fence will be mostly camouflaged by plantings except for the area near the loading dock.

There were no questions from the Board or members of the Public regarding the fence.

The Board took a five (5) minute recess at 8:35pm to allow members of the public to review the Landscape sheet.

Members of the public, Ben Anderson of 3 Springhouse Court and Robert Brinker of 1 Springhouse Court communicated the following:

- This application really progressed in a nice way for the neighborhood.
- Confirmed the number of plantings for the reforestation.
- Thanks to the applicant for their indulgence.
- We are happy with the final plans.

BOARD FINDINGS AND CONCLUSIONS

- The applicant is seeking Final Major Site Plan Approval to allow construction of the proposed development, which is a permitted house of worship consisting of a 16,996 square foot synagogue, office, community center and religious education building along with related improvements.
- The application proposes no changes to the Preliminary approval granted pursuant to the 2017 Resolution and all conditions of the Preliminary approval to date have been satisfied.
- With the exception of certain specified zoning ordinance requirements from which the Board granted "C" variance relief and certain Site Plan ordinance requirements from which the Board granted exceptions as memorialized in the 2017 Resolution, the site plans comply with all remaining applicable zoning ordinance regulations and all remaining applicable Site Plan ordinance requirements.
- Provided that the imposed conditions are complied with, the site plans will also comply with all of the preliminary approval conditions contained in the 2017 Resolution.
- The Board concluded that Final Site Plan Approval can and should be granted but subject to compliance with the imposed conditions.

RELIEF GRANTED

- **Final Site Plan Approval** is granted to the site plans, architectural plans, landscaping plans, and stormwater report, provided the applicant complies with the imposed conditions.

Mr. Pfeffer motioned and Mr. McTiernan seconded a motion to grant Final Site Plan Approval subject to conditions. The vote record follows.

Roll Call: Chabad Block 90, Lot 2.01- Final Site Plan Approval						
Member	Motion	2nd	Yes	No	Abstain	Absent
Butcher			X			
Cimei					Recused	
Higgins			X			
Kleinhans			X			
Mardini			X			
McTiernan		X	X			
Scheick						X
Kilduff, Alt. 1			X			
Pfeffer, Alt. 2	X					

The Board appointed the following individuals as members of the Open Space Recreation Plan Subcommittee:

- 1) John Kilduff
- 2) John Higgins
- 3) Dave Pfeffer

The Board appointed the following individuals as members of the Ordinance Subcommittee:

- 1) Sam Mardini
- 2) John Higgins
- 3) Dave Pfeffer

REPORTS

Report from Council: None.

Report from Ordinance Committee: None.

Report from Open Space: None.

Report from Environmental Commission: None.

ADJOURNMENT

Ms. Butcher motioned and Mr. Mardini seconded a motion to adjourn. The motion carried unanimously, and the meeting was adjourned at 8:55pm.

Respectfully Submitted,

Denise Filardo

Planning and Zoning Board Secretary

These minutes were approved on May 7, 2018