

MINUTES

CLINTON TOWNSHIP PLANNING BOARD

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March 01, 2021

7:00PM

VIRTUAL MEETING

THE CLINTON TOWNSHIP PLANNING BOARD HAS CHANGED THE FORMATS OF ITS REGULAR MEETINGS FOR THE DURATION OF THE COVID-19 PUBLIC HEALTH EMERGENCY TO “VIRTUAL” MEETINGS VIA A WEBEX BRIDGE.

THESE CHANGES HAVE BEEN INSTITUTED TO PROTECT HEALTH, SAFETY AND WELFARE OF RESIDENTS, EMPLOYEES, MUNICIPAL OFFICIALS, APPLICANTS AND CONSULTANTS IN RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY.

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 VIA WEBEX

Butcher, Glaser, Higgins, Kleinhans, Lazarus, Mullay, Scheick, Cimei

MEMBERS ABSENT

None.

Mr. Scheick joined the virtual meeting at 7:07pm.

BOARD PROFESSIONALS/STAFF IN ATTENDANCE

Jonathan E. Drill, Esq., Board Attorney
Thomas Behrens Jr., Board Planner
Denise Filardo, Board Secretary

APPOINTMENT OF PROFESSIONAL

Area of Expertise	Expert	Firm
Radio Frequency Engineer	Charles A. Hecht	Charles A. Hecht & Associates

Mr. Mullay motioned and Mr. Glaser seconded a motion to appoint Charles A. Hecht as Radio Frequency Engineer for 2021. The vote record follows.

<i>Roll Call: Appointment of Charles A. Hecht as Radio Frequency Engineer</i>						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Butcher (Alt 2)					X	
Glaser		X	X			
Higgins (Alt 1)			X			
Kleinhans			X			
Lazarus			X			
Mullay	X		X			
Scheick			X			
Cimei			X			

Due to Mr. Glaser being appointed to Township Council, he will now be a Class III Member of the Planning Board. Since the Vice Chair position is only open to Class IV members, the Board shall nominate a new Vice Chairperson.

NOMINATIONS AND ELECTION OF BOARD VICE CHAIR

Mr. Mullay motioned and Mr. Glaser seconded a motion to nominate Mr. Higgins as the Board Vice Chairman for 2021. There were no other nominations.

<i>Roll Call: Nomination of John Higgins as Board Vice Chairman</i>						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Butcher (Alt 1)					X	
Glaser		X	X			
Higgins			X			
Kleinhans			X			
Lazarus			X			
Mullay	X		X			
Scheick			X			
Cimei			X			

NOMINATION AND ELECTION OF BOARD VICE CHAIR PRO TEMP

Mr. Mullay nominated Ms. Kleinhans as Vice Chair Pro Temp, seconded by Mr. Lazarus. Ms. Kleinhans nominated Mr. Lazarus as Vice Chair Pro Temp, seconded by Mr. Mullay. The Board conducted a Straw Poll vote as follows:

Roll Call: Straw Poll Vote for Vice Chair Pro Temp						
Member	Motion	2nd	Kleinhans	Lazarus	NE	Absent
Butcher (Alt 1)					X	
Glaser				X		
Higgins				X		
Kleinhans				X		
Lazarus			X			
Mullay				X		
Scheick				X		
Cimei				X		

Mr. Higgins motioned and Mr. Cimei seconded a motion to elect Mr. Lazarus as Vice Chair Pro Temp for 2021. The vote record follows.

Roll Call: John Lazarus 2021 Vice Chair Pro Temp						
Member	Motion	2nd	Yes	No	NOT ELIGIBLE	Absent
Butcher (Alt 1)					X	
Glaser			X			
Higgins	X		X			
Kleinhans			X			
Lazarus			X			
Mullay			X			
Scheick			X			
Cimei		X	X			

APPROVAL OF VOUCHERS

Mr. Mullay motioned and Mr. Scheick seconded a motion to pay the vouchers. The vote record follows.

Roll Call: Approval of Vouchers						
Member	Motion	2nd	Yes	No	NOT ELIGIBLE	Absent
Butcher (Alt 1)					X	
Glaser			X			
Higgins			X			
Kleinhans			X			
Lazarus			X			
Mullay	X		X			
Scheick		X	X			
Cimei			X			

MEETING MINUTES

1. January 11, 2021

Eligible Members: *Glaser, Higgins, Kleinhans, Lazarus, Mullay, Scheick, Cimei*
 Mr. Scheick motioned and Mr. Glaser seconded a motion to adopt the January 11, 2021 Meeting Minutes. The vote record follows.

Roll Call: Meeting Minutes January 11, 2021						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Butcher (Alt 1)					X	
Glaser		X	X			
Higgins			X			
Kleinhans			X			
Lazarus			X			
Mullay			X			
Scheick	X		X			
Cimei			X			

PUBLIC HEARINGS

1) T-MOBILE NORTHEAST, LLC

1418 Route 22

Block 13.01, Lot 1

Application No. 2020-09

Applicant is seeking Amended Site Plan Approval for the differences between the approved height of stealth tree monopole structure and the as-built structure.

The applicant was represented by Frank Ferraro, Esq. Attorney Ferraro provided a brief overview and history of the application noting the changes in the approved tower and antenna heights versus the as built heights.

The following individual was sworn and testified during the hearing:

- 1) Joshua Cottrell, PE (Applicant’s Engineering Expert)
- 2) Thomas Behrens, Jr. PP, AICP (Board Planning Expert)

Mr. Cottrell’s qualifications were accepted by the Board as a Professional Engineering Expert.

Mr. Cottrell’s testimony included and was not limited to the following:

- Differences in the approved dimensions of the monopole, the antennas and the faux tree branches from the as built dimensions.
- Speculation of the possible reasons for the deviations including grading at the site, splicing overlap in connecting the three (3) sections of the monopole
- The current number of carriers, the standard separation between antenna heads.
- The is currently room for one additional carrier to be above the current carriers and several ports available below current carriers.

The Board expressed that they were pleased with the aesthetics of the faux branches and that they have heard positive comments from members of the community. Mr. Cimei expressed that he was disappointed that the approved specifications were not adhered to and

asked in how many other towns has a deviation such as this occurred. Mr. Cottrell noted that this monopole was a custom design and stated that this is the first time this has occurred that he is aware of.

Discussion ensued as to the possible reasons for the deviations in height, whether additional antennas will extend above the height of the branches.

Prior to the issuance of a CO, the Board requested a signed and sealed letter from a licensed Professional Engineer stating that the tower was constructed in accordance with the manufacturer's specifications.

BOARD FINDINGS AND CONCLUSIONS:

- The additional as built height of the tower and antennas will not be visibly noticeable since the faux branches are what is noticed from the ground and from the distance. The actual height of the faux branches is lower than what the Board approved.
- Amended Final Site Plan Approval is warranted provided that the Board imposed conditions are complied with.

It was noted that there was no one from the public in virtual attendance who wished to provide comments.

RELIEF GRANTED

Amended Site Plan Approval to allow the differences between the approved height of stealth tree monopole structure and the as-built structure; provided that the applicant comply with the Board imposed conditions.

Mr. Glaser motioned and Mr. Cimei seconded a motion to grant Amended Site Plan Approval. The vote record follows.

<i>Roll Call: T-Mobile – Amended Site Plan</i>						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Butcher (Alt 1)					X	
Glaser	X		X			
Higgins			X			
Kleinhans			X			
Lazarus			X			
Mullay			X			
Scheick			X			
Cimei		X	X			

- 1) EXXONMOBIL RESEARCH AND ENGINEERING COMPANY
1545 Route 22
Block 30, Lots 17, 30, 31, 41

Block 31, Lot 1

Block 30.02, Lot 1

Application No. 2021-01

Applicant is seeking Waiver of Site Plan Approval to relocate an acid tote tank at its existing office/research facility.

The applicant was represented by Thomas J. Malman, Esq. Attorney Malman provided a brief overview and history of the prior applications and approvals.

The following individuals were sworn and testified during the hearing:

- 1) Robert Moschello, P.E. (Applicant's Engineering Expert)
- 2) Tom Behrens, PP, AICP (Board's Planning Expert)

EXHIBITS

A-1 Overall Aerial Exhibit

A-2 Overall Proposed Site Plan Exhibit (color)

Referencing Exhibits A-1 and A-2, Mr. Moschello's testimony included and was not limited to the following:

- Extension of a steel platform located at the cooling towers to accommodate the relocation of the proposed acid tote tank.
- Dimensions, capacity and location of the proposed acid tote tank.
- The proposed permanent tank will eliminate the need to have tank deliveries which will provide a modest reduction in truck traffic to the site.
- The proposed tank will eliminate the need for moving tanks, less handling of material on the site resulting in increased safety.

BOARD FINDINGS AND CONCLUSIONS

- The Proposed Improvements fit within the first grounds for Waiver of Site Plan review and approval under Township ordinance section 165-36.1.A(1)
- Prior Site Plan Approvals have been granted to the Development and the Proposed Improvements will have an insignificant impact on the previously approved site plans.
- The relocation of the acid tote constitutes an upgrade, which will enhance the safety and efficiency of the Research Facility operation, while reducing truck traffic, without creating any significant or negative impacts to the existing site plan.
- The Board's ultimate finds and concludes that it can and should Waive Site Plan review and approval to allow the Proposed Improvements to be constructed subject to the applicant's compliance with the Board imposed conditions.

RELIEF GRANTED

Waiver of Site Plan Review and Approval in accordance with Township ordinance section 165-36.1A(1) to allow relocation of the acid tote tank.

Mr. Glaser motioned and Mr. Higgins seconded a motion to grant Waiver of Site Plan Approval. The vote record follows.

Roll Call: ExxonMobil - Waiver of Site Plan						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Butcher (Alt 1)					X	
Glaser	X		X			
Higgins		X	X			
Kleinhans			X			
Lazarus			X			
Mullay			X			
Scheick			X			
Cimei			X			

Mr. Cimei suggested that the Ordinance Subcommittee reconvene to work on a draft for a Technical Review Committee or the like to allow some minor Site Plan related issues to be reviewed and approved without coming to the Board. Discussion included items such as upgrade of parking lot lighting, replacement of generators, HVAC and stairs. Including a review of the Route 31 corridor Zoning was also discussed. The Ordinance Subcommittee will meet and report back to the Board within the next couple of meetings.

REPORTS

Report from Council – Mr. Mullay reported the following:

- Bill Glaser has joined Council.
- We have refinanced BANS at a rate under 1.5%.
- The Budget will be introduced on March 10th.
- Existing Basketball Courts at Bundt Park to be refurbished to now include basketball courts, tennis courts and pickleball courts.
- The Police Organizational Ordinance will be updated.
- The Highlands and Stormwater Ordinances were also adopted.

Report from Ordinance Subcommittee – See above.

Report from Open Space – None.

Report from Environmental Commission – Mr. Glaser reported:

- Sponsoring a rain barrel event on April 10th.
- Working on education and trail maps for Windy Acres.

Now that Mr. Glaser is on Town Council he can no longer be on the Environmental Commission. Mr. Mullay asked if any other Board members have an interest to let him know.

ADJOURNMENT

Mr. Glaser motioned and Mr. Lazarus seconded a motion to adjourn. The motion carried unanimously, and the meeting was adjourned at 8:36pm.

Respectfully Submitted,

Denise Filardo

Planning and Zoning Board Secretary

These minutes were approved on June 7, 2021.