

MINUTES OF CLINTON TOWNSHIP PLANNING BOARD  
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PUBLIC MEETING

DATE: June 12, 2007

*PRESENT:* Michael Brady, Phil Iannitto, Charles Howard, Nick Corcodilos (7:37PM), Marvin Joss, and Chris D'Alleinne.

*PROFESSIONALS:* Jon Drill, Attorney, Michael Sullivan, Planner and Rebecca D'Alleinne, Administrator.

*ABSENT:* John Sladicka, John Higgins, Jim Imbriaco and Bill Honachefsky, Sr.

*CALL TO ORDER*

Chairman Brady called the meeting to order at 7:34P.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 a 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 2<sup>nd</sup> 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*

Phil Iannitto moved and Charles Howard seconded a motion to approve the minutes of May 15, 2007 as written. The Board concurred unanimously.

*RESOLUTIONS*

**PERILLO, Block 50, Lot 25**

Resolution #2007-10, Application #2007-05

Jon Drill read suggestions from the applicants' attorney. Discussion ensued as to the location of the detached garage. Charles Howard moved and Marvin Joss seconded a motion to approve the resolution as amended. Members in favor: Brady, Iannitto, Howard and Joss.

*PLANNING BUSINESS*

- Highlands Regional Master Plan

Marvin Joss reported that the Highlands Council was coming on July 10, 2007 to the planning meeting. Nick Corcodilos reported on what the process would be for adopting the RMP and that a presentation would be made.

- Cross Acceptance of State Plan

Marvin Joss reported that he and Nick Corcodilos had gone to the Hunterdon County Planning Board to discuss the state plan and the township's wishes for the PA2 areas along Rt. 22. He noted that there would be a meeting at the state level in the future and commented that the county had been supportive to the township's position. Michael Sullivan indicated that he felt that the state had not looked at the environmental data in sufficient depth. Nick Corcodilos reported that the state had recommended that the median in Rt. 22 be used as a connector for the PA2 areas between Readington and Clinton Township. Michael Sullivan discussed the state philosophy in planning. Mr. Corcodilos discussed the Round Valley and Spruce Run reservoirs and the endangered species located around them. Michael Sullivan discussed "centers" and the state plan. Zoning consistency with the state plan was discussed. Michael Sullivan discussed the linkage between the state plan and COAH. He noted that zoning rationale should be documented at the local level. It was reported that the township COAH plan was under review and would be addressed over the summer. The legal cases were discussed.

- Tree Ordinance

Jon Drill discussed the history of the ordinance. Charles Howard asked about the Environmental Commission's position and Nick Corcodilos responded that they were in favor of an ordinance. A clear cutting ordinance was discussed. Charlie Howard indicated that there had been interest in a clear cutting ban, but that there had been no ordinance written. Michael Sullivan commented that if the EC could come up with ideas it would be helpful. Nick Corcodilos discussed definitions. Dave Mills discussed the history of clear cutting in the township. Michael Brady noted that the Board needed more direction from the EC and that the task should be referred to them. Nick Corcodilos suggested that they meet with the Board and that they be asked to participate in a dialogue.

- Fence Ordinance

The existing requirement for fencing was discussed. David Mills discussed the problems that can occur between two neighbors and the different sizes of lots that would be affected. Michael Sullivan commented that a fence usually signifies the edge of the property and that on smaller lots it should be on the property line. Jon Drill said that the ordinance in place was 2 feet from the property line, and if the Board wanted to change the ordinance, it should be sent to a subcommittee. Nick Corcodilos moved and Marvin Joss seconded a motion to leave the ordinance as is. The Board concurred unanimously. Dave Mills discussed deer fencing.

- Definition of “structure”

Jon Drill commented that retention walls and detention basins have come under discussion at public hearings. Michael Sullivan commented on the MLUL definition and that the basins have not been included in the definition before, but that the township’s definition did include them. He noted that there should be some rational exclusions. Septic systems were discussed. It was determined that it should be clarified as to what was included in the definition of structure. Chris D’Alleinne commented that the ordinance should be consistent with the MLUL and the items Michael Sullivan had listed should be added. Chris D’Alleinne moved and Nick Corcodilos seconded a motion to refer the item to Michael Sullivan.

- Definition of “self storage”

Jon Drill commented on the history of the cases before the BOA and noted that it would have been helpful to have a definition when making a decision. Discussion ensued as to whether the Board should consider changing the ordinance to allow self storage. Jon Drill recommended that it be included in the list of definitions. Chris D’Alleinne moved and Phil Iannitto seconded a motion to refer the issue to Michael Sullivan. The Board concurred unanimously. Jon Drill discussed the BOA cases that had involved self storage applications.

- Bike Path

Nick Corcodilos reported that funding for the Bike Path had not been included in the current annual budget. The Administrator explained the history of the bike path. Marvin Joss commented on the matching grants that were available. Chris D’Alleinne suggested that a subcommittee look into the matter and determine the issues that would be involved. Marvin Joss moved and Phil Iannitto seconded a motion to table the matter until a future date. The Board concurred unanimously.

- Green Building Ordinance

Phil Iannitto reported that he had some experience with green buildings and explained the credits that the township could obtain. He discussed the reviewing fees that were required. Michael Sullivan noted that the cost was very high. Phil Iannitto moved and Nick Corcodilos seconded a motion to not pursue the issue further. The Board concurred unanimously.

- Waiver of Site Plan Review Ordinance

Jon Drill discussed the fact that there was no provision for a waiver of site plan in the township code. Nick Corcodilos asked about what the issues might be and Mr. Drill explained how the process could work. Michael Sullivan agreed that the details should be clarified and Marvin Joss commented that the waiver option could make reviews simpler. Chris D’Alleinne moved and Marvin Joss seconded a motion to send the issue to the planner to create a draft ordinance for future discussion. The Board concurred unanimously.

- Municipal Assessment Report

Chairman Brady commented that the report contained some good suggestions. Nick Corcodilos noted that the Council was looking at the report as well. Chairman Brady reported that he was reviewing it for potential ordinance suggestions and stated that he would report back to the Board.

- Application of Depth of Measurement Provisions

Jon Drill discussed the case that had been before the BOA. Michael Sullivan commented on flag lots. Jon Drill pointed out the ordinance sections, noting that the BOA had asked the Board to make the provision clearer. It was determined to ask Beth McManus to report back to the Board of Adjustment with a clarification. Chris D'Alleinne moved and Marvin Joss seconded a motion to have Ms. McManus report the BOA on the issue. The Board concurred unanimously.

- COAH Fees for Non Profits

Marvin Joss reported that an ordinance change had been made last summer and had already been addressed.

- Waiver for On-Site Remediation

The BOA interpretation of on site remediation was discussed as it related to a recent application. Michael Sullivan asked for a summary of the issue. It was determined that a review of the issue should be conducted by Jeff Keller and Cathy Marcelli as there is a provision that allows off site remediation. It was determined to refer the issue to the ordinance subcommittee with input from Jeff Keller, Joe Fischer and Cathy Marcelli. Nick Corcodilos moved and Charlie Howard seconded a motion to refer to the ordinance subcommittee. The Board concurred unanimously. The Environmental Commission should be informed.

- Conservation Easement Ordinance

The Board determined to ask the Environmental Commission for a recommendation. Chris D'Alleinne moved and Nick Corcodilos seconded a motion to refer the issue to the EC and ask for a recommendation. The Board concurred unanimously.

- Work Sessions

Jon Drill discussed work sessions and the proposal to eliminate them. He indicated that it could be done. Work Sessions were intended to be an informal practice, and the Public Hearing can be repetitious. Jon Drill recommended that it should be adopted. Nick Corcodilos asked whether not the Board could ask for the submissions earlier. It was decided not to change the time frame. Jon Drill read the rules and regulations of the time frames for submissions. Nick Corcodilos moved and Marvin Joss seconded a motion to eliminate work sessions. The Board concurred unanimously. The difference between work sessions and concept hearings was discussed.

- ECHO Housing

Dave Mills discussed the need for senior housing in the township. Michael Sullivan said that the township could own them and then move them after they were no longer needed. Jon Drill discussed the requirements in Raritan Township, where the town did not own the houses, but that the owners did. It was noted that the houses could be a conditional use. The size of the units and the lots was discussed. Annual licensing by the zoning officer was discussed. Dave Mills suggested that the lots be at least two acres. Nick Corcodilos discussed affordable senior housing, noting that an ECHO unit is very cost effective. Phil Iannitto commented that the units are usually in more affluent areas. Chairman Brady moved and Phil Iannitto seconded a motion to refer the issue to an ECHO housing subcommittee composed of Dave Mills, Chris D'Alleinne and John Sladicka.

- Well Head Protection

It was suggested that Michael Sullivan develop a list of recommendations.

- Retaining Walls

Phil Iannitto asked about the height of retaining walls. Michael Sullivan discussed the policy rationale. Nick Corcodilos moved and Michael Brady seconded a motion to carry the issue to the September meeting. The Board concurred unanimously.

## REPORTS

1. Report from Council—Charles Howard reported that the open space tax ordinance had been adopted. He further noted that a developers' agreement had been reached with Pennrose Development. Nick Corcodilos reported that the BOE had eliminated courtesy bussing. He reported that there was a gypsy moth infestation and that the Council had discussed whether or not it was a community issue.
2. Report from Open Space—There was no report.
3. Report from Environmental Commission—There was no report.

## NEW BUSINESS

1. Vice Chair Pro tem Position

Michael Brady recommended that a pro tem position was needed for the times when he and the vice chair would be unavailable and nominated Chris D'Alleinne. Charlie Howard seconded the motion. The Board concurred unanimously.

2. Approval of Vouchers--Charlie Howard moved and Chris D'Alleinne seconded a motion to pay the vouchers. The Board concurred unanimously.

*ADJOURNMENT*

Nick Corcodilos moved and Phil Iannitto seconded a motion to adjourn. The motion passed unanimously, and the meeting was adjourned at 9:50PM.

These minutes were approved on July 2, 2007.

Rebecca E. D'Alleinne  
Administrator