

MINUTES

CLINTON TOWNSHIP PLANNING BOARD

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May 2, 2022

7:00PM

**IN-PERSON PUBLIC MEETING AT:
THE CLINTON TOWNSHIP PUBLIC SAFETY BUILDING**

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

Chairman Cimei led the Flag Salute.

Secretary Filardo read the Public Notice

This is an in-person 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 inside and at the front of 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

Glaser, Higgins, Kleinhans, Lazarus, Mullay, Cimei

MEMBERS ABSENT

Butcher, Johnson

BOARD PROFESSIONALS/STAFF PRESENT

Jonathan E. Drill, Esq., Board Attorney
Larry Plevier, Board Engineering Expert
Tom Behrens, Board Planning Expert
Jim Mazzucco, Board Landscape Professional
Denise Filardo, Board Secretary

MEETING MINUTES

- 1) April 4, 2022
- 2) Held until the next meeting.

RESOLUTIONS

None.

REQUESTS FOR EXTENSIONS OF TIME

Mr. Mullay recused from Annandale Village and exited the meeting room.

- 1) ANNANDALE VILLAGE
BLOCK 53, LOT 3
6 West Street
Application No. 2020-06
Resolution No. 2020-07

The applicant is requesting an Extension of the Time within which to obtain signatures on the Final Site Plans as specified in Resolution No. 2020-07.

- 2) ANNANDALE VILLAGE
BLOCK 53, LOT 3
6 West Street
Application No. 2020-04
Resolution No. 2020-05

The applicant is requesting an Extension of the Time within which file the Subdivision Plat as specified in Resolution No. 2020-05.

Board Attorney Drill suggested consolidating both Extensions even though they are for different items.

The applicant was represented by Frederick B. Zelle, Esq. substituting for Vince Bisongo, Esq.

Chris Nusser was sworn as the applicant's Engineering Expert. Mr. Nusser requested six (6) months to get the Final Site Plans signed and a one-year extension of time to file the subdivision plat.

The Board granted a six (6) month extension of the time within which to obtain signatures on the Final Site Plans until November 2, 2022, and the maximum time-period of one (1) year to file the subdivision plat.

Mr. Lazarus motioned and Ms. Kleinhans seconded a motion granting the aforementioned extensions of time. The vote record follows.

<p><i>Roll Call: Annandale Village Extensions of Time to obtain signatures on Final Site Plan and to file Subdivision Plat.</i></p>
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Member	Motion	2nd	Yes	No	Not Eligible	Absent
Butcher						X
Glaser			X			
Higgins			X			
Johnson (Alt. 1)						X
Kleinhans		X	X			
Lazarus	X		X			
Mullay			X			
Cimei			X			

At 7:15pm Mr. Mullay returned to the meeting.

PUBLIC HEARING

1) 1233 ROUTE 31, LLC

Block 88, Lots 10 and 11

Applicant is seeking Preliminary and Final Major Site Plan approval and “c” Variance relief to demolish the existing improvements on Lot 11 to accommodate the development of a new two-story commercial building to be occupied by Hunterdon Roofing, Siding and Window Co.

The applicant is represented by Jeffrey Curzi, Esq. Attorney Curzi explained that the Hunterdon Siding and Window business has grown and the applicant is seeking to expand. In addition, all materials are now delivered in forty (40) and fifty-five (55) foot trucks. The current site is not able to accommodate trucks of this size and the trucks often have to park on the shoulder of Route 31 to unload.

The following individuals were sworn and provided testimony during the hearing:

1. Chris Nusser, (Applicant’s Planning and Engineering Expert),
2. Fred Peoni, (Property Owner),
3. Tom Behrens, (Board Planning Expert),
4. Larry Plevier, (Board Engineering Expert), and
5. Jim Mazzucco (Board Landscape Expert)

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

- Mr. Peoni purchased the business with his wife Kim from his dad and business has existed for forty-one (41) years.
- Business has more than doubled in the past few years.
- An average of five (5) employees in the office daily and customers come in on occasion.
- There are currently 70-100 windows per delivery. In the past deliveries arrived in twenty-five (25) foot trucks. Deliveries are now consolidated and delivered with larger trucks.
- The applicant has purchased Lot 11 to expand the business with new offices, a showroom and a storage area for materials.

- Existing Company vehicles include one (1) high-top van, one (1) box truck and one (1) pickup truck
- The existing building on lot 10 contains seven (7) desks, window displays and the garage is full of windows & materials.
- There is a residential apartment on the second floor above the office where Mr. Peoni's parents lived, which is now occupied by a tenant
- Proposing one (1) common driveway to access both sites with an access easement.
- As soon as approvals are received the existing structures on lot 11 will be demolished.
- The applicant plans for all materials to be stored inside so that there will be no outdoor storage.
- The applicant does not have interest in combining/merging the two (2) lots.

There was no one from the public present with interest in this application.

Mr. Nusser's qualifications were accepted by the Board.

EXHIBITS

- A-1 Colorized version of site plans Hunterdon Window and Siding.
- A-2 Marked up Architectural Plan.
- A-3 Colorized Aerial View of Lots 10 and 11.

Referencing Exhibits A-1, A-2 and A-3, Mr. Nusser's testimony included and was not limited to the following:

- An orientation of existing conditions on lots 10 and 11.
- Existing building on lot 10 is a two-story not three-story as depicted on the plans
- The fence at the north side of Lot 10 does not belong to the applicant.
- There are two (2) existing dwellings on lot 11, one of which is a single-family and the other is a two-family.
- Lot 11 contains a water-line easement which may be used for agriculture, but no structures can be built over it.
- Both lots are served by well and septic systems.
- The applicant is proposing a 1,600sf partial two-story commercial building to contain an office and showroom with showroom on the second floor.
- Due to costs of construction, the applicant is proposing two phases of construction. The first phase proposes to construct the two-story section of the building and if needed, the remainder of the first story will be constructed for additional storage. The final southern part of building will be completed in phase 2.
- An overview of the architectural plans.

It was noted that there is no ADA accessibility to the second floor of the proposed building.

The Board took a recess at 7:59 to allow the applicant's team to have a brief discussion. The meeting resumed at 8:10pm.

The Board suggested the applicant make some revisions to the application and return to complete the application and address the following:

- No trucks exiting lot 11 and turning right onto Red Schoolhouse Road, passing Bundt Park and then going through a residential area.
- The proximity of the fire hydrant on Red School House Road and the possible need for an underground fire suppression tank
- Truck usage, fire dept, phasing ingress & egress, eliminate warehouse terminology
- The lighting Report
- Show a vehicle turning and movement plan. In addition to signage, construct a physical barrier so that the trucks cannot turn right onto Red Schoolhouse Road.
- Add hours of operation

The application was carried to June 20, 2022 without need for further notice.

The applicant must submit revised plans by June 10th to be heard on June 20th

REQUEST FOR EXTENSION OF TIME

Mr. Cimei recused and exited the meeting. Mr. Higgins chaired the remainder of the meeting.

CHABAD OF HUNTERDON COUNTY
Block 90, Lot 2.15
63 Payne Road
Application No. 2017-08
Resolution No. 2018-01

The applicant is requesting an Extension of the Time within which to obtain a Final Certificate of Occupancy as outlined in Condition D.12 of resolution No. 2018-01. The applicant is also requesting a modification of Condition D.4 of Resolution No. 2018-01 so that it may apply for a Temporary Certificate of Occupancy within a planting season.

The applicant was represented by John M. Mills III, Esq.

Rabbi Eli Kornfeld was sworn.

Jon Drill highlighted conditions 4 & 12 and has proposed language changes.
Modification to condition 12: The applicant shall have until June 15, 2023 to obtain a permanent CO.

Change to Condition No. 4 so that the applicant may apply for a TCO without completing landscaping if and only if the applicant posts bond in an amount acceptable to the Township Engineer and acceptable to Township Attorney for the remaining landscaping to be installed.

The Landscaping Review Report prepared by John Morgan Thomas, the Board's Conflict Landscape Architect noted multiple instances of significantly undersized plantings. It was

strongly suggested the applicant’s landscape professional work with the Board Landscape Expert to conform as close as possible to the Township ordinance.
 Board Attorney Drill noted that B.W. Bosenberg is no longer conflicted so he suggested that Jim Mazzucco now take over as Board’s landscape expert for this application.

Mr. Higgins motioned and Mr. Mullay seconded a motion granting the requested Modification and Extension of Time. The vote record follows.

<i>Roll Call: Chabad of Hunterdon County, Modification & Extension of Time</i>						
Member	Motion	2nd	Yes	No	Recused	Absent
Butcher						X
Glaser			X			
Higgins	X		X			
Johnson (Alt. 1)						X
Kleinhans			X			
Lazarus			X			
Mullay		X	X			
Cimei			X		X	

APPROVAL OF VOUCHERS

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

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

REPORTS notes to be completed

Report from Council – Mr. Mullay reported the following:

- The last meeting was short meeting;
- We had a great Community Day last weekend and good weather;
- Next Council meeting moved from to the 11th to the morning of the 10th and will include the resignation of the CFO who will be replaced by out Assistant CFO.
- Mr. Glaser helped work with the Sewer Authority to make application to Congressman Malinowski to obtain a grant from the appropriations fund for the Sewer Authority to improve the pump station at Regional Road.

Report from Ordinance Subcommittee – Mr. Higgins reported the following:

- Administrative Waiver of Site Plan Ordinance should be introduced at the upcoming Council meeting;
- We need to define a “dwelling”. New definitions needed for “through lot” and “peninsula lot”;

Mr. Plevier suggested to define what would be considered a front yard and in the bulk standards you have rear setbacks and rear from street.

Mr. Behrens suggested that you can dictate where the address or mailbox is located to serve as the front yard, but there may be certain circumstances where you want the lot to be treated as having two front yards.

Board Attorney Drill noted that this also impacts swimming pools since they are supposed to be in a rear yard.

Report from Environmental Commission – None.

ADJOURNMENT

Mr. Glaser motioned and Ms. Kleinhans seconded a motion to adjourn. The motion carried unanimously, and the meeting was adjourned at 9:34pm.

Respectfully Submitted,

Denise Filardo

Planning and Zoning Board Secretary

These minutes were approved on August 1, 2022.