

MINUTES OF CLINTON TOWNSHIP BOARD OF ADJUSTMENT

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PUBLIC MEETING

February 26, 2007

PRESENT: John Matsen, Sharon Stevens, Ira Breines, Dan Fennell, Peter Geiger, Tom McCaffrey and Dave Roberts.

PROFESSIONALS: Jon Drill, Attorney, Cathleen Marcelli, Engineer, Beth McManus, Planner and Rebecca D'Alleinne, Administrator.

ABSENT: Bill Honachefsky, Jr. and Wayne Filus.

CALL TO ORDER

Chairman Matsen called the meeting to order at 7:32PM.

PUBLIC NOTICE

This is a public meeting of the Zoning 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 on January 18, 2007 and the notice of and agenda for this meeting was posted on the bulletin boards in the vestibule of the Municipal Building and outside the Planning and Zoning Office on the 2nd Floor of the building and faxed to the Hunterdon County Democrat, the Express Times, the Courier News, the Hunterdon Review, the Star Ledger and the North County Branch of the Hunterdon County Library the Friday prior to the meeting.

MINUTES

Ira Breines moved and Dan Fennell seconded a motion to approve the minutes of January 8, 2007 and January 22, 2007. The Board concurred unanimously.

Tom McCaffrey moved and Sharon Stevens seconded a motion to approve the Executive Session minutes of November 27, 2006 and December 11, 2006. The Board concurred unanimously.

RESOLUTIONS

HALE, Block 29, Lot 31

Resolution #2007-01, Application #2006-13

Ira Breines moved and Dan Fennell seconded a motion to approve the resolution as written. Members in favor: Matsen, Stevens, Fennell, Breines, and McCaffrey.

INDER, Block 68, Lot 9.02

Resolution #2006-17, Application #2004-02

Jon Drill reported that the escrow account was in arrears and recommended that the Board not adopt the resolution until the applicant had replenished the account. He also indicated that his intent was to distribute the resolution to the Board for their review.

PUBLIC HEARINGS

BADORE, Block 90, Lot 11

Application #2006-15

Jon Drill noted that during the last hearing, Beth McManus had not been sworn, but recommended that there was no need for her to be involved, as the facts were clear. Ms. Badore reported that she had traced a kennel on the property to 1966. She supplied research that indicated that kennels had been permitted by ordinance in 1959 and again in 1962. David Mills noted that he thought that kennels were permitted up until the 1990 rezoning, and that it was entitled to remain. Ira Breines moved and Tom McCaffrey seconded a motion to approve the lawfully created pre-existing, non-conforming use that was entitled to continue. Members in favor: Matsen, Stevens, Fennell, Breines and McCaffrey.

COASTAL OUTDOOR ADVERTISING, Block 4.03, Lot 34.01

Application #2006-09

Susan Rubright, Esq. introduced herself on behalf of the applicant and stated that they were seeking site plan approval. She described the property and the proposed sign, noting that a use variance and a height variance would be necessary, as well as various bulk variances. Richard Lapinski, Planner, John Varys, Coastal Advertising VP of Development, Bahman Izadmehr, Traffic Expert, Robert Newell, Lighting Expert, Beth McManus, Board Planner and Cathy Marcelli, Board Engineer were sworn in.

John Varys presented his credentials, which were accepted by the Board. He described the company and how it functions. He noted that the billboards would carry local advertisers' messages, or public service advertising. He reported that the company had entered into a ground lease with Mr. Mataka, the owner. Mr. Varys discussed the characteristics that his company considered when acquiring a property. Access to the site was discussed. The existing use on the property was described as a race car manufacturer. The DOT approval process, as well as the guidelines and limitations on advertising signs were discussed. Exhibit A-1 was marked into evidence. (DOT Sign permit, dated 4/8/04). A copy of the information on the back of the certificate will be sent to the administrator. Mr. Varys commented that certain areas of the interstate are designated as "beautification areas" and that billboards are prohibited there. He described the size and configuration of the signs. He commented that the signs are illuminated. He indicated that 20 x 50 feet was a standard size for an interstate sign. He noted that the height of the pole was determined by the height of the tree line and the Blossom Hill overpass. Mr. Varys reported that a crane test had been performed during July, 2006. Exhibits A-2 (Eight pictures of property), A-3 (Five pictures of property) and

A-4 (Nine photos of crane simulations), and A-5 (Variance Relief Application Booklet) were marked into evidence. Mr. Varos described the existing conditions represented by the photos that he had taken on Exhibits A-2 & A-3. In Exhibit A-4, he displayed the crane simulation photos to represent how the sign would look from various locations. Tom McCaffrey asked about the accuracy of the height and size of the representations. Mr. Varys described the process of determining the size for the computer generation. Ira Breines asked about the time that a driver would have to read the billboard and Mr. Varys deferred to the traffic expert and the planner. Susan Rubright indicated that the applicant would check the accuracy of geometry of the photos.

Mr. Varys reported that there were no signs in Hunterdon on Route 78 and there were possibly some in Somerset County. Beth McManus asked about the color of the pole. Peter Geiger asked about how often the message would be changed, and Mr. Varys responded that it could change once a month, at most. Sharon Stevens asked about the width of the pole and whether the photos were accurate. Mr. Varys responded that the diameter of the pole would be dependent on the soil testing. Ira Breines asked whether the vinyl would create a glare and Mr. Varys said it would not. He indicated that the sign would be lit from dusk to 2AM. Chairman Matsen noted that there could be another "d" variance required for two principle structures on the same parcel. Mr. Varys reported that the sign would be built in a week and would be serviced to change the advertisement or service the lights. He indicated that a cargo van would access the site.

Henry Hopkins, Lebanon Borough, asked whether there were any photos from Lebanon Borough. Mr. Varys responded that there were none. Mr. Hopkins discussed the distance of the sign from the Cokesbury Road exit and the approved 150 unit building at Route 78 and Cokesbury Road.

Adele Eggert, Ramsey Road asked about the DOT approval and whether the current governor was aware of this application. Mr. Varys noted that the approval had been renewed annually.

Dave Roberts, commented that he had not seen any notice for people 200 feet north of 78, and it was reported that the width of Interstate 78 was wider than 200 feet, so none of the residences were within the line which would require notice. Chairman Matsen called a recess at 9:02PM.

The meeting was called to order at 9:10PM.

Bahman Izadmehr, engineer was sworn and presented his credentials, which were accepted by the Board. He displayed the latest version of the site plan, dated 10/13/06. He described the site and the proposed sign, noting that it was a lighted, double-sided sign and that there would be no stormwater implications. He indicated that the signs would be close to the right of way, as are exit signs. The sign panels are laterally visible and the height was determined by the grade. He discussed the cone of vision and the line of sight (a 40 degree angle.) Safety considerations were discussed. He noted that there were national standards in size that the company was utilizing. Lettering size was discussed. The determination of the height of the pole was discussed and the DOT criteria were enumerated. He indicated that the sign would be visible from Route 22, but not readable. Cathy Marcelli asked whether the safety criteria that the DOT considers included geometry, spacing, and clearance. She inquired whether any traffic study or accident study had been performed. Mr. Iadmehr responded that DOT considered geometry and spacing. He also expressed the opinion that DOT would not approve a

smaller sign as it would be less legible. Ms. Marcelli commented on the amount of information on the billboard and the possible distraction to drivers. Mr. Izadmehr reported that the speed of reading a sign was 1.5 to 2.5 seconds and that the car would travel 195 feet in that time frame. The time reference came from the federal government's ITE Green Manual. He indicated that a large amount of data would not be readable if there was too much. Discussion ensued concerning the size of the sign and whether it could be 18' x 48' or 15' x 40'. Mr. Izadmehr noted that because the industry uses the same standard size that it would make it difficult to find advertisers whose ads would fit a smaller frame. Mr. Izadmehr commented that the size of the type would impact safety, noting that the larger type is safer. He reported that no traffic accidents had been attributed to billboards. Mr. Izadmehr then stated that the size of the type does not have an impact on safety, noting that as long as the sign is in the cone of vision, it would be safe. The distance between signs was discussed. He indicated that there were no spacing restrictions on guide signs. Jon Drill asked about how many times Mr. Izadmehr had testified for Coastal Advertising and he responded that it was his first.

Chairman Matsen asked about the setback from the highway and if it were to be situated in a conforming location, how much would that reduce the time that the sign would be in the cone of vision. Mr. Izadmehr indicated that the width of the angle of the panels would have to be increased if it were further away from the highway. Dave Roberts inquired about the impact of high wind on the sign and Mr. Izadmehr responded that the national standard was that it must withstand winds of 100 mph. When asked the location of the septic system, he indicated that he didn't know. Ira Breines wondered whether there were power lines on the site. Peter Geiger asked about beautification areas. Cathy Marcelli commented that it is a requirement that septic must be shown on the site plan, which the applicant agreed to revise.

Joe Eggert, Ramsey Road, inquired whether consideration had been given to the homes across Route 78 in the Blossom Hill area, commenting that they would be able to see the sign. The applicant will have testimony from a planner at a future hearing. It was noted that the sign would be visible, but not legible. Dave Roberts discussed the sign in Photo #9. Sharon Stevens expressed the opinion that the sign would have an impact on Route 22 drivers.

David Mills, Zoning Officer asked whether Mr. Izadmehr had walked the site, and he responded that he had not gone to the location of the sign.

Peter Geiger asked how the beautification areas were established. Mr. Izadmehr responded that the DOT determines the locations, and promised to check to see how close one of the areas might be.

Cathy Marcelli asked about her report of February 20, 2007 and whether the applicant's engineer had a chance to review it. Ms. Rubright did not have a complete copy, so the applicant's engineer would respond at a future hearing.

The hearing was continued until April 23, 2007 without need for further notice. The applicant granted an extension of time within which the Board must act until May 31, 2007.

NEW BUSINESS

1. Vouchers

Ira Breines moved and Tom McCaffrey seconded a motion to approve the vouchers for payment. The Board concurred unanimously.

ADJOURNMENT

Sharon Stevens moved and Dave Roberts seconded a motion to adjourn, and the motion passed unanimously. The meeting was adjourned at 10:35PM.

These minutes were approved on March 26, 2007.

Rebecca E. D'Alleinne, Administrator