

**MINUTES**

**CLINTON TOWNSHIP PLANNING BOARD**

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**July 26, 2021**

**7:00PM**

**EFFECTIVE JULY 26, 2021 THE CLINTON TOWNSHIP PLANNING BOARD  
RETURNED TO IN-PERSON PUBLIC HEARINGS AT:**

The Clinton Township Public Safety Building  
1370 Route 31 North – 3<sup>rd</sup> Floor Council Chambers  
Annandale, NJ 08801

Chairman Cimei called the meeting to order at 7:01pm.

Chairman Cimei led the Flag Salute.

Chairman Cimei read the Public Notice

This is the August 16, 2021 public meeting of the Planning Board of the Township of Clinton, County of Hunterdon and State of New Jersey. Adequate notice of this meeting was 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 Township website, the bulletin boards at the front of the Municipal Building, the front door of the Public Safety 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**

Butcher, Glaser, Johnson, Higgins, Kleinhans, Lazarus, Cimei

**MEMBERS ABSENT**

Mullay, Scheick

**BOARD PROFESSIONALS/STAFF IN ATTENDANCE**

Jonathan E. Drill, Esq., Board Attorney  
Thomas Behrens, Jr., PP, AICP Board Planning Expert  
Larry Plevier, PE, CME, Board Engineering Expert  
Jim Mazzucco, LLA, Board Landscape Expert  
Matt Mulhall, PG, Board Geology and Hydrogeology Expert

Jackie Klapp, Board Stenographer  
Denise Filardo, Board Secretary

**MINUTES**

1) **June 7, 2021** - Held until the next meeting.

**RESOLUTIONS**

1) RESOLUTION NO. 2021-0D AUTHORIZING BURGIS ASSOCIATES TO PERFORM A PRELIMINARY INVESTIGATION AS TO WHETHER THE PROPERTIES LOCATED AT 10 AND 12 GRAYROCK ROAD (BLOCK 77.01, LOTS 2, 3 AND 4) MEET THE CRITERIA FOR DESIGNATION AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT

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

<b>Roll Call: Resolution No. 2021-0D</b>						
<b>Member</b>	<b>Motion</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>NOT ELIGIBLE</b>	<b>Absent</b>
Butcher (Alt 1)			X			
Glaser			X			
Higgins			X			
Johnson (Alt 2)			X			
Kleinhans		X	X			
Lazarus	X		X			
Mullay						X
Scheick						X
Cimei			X			

1) INGERMAN DEVELOPMENT COMPANY, LLC (Willows at Spruce Run)  
Block 70, Lots 6 and 6.01  
1726 and 1730 Route 31  
Application No. PB-2021-07  
Resolution No. 2021-08  
Applicant is seeking Preliminary Site Plan and Variance relief to construct a multi-family inclusionary housing development.

The applicant was represented by Kate Coffey, Esq. Attorney Coffey provided an overview of the proposed project and the relief requested.

**WITNESSES**

The following witnesses were sworn and testified during the hearing on the Application,

1. Brett Skapinetz, PE, PP (Applicant's civil engineering and planning expert),
2. Mary Johannesen, RA (Applicant's architectural expert),
3. Corey Chase, PE (Applicant's traffic engineering expert),
4. Tom Behrens, PP, AICP (Board planning expert),
5. Jim Mazzucco, LLA (Board landscape architectural expert),
6. Matt Mulhall (Board geological expert), and
7. Larry Plevier, PE (Board engineering expert);

#### EXHIBITS

- A-1 Color rendered Site Plan dated 7/26/21,
- A-2 Color rendered Fire Truck Circulation Plan dated 6/30/2021,
- A-3 Color rendered Refuse Truck Circulation Plan dated 6/30/2021,
- A-4 Color rendered sheet A-11 (Perspective Bldg Type A) dated 7/26/2021, and
- A-5 Color rendered sheet A-12 (Perspective Clubhouse) dated 7/26/2021;

Brett Skapinetz's qualifications were accepted by the Board. Referencing exhibits, A-1, A-2 and A-3, Mr. Skapinetz's testimony included and was not limited to the following:

- Existing site conditions;
- Buildings, lot, trash enclosures, parking and banked parking, electric vehicle charging stations;
- Grading, topography, retaining walls and stormwater;
- Lighting, landscaping, sign specifications;
- Water, sewer, cable, electric and construction of a pump station;
- Fire truck circulation;
- Design Waiver regarding exception from tree replacement
- C(1) Variance pertaining to height of retaining walls;

A member of the public Bill Kibler of Raritan Headwaters Association, an environmental group with headquarters located at Fairview Farm Wildlife Preserve, 2121 Larger Cross Road, Bedminster, NJ. Had a question on Exhibit A-1 for Mr. Skapinetz

Mary Johannesen's qualifications were accepted by the Board. Referencing Exhibits A-4 and A-5, Ms. Johannesen's testimony included and was not limited to the following:

- Number and identification of buildings, total of 146 units with 24 to 25 units per building. The 80 affordable units will be integrated into all buildings. Townhouses to be located on end of 25-unit buildings.
- Open floor plans containing individual HVAC, tankless hot water heaters, washer/dryer in each unit durable flooring and LED lighting.
- One-story clubhouse will consist of the maintenance/management office, amenities for residents, a fitness room, a lounge seating area, multipurpose room, rest rooms, front covered porch area and covered patio roof over rear porch.

- All buildings designed with a rural agricultural look, cement board siding with stone veneer. Front and back of buildings will have similar design except for entrances. Roofing material will be asphalt architectural shingles.

The Board took a brief recess at 9:00pm and resumed the meeting at 9:09pm.

Corey Chase's qualifications were accepted by the Board. Mr. Chase's testimony included and was not limited to the following:

- Overview of existing and proposed site access;
- Review of the traffic impact study;
- Trip generation projections which will not generate a significant impact to existing traffic conditions.

There was one (1) member of the public in attendance: Luis Navas of 41 Sierra Drive, Califon, NJ.

Attorney Coffey provided a recap of the application and the requested relief.

#### BOARD FINDINGS AND CONCLUSIONS

- Strict application of the bulk regulation pertaining to retaining wall separation in this particular case will result in exceptional and undue hardship in terms of impacting the extent to which the Property may be used and that "C(1)" variance relief to allow the retaining wall proposed would relieve the hardship.
- The "C(1)" variance relief could be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the master plan and zoning ordinance provided that the Board imposed conditions are complied with.
- The "C(1) variance relief can and should be granted but subject to the applicant's compliance with the Board imposed conditions.
- Granting the requested exception as to tree replacement is reasonable and within the general intent and purpose of the provisions for site plan review and approval.
- Literal enforcement of the site plan ordinance requirements in this particular case would create undue hardship.
- The Board concludes that it can and should grant the exceptions subject to the applicant's compliance with the Board imposed conditions.
- The preliminary site plans, the preliminary architectural plans, and the other documents listed above for which approval is sought, are sufficient for purposes of preliminary site plan review and approval.
- With the exception of the "C(1)" variance and tree replacement exception, the preliminary site plans, preliminary architectural plans, and the other documents for which approval is sought, will comply with all other applicable zoning ordinance regulations and site plan ordinance requirements, provided that the applicant complies with the Board imposed conditions.
- Matters vital to the public health and welfare have been adequately provided for.
- Preliminary site plan approval is warranted and should be granted subject to the applicant's compliance with the Board imposed conditions.

**RELIEF GRANTED**

The following relief was granted based upon the applicant’s compliance with the Board imposed conditions:

- C(1) Variance as to Retaining Wall Separation
- Exception from Tree Replacement Requirement
- Preliminary Site Plan Approval.

Ms. Glaser motioned and Ms. Butcher seconded a motion to grant Preliminary Site Plan Approval, C(1) Variance and Exception from Tree Replacement requirement. The vote record follows.

<b><i>Roll Call: Ingerman Development Company – PSP, Variance &amp; Exception</i></b>						
<b>Member</b>	<b>Motion</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>NOT ELIGIBLE</b>	<b>Absent</b>
Butcher (Alt 1)		X	X			
Glaser	X		X			
Higgins					Recused	
Johnson (Alt 2)			X			
Kleinhans			X			
Lazarus			X			
Mullay						X
Scheick						X
Cimei			X			

**VOUCHERS**

None.

**REPORTS**

**REPORT FROM COUNCIL**

None.

**REPORT FROM ORDINANCE SUBCOMMITTEE**

Mr. Glaser and Mr. Lazarus reported that they are still working on the Administrative Waiver process.

**REPORT FROM ENVIRONMENTAL COMMISSION**

None.

**ADJOURNMENT**

Ms. Johnson motioned and Mr. Lazarus seconded a motion to adjourn. The motion carried unanimously, and the meeting was adjourned at 9:37pm.

Respectfully Submitted,

*Denise Filardo*

Planning and Zoning Board Secretary

These minutes were approved on November 15, 2021.