

MINUTES

CLINTON TOWNSHIP PLANNING BOARD

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July 12, 2021

7:00PM

SPECIAL 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 Special 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

Glaser, Higgins, Johnson, Kleinhans, Lazarus, Mullay, Cimei

MEMBERS ABSENT

Butcher, Scheick

BOARD PROFESSIONALS/STAFF IN ATTENDANCE

Kathryn Razin, Esq., Board Attorney (Substituting for Jonathan Drill, Esq.)
Thomas Behrens Jr., Board Planning Expert
Larry Plevier, Board Engineering Expert
Angela DeVoe, Acting Construction Code Official

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Denise Filardo, Board Secretary
Jim Mazzucco, Board Landscape Architect
Jeffrey Keller, Board Environmental Expert
Jackie Klapp, Board Stenographer

MINUTES

- 1) June 7, 2021 - Deferred to the next meeting.

RESOLUTIONS

- 1) RESOLUTION ADOPTING THE 2021 PERIODIC REEXAMINATION REPORT OF THE MASTER PLAN AND DEVELOPMENT REGULATIONS
Resolution No. 2021-0A

Mr. Glaser motioned and Mr. Higgins seconded a motion to adopt Resolution No. 2021-0A. The vote record follows.

<i>Roll Call: 2021 Reexam of the Master Plan – Resolution No. 2021-0A</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			

- 2) RESOLUTION ADOPTING THE 2021 AMENDMENT TO THE THIRD ROUND HOUSING PLAN ELEMENT & FAIR SHARE PLAN ELEMENT OF THE MASTER PLAN
Resolution No. 2021-0B

Mr. Lazarus motioned and Ms. Kleinhans seconded a motion to adopt Resolution No. 2021-0B. The vote record follows.

<i>Roll Call: 2021 Amendment to HPE & FSP – Resolution No. 2021-0B</i>						
Member	Motion	2nd	Yes	No	NOT ELIGIBLE	Absent
Butcher (Alt 1)						X
Glaser			X			
Higgins			X			
Johnson (Alt 2)			X			
Kleinhans		X	X			

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Lazarus	X		X			
Mullay			X			
Scheick						X
Cimei			X			

3) RESOLUTION ADOPTING 2021 AMENDMENT TO THE LAND USE PLAN ELEMENT OF THE MASTER PLAN
Resolution No. 2021-0C

Ms. Kleinhans motioned and Mr. Glaser seconded a motion to adopt Resolution No. 2021-0C. The vote record follows.

Roll Call: 2021 Amendment to the LUPE – Resolution No. 2021-0C						
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			

4) NEW CINGULAR WIRELESS PCS, LLC D/B/A AT&T
Block 4.03, Lot 36.01
1130 Route 22 West
Application No. 2021-05
Resolution No. 2021-06

Resolution memorializing Waiver of Site Plan Approval to allow a wireless telecommunications facility upgrade consisting of the replacement of antennas, mount, cabling, along with related equipment replacement.

Ms. Kleinhans motioned and Mr. Lazarus seconded a motion to adopt Resolution No. 2021-06. The vote record follows.

Roll Call: 2021 Amendment to the LUPE – Resolution No. 2021-0C						
Member	Motion	2nd	Yes	No	NOT ELIGIBLE	Absent
Butcher (Alt 1)						X
Glaser			X			
Higgins			X			
Johnson (Alt 2)					Not Eligible	
Kleinhans	X		X			
Lazarus		X	X			
Mullay			X			
Scheick					Not Eligible	X
Cimei			X			

PUBLIC HEARING

- 1) CLINTON LIHTC URBAN RENEWAL LLC – CLINTON WOODS
1355 Route 31
Block 82, Lot 4.03

The applicant is seeking Amended Preliminary and Final Site Major Plan Approval, Amended Preliminary and Final Subdivision Approval and Bulk Variances to permit construction of a multi-family affordable housing residential development and a Community Building.

At 7:17pm Mr. Higgins recused from this application and exited the meeting room.

The applicant was represented by Kate Coffey, Esq. who provided a brief history of the prior relief granted as well as an overview of the requested relief. See Application Addendum attached herewith for details.

The following witnesses were sworn and testified during the hearing:

- 1) Lara Schwager (Applicant’s VP of Development)
- 2) Gregory Domalewski, PE (Applicant’s Civil Engineering Expert)
- 3) Jaqueline Camp, AIA (Applicant’s Architectural Expert)
- 4) Jason Tronco, LLA (Applicant’s Landscape Architectural Expert)
- 5) Lawrence Plevier, PE (Board’s Civil and Traffic Engineering Expert)
- 6) Jeff Keller, Ph.D (Board’s Environmental Expert)
- 7) Jim Mazzucco, LLA, (Board’s Landscape Architectural Expert) and
- 8) Tom Behrens, Jr., PP, AICP (Board’s Planning Expert);

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

EXHIBITS

- A-1 Color rendering of Site Plan sheet 7
- A-2 Colorized Overall Rendered Landscape Plan
- A-3 Rendered Landscape Plan Enlargement
- A-4 Entrance Signage Exhibit
- A-5 Building A Rendering
- A-6 Building D Elevations
- A-7 Building G Elevations, and
- A-8 Community Building Elevations

Greg Domalewski’s qualifications were accepted by the Board as an Engineering Expert.

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

- An overview of existing site conditions and surrounding properties.
- Orientation of the proposed subdivision identifying the new 5.517-acre flag lot which is location of the proposed development. The remaining 34.769 acres will be future park land.

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- Offsite utility extensions, water to be tied in at Allerton & Regional Roads and sewer to be tied in at the North Hunterdon High School force main.
- An overview of Landscape plan, site layout, number of buildings including six (6) Multifamily three-story buildings, the number of one, two and three bedroom units, a Community Building, Maintenance Shed, Gardening Shed, Tot Lot, Community Garden and Passive Recreation and walking areas containing benches. Additional improvements include two trash enclosure areas, masonry walls and a stormwater basin.
- Locations of proposed fencing and halo lit sign were provided.

Discussion ensued regarding responsibility of the maintenance of the sign and the trees which are located on the island 20 feet from the NJDOT ROW.

It was noted that there was no one from the public with questions or comments.

Attorney Coffey discussed the requested variances and exception including the design waiver from the caliper requirement, reviewing the positive and negative criteria.

Jason Tronco's qualifications were accepted by the Board as a Landscape expert.

Referencing Exhibits A-2, A-3 and A-4, Mr. Tronco's testimony included and was not limited to proposed site wide landscaping, fencing and the entrance sign details.

It was again noted that there was no one from the public with questions or comments.

Jacqueline Camp testified at the Preliminary Site Plan hearing and remains under oath.

Referencing Exhibits A-5, A-6, A-7 and A-8, Ms. Camp's testimony included and was not limited to the following:

- Description of building designs, materials, architectural features.
- Materials for all seven (7) buildings will be substantially similar. Base of buildings will be a charcoal-colored stone veneer. Siding colors will include two (2) shades of blue and a cream color. The roofs will all be gray in color.

BOARD FINDINGS AND CONCLUSIONS

- Granting the "C(2)" Variance to allow the deviation from the permitted accessory structure setback regulation would advance the purposes of the MLUL and the resulting zoning benefits were community wide benefits, particularly since the deviation is related to a recreational amenity.
- The zoning benefits arising from the grant of the Variance would substantially outweigh any detriment.
- The "C(2)" Variance could be granted without substantial detriment to the public good and without substantially impairing the intent and purposes of the master plan and zoning ordinance.
- The Board concluded that it can and should grant the "C(2)" Variance to allow the deviation.

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- The Board found that it is reasonable and within the intent and purpose of the Site Plan ordinance provisions to grant the Exception from the Site Plan ordinance requirements at issue.
- The Board concluded that it can and should grant the Exception relative to tree replacement.
- Provided that the Variance and the Exception requested in the application are granted and provided that the Board imposed conditions are complied with, the Board found that the application and site plans will comply with all applicable zoning ordinance regulations and all applicable Site Plan ordinance requirements.
- The Board concluded that Amended Preliminary and Final Site Plan approval of the proposed improvements can and should be granted.
- The Board found that the application and plans will comply with all remaining applicable zoning ordinance regulations and all applicable subdivision ordinance requirements.
- The Board concluded that the Variance and Exception sought in the application can and should be granted, the Board further concluded that Amended Preliminary and Final Subdivision Approval of the proposed improvements can and should be granted, all subject to the applicant’s compliance with the Board imposed conditions.

RELIEF GRANTED

All of the relief granted below is contingent upon the applicant’s compliance with the Board imposed conditions.

- “C(2)” Variance as to Accessory Structure Setbacks.
- Exception as to Tree Replacement.
- Amended Preliminary Site and Final Site Plan Approval.
- Amended Preliminary Subdivision Plan and Final Subdivision Approval

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

Roll Call: Clinton LIHTC Urban Renewal - Blk 82, Lot 4.03 Amended P&F Site Plan, Amended P&F Subdivision , Bulk Variances and Exception						
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			

APPROVAL OF VOUCHERS

Mr. Cimei motioned and Ms. Kleinhans seconded a motion to pay the vouchers. The vote record follows.

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

REPORTS

REPORT FROM COUNCIL

Mr. Mullay reported the following:

- Council had its first in-person meeting since the pandemic.
- A Redevelopment Resolution was adopted for a three-lot site on Grayrock Road.
- One of the Lieutenant’s has been promoted to Police Chief.
- A Proclamation was prepared and read honoring Joe Borowski who has retired from DPW. Joe was also a long-time volunteer on the rescue squad.
- A bid was awarded for both Grayrock Road projects which saved money. The savings can now be used for Hibbler, Stone Hill and Cedar Grove Roads.

REPORT FROM ORDINANCE SUBCOMMITTEE

Mr. Lazarus reported that the subcommittee will be coming back to the Planning Board with information regarding the Site Plan/Technical Review Committee. They are looking at language from other communities.

Angela DeVoe reported that Readington Township adopted an ordinance forming a Site Plan/Technical Review Committee which was used it for the first time and it worked well.

REPORT FROM ENVIRONMENTAL COMMISSION

Mr. Cimei reported the following:

- Despite the recent blogs, we are not trying to put chargers at every place that exists.
- Working on signs/stations at Windy Acres.

ADJOURNMENT

Ms. Johnson motioned and Mr. Glaser seconded a motion to adjourn. The motion carried unanimously, and the meeting was adjourned at 10:02pm.

Respectfully Submitted,

Denise Filardo

Planning and Zoning Board Secretary

These minutes were approved on September 20, 2021.