

MINUTES OF CLINTON TOWNSHIP PLANNING BOARD

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PUBLIC MEETING

APRIL 16, 2001

PRESENT: Jim Imbriaco, Gerald Teeney, Sue Dziamara, Dan Fennell, Marc Melloy, Chris D'Alleinne, Tom Borkowski, Tom Kacedon

Professionals: Robert C. Bogart, Engineer; Michael Bolan, Planner; Jonathan Drill, Attorney; Peter Fernandez, Landscape Architect; Joseph Fischer, Geotechnical Consultant; Henry Reisen, Environmental Consultant.

ABSENT: Pat Papa, Bill Barr

CALL TO ORDER

Mr. Imbriaco called the meeting to order at 7:30 p.m.

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 on January 11, 2001, 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.

RESOLUTIONS

LE COMPTE/DVOOR, Resolution No. 2001-13

Mr. Drill explained that this resolution had been adopted as read into the record at the meeting of April 10.

WATER'S EDGE, Resolution No. 2001-12

This matter was continued to 5/8 to allow all professionals to review the draft and comment.

WAIVERS AND WORK SESSION

THE PRESERVE, Block 36, Lot 8, Cokesbury-High Bridge Road (R-1)

Proposed 21-lot subdivision, subject to settlement agreement.

Carl Bisgaier, Esq., introduced himself on behalf of the applicant, Toll Brothers. Don Schlachter, P.E., applicant's engineer, was also in attendance. This application was most recently approved in 1998 and nullified as a result of applicant's inability to meet conditions imposed via the resolution.

Mr. Bisgaier disclosed that a Whispering Woods settlement was entered into. Subsequently, Toll Brothers purchased the property subject to full Board review. Applicant proposes 21 lots on approximately 100 acres. Waivers are recommended by RCBA.

Motion was made by Sue Dziamara and seconded by Chris D'Alleinne to approve granting the requested waivers.

Members in favor: Jim Imbriaco, Gerald Teeney, Sue Dziamara, Dan Fennell, Marc Melloy, Chris D'Alleinne, Tom Borkowski, Tom Kacedon

Members opposed: None

Applicant then proceeded to work session.

It was noted that a water storage tank would be installed as designated by the Fire Department.

Mr. Bisgaier revealed that there would be no homeowners association.

Mr. Bisgaier referenced settlement agreement item #4 relating to a neighbor's well. He said applicant would agree to this item. He suggested that, if allowed by the homeowner, applicant would do a pre-development test and a post-development test. After some discussion, applicant agreed to contact the homeowner and address the condition in consultation with Mr. Bogart.

As to stonerows, applicant will delineate those to be preserved in the next submission.

Referencing report of Peter Fernandez, Carl Bisgaier said applicant had not expected to handle the items specifically. He noted there is a large portion of open space and requested clarification as to whether the open space lot would be included in the landscaping requirements. Peter Fernandez clarified that buffering should be installed along the road and bordering the detention basin. Mr. Bisgaier said applicant would address the concerns. Mr. Fernandez also noted that buffering along the High Bridge-Cokesbury Road would be required. Mr. Bisgaier said further dialog would be required.

Mr. Bisgaier addressed the location of the stormwater easement. He suggested that applicant could consider revising the siting of the homes on the affected lots.

Finally, Mr. Bisgaier addressed the Thonet report. He noted that he believed applicant could comply with most of the suggestions. Further, he said NJDEP and RSIS would be met. He addressed the existing farmhouse, which would be used as an accessory structure. The Chairman reminded applicant that the Board would require specific testimony as to what would happen to the farmhouse. He noted that he did not believe this would be an EIS item since it was made part of the settlement agreement. Further, deed restrictions would be required to protect the house.

As to the stone barn, Henry Reisen of Thonet Associates, indicated there could be contamination. Mr. Bisgaier said a Phase I analysis had been undertaken, and Phase II had not been recommended. Further, he confirmed that NJDEP regulations would be met.

Asked about the status of the LOI, Mr. Schlachter, of Eastern States Engineering, applicant's engineer, indicated that a current LOI would issue.

Henry Reisen and applicant's environmental expert will consult as to the issues, which must be addressed prior to the hearing. In addition, they would clarify for the Board those issues that would be subject to outside agency approval.

Joe Lawrence introduced himself and said he owns property east of the project. He expressed concern for his well. As to the detention basin, he asked where the water would go. Mr. Schlachter said the water would go to the Beaver Brook as it currently does, only at a slower rate.

Mr. Teeney expressed concern as to the name of the project, The Preserve at Clinton, noting that it might be more appropriate to include a name relating to the area.

Public hearing was scheduled for 5/21.

PUBLIC HEARINGS

1. ROLLING HILLS CARE CENTER, Block 23, Lot 7 (R-1)

Applicant seeks minor subdivision approval to create two lots:
5 acre lot on which the existing dwelling is located
39.34 acre lot on which the care facility is located.

Variance is required for the 5-acre lot from the front yard setback requirement of 100' with 30.3' pre-existing.

Having paid the requisite application and escrow fees and jurisdiction having been established, John Schaff, Esq., introduced himself on behalf of the applicant.

Alan Thomson, P.E., of Van Cleef Engineering, was called and sworn and his credentials accepted by the Board.

Mr. Thomson referenced plans last revised 3/27/01. He said this is an existing lot of approximately 43 acres in the R-1 zone. The life-care facility is a conditional use in the zone on a minimum of 25 acres. The life-care facility and residence are currently on the same property. Applicant proposes to subdivide the property, with 5 acres for the residence and the remaining 39+ acres for the care facility. There is an existing front yard variance for the residence. The access road for the care center would cross the residential lot. Applicant proposes an access easement.

John Schaff referenced the reports of RCBA and Banisch. Applicant would comply with the recommendations of RCBA. As to the Banisch report, restriction on the westerly portion of the property would be acceptable. Mr. Bolan noted that this subdivision would cut off access to the road by the life-care facility.

The meeting was recessed at 8:35 to allow applicant to consult with its professionals. The Board returned to session at 8:45 p.m.

The solution to the access issue proposed by applicant is to alter the residential lot lines to provide 50' for the life-care facility. The Board made the hearing a work session and noted that the subdivision did not seem to reflect good planning. Mr. Schaff noted that the requests are largely driven by the existence of the residence.

Asked about the reason for the subdivision, Mr. Schaff noted that the house would have value as a residence.

Mr. Bogart asked about moving the house on the property to eliminate the necessity for the access easement.

This matter was continued to 7/16.

2. GENESIS BUILDING, Block 46, Lot 34 (R-1 & R-4)

Applicant seeks preliminary and final subdivision approval to create 3 new building lots in addition to the existing home on the remaining lot.

Having paid the requisite application and escrow fees and jurisdiction having been established, Thomas Miller, Esq., introduced himself on behalf of the applicant.

Robert Templin, P.E., was called and sworn, and the Board accepted Mr. Templin's credentials.

Mr. Templin testified there are 2 lots in the R-1 zone and 2 lots in the R-4 zone. The road would be 26' in width. Shade trees would be included. Mr. Templin said improvements are proposed at the County Road. Mr. Miller confirmed that the County has given unconditional approval. Further, Lot 34.02 would be deed restricted from further subdivision.

The Chairman suggested that visuals be a checklist item.

At site visit suggestion was made that the road be moved to minimize a large cut. Applicant indicated this is a matter for County approval. Applicant is willing to attempt to make the change.

The most recent plans were revised 12/10/00. No revisions have been made since the work session and site visit.

Peter Fernandez noted that trees had not been located. Further, he pointed out that the cuts and fills could disturb mature trees.

Paul C. Bogart, who is not related to Robert Bogart, asked about neighbors' notification as to the driveway. Mr. Templin explained that the lots served by the driveway are not located within 200' of the applicant's property.

Paul Bogart said the neighbors on the private lane are not interested in changing their road or sharing it with the proposed applicant.

Asked about the tree location requested by Peter Fernandez in January 2001, Mr. Templin said he showed the trees at the site visit and did not believe there was further need. The Board noted that the tree location requirement would not be waived.

Mr. Fernandez said that the ordinance recommends that landscape plans be submitted by a certified landscape architect.

Plan revisions must be submitted prior to the hearing.

It was noted that the site easement on municipal property should be facilitated with the Council.

OLD BUSINESS

Board secretary reminded members of up-coming meetings.

1. HART presentation/update re Route 22/78 Corridor, 4/17, 7 p.m.—Municipal Building.
2. Meeting re water quality at Round Valley Swimming area, 4/17, 7 p.m.—SBWA.
3. Status report from Princeton Hydro re NRI, 4/19, 7:30 p.m.—Municipal Building.

NEW BUSINESS

1. Report from Council –
 - (a) Tom Kacedon referred to Township ordinance provisions related to impervious coverage. He said the Hunterdon County Agricultural Board is concerned that the impervious coverage ordinances may be overly restrictive to farmers. Mr. Bogart noted that hoop houses are considered structures. According to Mr. Kacedon the County would not be in a position to re-purchase open space land, which use is restricted by the impervious coverage ordinance. Our ordinance provides that 10% coverage is allowed. The right to farm amendments give a liberal interpretation as to the requirements for farmland consideration per according to Mr. Bolan. This constitutes a dilemma for the Township, which is counting on \$1 million dollars from the County and State to re-purchase the land.
 - (b) Mayor Borkowski asked about the status of the ECHO housing ordinance review by the ordinance review committee. The chairman said it had been referred to the subcommittee, which is not currently scheduled to meet. Chairman said meeting would likely be scheduled within the next couple of months.
2. Environmental – Sue Dziamara announced that there would be an up-date from Princeton Hydro at the Environmental Commission meeting on 4/19.
2. Chris D'Alleinne brought photos of camouflaged cell towers for reference.

ADJOURNMENT

The meeting was adjourned at 9:50 p.m.

These minutes were approved 4/30/01.

Alice E. Oldford
Secretary to the Board