

MINUTES

CLINTON TOWNSHIP PLANNING BOARD

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June 07, 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 7:00pm.

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

Mr. Higgins joined the meeting at 7:07pm.

MEMBERS ABSENT

Scheick

BOARD PROFESSIONALS/STAFF IN ATTENDANCE

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

MINUTES

1) March 1, 2021

Mr. Lazarus motioned and Mr. Glaser seconded a motion to adopt the March 1, 2021 Meeting Minutes. The vote record follows.

<i>Roll Call: Meeting Minutes March 1, 2021</i>						
Member	Motion	2nd	Yes	No	NOT ELIGIBLE	Absent
Butcher (Alt 1)					X	
Glaser		X	X			
Higgins						X
Johnson (Alt 2)					X	
Kleinhans			X			
Lazarus	X		X			
Mullay			X			
Scheick						X
Cimei			X			

2) May 3, 2021

Ms. Kleinhans motioned and Mr. Glaser seconded a motion to adopt the May 3, 2021 Meeting Minutes. The vote record follows.

<i>Roll Call: Meeting Minutes May 3, 2021</i>						
Member	Motion	2nd	Yes	No	NOT ELIGIBLE	Absent
Butcher (Alt 1)					X	
Glaser		X	X			
Higgins						X
Johnson (Alt 2)					X	
Kleinhans	X		X			
Lazarus					X	
Mullay			X			
Scheick						X
Cimei			X			

RESOLUTIONS

- 1) NEW CINGULAR WIRELESS PCS, LLC D/B/A AT&T
 Block 59, Lot 3
 79 Beaver Avenue
 Application No. 2021-03
 Resolution No. 2021-05
 Resolution Memorializing Waiver of Site Plan Approval to Allow a Wireless Telecommunications Facility Upgrade Consisting of the Installation of an Emergency Generator Along with Related Equipment Replacement/Removal.

Mr. Glaser motioned and Ms. Kleinhans seconded a motion to adopt Resolution No. 2021-05. The vote record follows.

<i>Roll Call: New Cingular Wireless – Resolution No. 2021-05</i>						
Member	Motion	2nd	Yes	No	NOT ELIGIBLE	Absent
Butcher (Alt 1)					X	
Glaser	X		X			
Higgins			X			
Johnson (Alt 2)					X	
Kleinhans		X	X			
Lazarus					X	
Mullay			X			
Scheick						X
Cimei			X			

HEARING ON ADOPTION OF 2021 REEXAMINATION REPORT OF THE MASTER PLAN AND DEVELOPMENT REGULATIONS

Tom Behrens, Jr. PP, AICP, the Board’s Planning Expert was sworn and testified during the hearing.

Mr. Behrens summarized the draft he prepared of the 2021 Reexamination Report dated May 27, 2021.

There were no questions from the Board. There were no members of the public in virtual attendance.

Upon conclusion, the Board determined that the 2021 Master Plan Reexamination Report should be adopted with minor non-substantive revisions.

Mr. Glaser motioned and Mr. Lazarus seconded a motion to adopt the 2021 Reexamination Report of the Master Plan and Development Regulations. The vote record follows.

<i>Roll Call: 2021 Master Plan Reexam & Development Regulations</i>						
Member	Motion	2nd	Yes	No	NOT ELIGIBLE	Absent
Butcher (Alt 1)			X			

Glaser	X		X			
Higgins			X			
Johnson (Alt 2)					X	
Kleinhans			X			
Lazarus		X	X			
Mullay			X			
Scheick						X
Cimei			X			

HEARING ON THE ADOPTION OF 2021 AMENDMENT TO THE HOUSING ELEMENT AND FAIR SHARE PLAN ELEMENTS OF THE MASTER PLAN

Tom Behrens, Jr. PP, AICP, the Board’s Planning Expert was sworn and testified during the hearing.

Mr. Behrens summarized the draft he prepared of the 2021 Amendment to the Housing Element and Fair Share Plan dated May 27, 2021.

There were no questions or comments from members of the public.

Upon conclusion, Board determined that the 2021 Amended HPE & FSP should be adopted with minor non-substantive revisions and that:

- 1) It is consistent with the goals and objectives of the Township Master Plan;
- 2) Will guide the use of lands in the municipality in a manner which protects public health and safety and promotes the general welfare and
- 3) It is designed to achieve and its adoption and implementation will achieve access to affordable housing to meet present and prospective housing needs.

Mr. Lazarus motioned and Mr. Glaser seconded a motion to adopt the 2021 Amendment to the Housing Plan Element and Fair Share Plan Elements of the Master Plan. The vote record follows.

Roll Call: 2021 Amendment to the HPE & FSP						
Member	Motion	2nd	Yes	No	NOT ELIGIBLE	Absent
Butcher (Alt 1)			X			
Glaser		X	X			
Higgins			X			
Johnson (Alt 2)					X	
Kleinhans			X			
Lazarus	X		X			
Mullay			X			
Scheick						X
Cimei			X			

HEARING ON THE ADOPTION OF 2021 AMENDMENT TO THE LAND USE PLAN ELEMENT OF THE MASTER PLAN

Tom Behrens, Jr. PP, AICP, the Board’s Planning Expert was sworn and testified during the hearing.

Mr. Behrens summarized the draft he prepared of the 2021 Amendment to the Land Use Plan Element of the Master Plan dated May 27, 2021.

There were no questions or comments from members of the public.

Upon conclusion, Board determined that the 2021 Amended Land Use Plan Element of the Master Plan should be adopted with minor non-substantive revisions and that:

- It is consistent with the goals and objectives of the Township Master Plan;
- It will guide the use of lands in the municipality in a manner which protects public health and safety and promotes the general welfare and;
- It is designed to ensure consistency with the 2021 Amended HPE & FSP in order to achieve access to affordable housing to meet present and prospective housing needs.

Mr. Glaser motioned and Mr. Higgins seconded a motion to adopt the 2021 Amendment to the Land Use Plan Element of the Master Plan. The vote record follows.

<i>Roll Call: Amendment to the LUPE</i>						
Member	Motion	2nd	Yes	No	NOT ELIGIBLE	Absent
Butcher (Alt 1)			X			
Glaser	X		X			
Higgins		X	X			
Johnson (Alt 2)					X	
Kleinhans			X			
Lazarus			X			
Mullay			X			
Scheick						X
Cimei			X			

MASTER PLAN CONSISTENCY REVIEW

ORDINANCE NO. 1154-2021

An Ordinance of the Township of Clinton Amending Chapter 165 of the “Code of the Township of Clinton” by creating the AH-9 Affordable Housing Zoning District to facilitate a Mixed-Income Affordable Housing Development at Route 31N (Block 70, Lots 6 and 6.01), and amending the Clinton Township Zoning Map and Schedule of Zoning Requirements accordingly

Mr. Behrens provided an overview of the proposed ordinance. Mr. Behrens opined that the ordinance is not only not inconsistent with the Master Plan but it is also substantially consistent

Mr. Higgins motioned and Ms. Kleinhans seconded a motion finding that Ordinance No. 1154-2021 is substantially consistent and not inconsistent with the Township Master Plan. The vote record follows.

Roll Call: Master Plan Consistency Review – Ordinance No. 1154-2021						
Member	Motion	2nd	Yes	No	NOT ELIGIBLE	Absent
Butcher (Alt 1)			X			
Glaser			X			
Higgins	X		X			
Johnson (Alt 2)					X	
Kleinhans		X	X			
Lazarus			X			
Mullay			X			
Scheick						X
Cimei			X			

PUBLIC HEARING

NEW CINGULAR WIRELESS PCS, LLC (“AT&T”)
 1130 Route 22
 Block 4.03, Lot 36.01
 Application No. 2021-05

Applicant is seeking a Waiver of Site Plan Application Review to modify an existing telecommunications facility and add a generator.

The applicant was represented by Christopher Quinn, Esq. Attorney Quinn provided a brief summary of the application.

The following individuals were sworn and testified during the hearing:

1. Matthew Fields, PE (applicant’s engineering expert) and
2. Tom Behrens, PP, AICP (Board’s planning expert);

Mr. Fields’ qualifications were accepted as an Engineering Expert by the Board.

Referencing Sheets T-1 and C-2 of the submitted plans, Mr. Fields’ testimony included and was not limited to the following:

- An overview of the existing conditions on the site
- Identification of existing carriers and the respective antenna heights of each.
- Explanation of the proposed improvements consisting of replacement of six (6) of the antennas, replacement of the existing antenna mount, replacement of nine (9)

existing ancillary RRH units behind the antennas with 12 new RRH units, replacing two of the existing equipment cabinets on the existing AT&T concrete pad, noting that there will be no change to the number of cabinets on the pad.

- The generator will be compliant with N.J.A.C. 7:29.1
- The generator will be exercised during weekdays only during the hours of 9:00am to 5:00pm.
- The generator has a double wall protection fuel tank.

BOARD FINDINGS AND CONCLUSIONS:

- The Board finds that the proposed improvements satisfy the grounds for approval under 47 U.S.C. 1455 because the proposed improvements are a modification of an existing wireless telecommunications facility that will not substantially change the physical dimensions of the AT&T facility or building and will not change the structure or dimensions of the equipment within the compound.
- The Board specifically finds that the antennas on the building are not proposed to be substantially extended in height and no additional antennas are being proposed which would substantially project out from the building.
- The Board also finds that there is no change to the height of the monopole.
- Based upon the Board’s findings above, the Board concludes that approval of the proposed improvements is also warranted under 47 U.S.C. 1455, conditioned upon the applicant’s compliance with the Board imposed conditions.

There was one (1) member of the public who dialed in and identified himself as Walter Wilson, he did not have any comments or questions related to this application.

RELIEF GRANTED

The Board hereby granted a Waiver of Site Plan Review and Approval in accordance with Township ordinance sections 165-36.1(A)1 and 16-36.1(A)3, N.J.S.A. 40:55D-46.2 and under 47 U.S.C. 1455 to allow the proposed improvements as reflected on the plans as will be revised in accordance with the conditions imposed by the Board.

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

Roll Call: New Cingular Wireless, (AT&T) Blk 4.03, Lot 36.01						
Waiver of Site Plan Approval						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Butcher (Alt 1)			X			
Glaser			X			
Higgins			X			
Johnson (Alt 2)					X	
Kleinhans	X		X			
Lazarus		X	X			

Mullay			X			
Scheick						X
Cimei			X			

The applicant requested that the Board ask the Zoning Officer to process a zoning permit as if the resolution has been adopted.

APPROVAL OF VOUCHERS

Mr. Cimei motioned and Mr. Higgins seconded a motion to pay the vouchers. The vote record follows. Reconcile whether Higgins or Glaser seconded – I didn’t record

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

REPORTS

REPORT FROM COUNCIL

Mr. Mullay reported the following:

- The prior Council meeting was fairly quick. The “meat” of the meeting consisted of the items we discussed tonight, the Master Plan Reexam, the Amendment to the HPE & FSP, and the Amendment to the LUPE.

REPORT FROM ORDINANCE SUBCOMMITTEE

Mr. Glaser reported that he, Mr. Higgins and Mr. Lazarus will speak after this meeting to schedule a meeting to discuss a Technical Review Committee and Rezoning of sections of Route 31.

REPORT FROM ENVIRONMENTAL COMMISSION

Mr. Cimei reported the following:

- There has been continued work on the Windy Acres trails and markers.
- Andrew Holt will be stepping down next year and will be missed.

ADJOURNMENT

Mr. Mullaney motioned and Mr. Higgins seconded a motion to adjourn. The motion carried unanimously, and the meeting was adjourned at 8:32pm.

Respectfully Submitted,

Denise Filardo

Planning and Zoning Board Secretary

These minutes were approved on August 16, 2021.