

MINUTES OF CLINTON TOWNSHIP PLANNING BOARD
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PUBLIC MEETING

DATE: June 18, 2007

PRESENT: Michael Brady, Bill Honachefsky, Sr., Nick Corcodilos, Jim Imbriaco, Charles Howard, Marvin Joss, John Sladicka and John Higgins (7:40PM).

PROFESSIONALS: Jon Drill, Attorney, Cathleen Marcelli, Engineer, Michael Sullivan, Planner, Nick Tropeano, Landscape Architect and Rebecca D'Alleinne, Administrator.

ABSENT: Phil Iannitto and Chris D'Alleinne.

CALL TO ORDER

Chairman Brady called the meeting to order at 7:36P.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 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

Charles Howard moved and Jim Imbriaco seconded a motion to approve the minutes of May 21, 2007 as written. The Board concurred unanimously.

PUBLIC HEARINGS

LMG CLINTON/OL' WEST BBQ, Block 29, Lot 34

Dale Winget, Esq. introduced himself on behalf of the applicant. Les Guerren, owner of the restaurant, and James Hill, engineer were introduced. Mr. Winget noted that they had resubmitted some site drawings and that the Board professionals had reviewed them. Mr. Hill discussed the professionals' reports, noting that the drawing had added the items that had been in question. He discussed the parking and reported that the front of the building had very little room for landscaping as it had a fire lane. He discussed the Lighting Design report and the recommendations that had been made. Mr. Hill indicated

that there were few issues with the recommendations and reported that there are several lights that belong to JCP&L. Jim Imbriaco indicated that they could call to have them disconnected. Mr. Hill commented on the BW Bosenberg recommendations. Parking along the front of the building was discussed. The hedges along the front of the property were discussed. Mr. Hill noted that there was very little space for the shrubs. The dumpster area was discussed. The handicapped-accessible ramp was discussed and the concern was expressed for preserving the nearby trees.

Nick Tropeano was sworn and discussed a potential narrowing of the pavement and the fire lane. Mr. Hill indicated that he had not heard back from the fire chief. Jon Drill asked if the fire chief were to indicate that 20 feet wide was acceptable for a fire lane, whether it would work to have four feet of pavement removed and planted. Nick Tropeano commented that the tree roots needed to be protected. Bill Honachefsky asked about the slope. The walk would need to be 5 feet wide. Michael Sullivan asked about the access to the dumpster. Cathy Marcelli discussed the gravel parking area and Mr. Hill indicated that it could be used for overflow parking. She expressed concern that it did not meet the Design Standards. Mr. Hill said the gravel parking area wasn't needed and that there was a fence to block it off. Cathy Marcelli asked about the status of the easement agreement with the neighboring property and whether the two plans would be joined together. Mr. Hill indicated that if there was an approval, they would add the information to the plan.

Mr. Winget asked about the issue of the different sizes of the building. Mr. Hill commented that they had scanned the different sizes from over the years. Exhibit A-2 (Supplemental Site Plan detail, page 1b) was marked into evidence. He listed the years and the sizes of the building as shown in the approvals. Jon Drill asked whether there were resolutions for approval of any site plan, and specifically, whether there was a 1985 site plan approval. Mr. Winget indicated that he had contacted the owner and that he had no site plan. Mr. Winget discussed the site plans that he had found in the files, commenting that the front yard setback was the issue. Jon Drill noted that there may have been an unauthorized site plan addition in 1985. He recommended that the applicant should apply for an after-the-fact site plan approval. Mr. Guerren noted that the footprint had not changed since 1983. Mr. Winget indicated that they could not account for the change in the sizes, but that they had narrowed the time frame down from between 1981 to 1983. Jon Drill commented that the facts are in place and that the Route 31 widening had nothing to do with the changes. Nick Corcodilos noted that the applicant wanted to use the shed and asked what was at issue. Jon Drill responded that the applicant had applied for an amended site plan to use the rear pad for service and should seek an amended preliminary and final site plan to reflect the change. Jim Imbriaco discussed documentary information and noted that the applicant may need to re-notice. He wondered whether parking was an issue. Mr. Winget commented that in an effort to demonstrate what they were able to discover, they had submitted information. How and when the changes were made, he indicated that they couldn't determine. He expressed concern about the cost of proceeding and that the application was fundamentally simple.

Michael Sullivan stated that there was no change in the proposed amount of parking, but was concerned as to whether additional parking would be needed for the patio. Jon Drill discussed the notes on the plans and pointed out some discrepancies. He noted that 92 spaces were required if the patio were included, and that 63 were provided.

If there were 24 people seated on the patio, 8 more spaces would be required. Mr. Guerren stated that the parking lot flow leaves space for parking. Michael Sullivan indicated that, based on square footage, the requirement would be 33 spaces for the pad, which would require a total of 125 required. He stated that the applicant would need a variance for the parking. Mr. Guerren discussed the parking on Route 31, the needs of the customers and the extent of the flow of business over the week. Jon Drill noted that the 1981 site plan mentioned the 1752 sq. ft. for patronage use and that the calculations had been based on it. He suggested that the Board should take the opportunity to clean up the application. There was no variance required for the pad. Jon Drill summed up the desires of the professionals and the Board members. Mr. Winget stated that he had included wording that would cover any other variances which may be necessary in the notice. It was noted that the exterior lighting could be removed by JCP&L. Jon Drill stated that the public notice was acceptable.

Discussion ensued as to outstanding issues. It was noted that it was a nonconforming building. Jim Imbriaco discussed sky glow and commented that the lighting ordinance was designed to eliminate that kind of lighting on the property. Jon Drill commented that the patio would be a smoking area. Dale Winget stated that the applicant wished to use the building and patio as currently configured. Jim Imbriaco suggested that the Board direct its counsel to write a resolution that would include all of the necessary relief, including parking, current footprint and the front yard setback. Jon Drill indicated the applicant needed an amended site plan for using the pad. Chairman Brady directed that an approval resolution be written. Exceptions from the ordinances were discussed. Nick Corcodilos moved and Bill Honachefsky seconded a motion to write the resolution. The Board concurred unanimously. The application was carried to July 16, 2007 and the time within which the Board must act was extended to July 31, 2007. Chairman Brady called a recess at 9:12PM.

The meeting was called to order at 9:20PM.

CONCEPT HEARING

COMMERCE BANK, BLOCK 59, Lot 2

Jim Knox, Esq. introduced himself on behalf of the applicant. He noted that that the applicant had come previously to the Board with a concept hearing and that they had waited for an LOI, which had made major difference in the site design. David Wisotsky showed a rendered version of the existing conditions site plan. He described the site, commenting that the existing drive through was difficult for larger cars to navigate. He displayed a proposal for a reconfigured driveway and lanes. He commented on the number of cars that would be able to stack. Mr. Wisotsky stated that the detention basin would be underground. He pointed out the 150 foot buffer to the C1 stream on the property. He commented that both lots would be a single site plan, noting that the 60% impervious coverage would drop to 17% overall. A retaining wall up to 5 feet high would be needed. Mr. Wisotsky stated that they could need a variance for the wall because of the LOI line. He indicated that the amount of paving needed to be calculated. The flow from the basin was discussed. Drainage would be calculated. Bill Honachefsky asked about recharge and Mr. Wisotsky stated that he would attempt to match recharge.

Jim Imbriaco asked about the number of driveways and Mr. Wisotsky responded that the county had approved of the layout. The number of employees was yet to be determined. Cathy Marcelli commented that the township would expect full compliance of the DEP requirements for recharge. The retaining wall was discussed. Michael Sullivan asked about the impact on existing landscaping, and Mr. Wisotsky stated that a plan would be proposed. It was noted that a variance for landscaping would probably be required. Lighting and signs were discussed. The guard rail and the fence were discussed. Michael Sullivan suggested that the fence and the rail be combined into one element. Twenty one parking spaces were proposed and would need a variance. Mr. Knox indicated that the applicant would bring a traffic engineer to the Public Hearing.

REPORTS & ASSIGNMENTS

1. Report from Council: Charles Howard reported that the Council had heard a presentation from Hunterdon County Planning Board of the Municipal Assessment report. He characterized it as a good resource for planning. The Landscape Ordinance was adopted. He reported that a public hearing would be conducted on July 18, 2007 to consider a zone change which would include bed and breakfasts. He stated that the township would be selling the Beaver Brook Homestead.
2. Report from Open Space: Bill Honachefsky reported that the committee had received a map for open space parcels in the township.
3. Report from Environmental Commission: Mr. Honachefsky reported that the commission would have a meeting on the following Thursday.

NEW BUSINESS

1. Charlie Howard moved and Marvin Joss seconded a motion to approve the vouchers. The Board concurred unanimously. There were none.
2. Jim Imbriaco moved and Bill Honachefsky seconded a motion to determine that Ordinance #932-07 was not inconsistent with the Master Plan. The Board concurred unanimously.
3. Discussion ensued as to whether any applicant had been charged for the growth share program.

ADJOURNMENT

Bill Honachefsky moved and Jim Imbriaco seconded a motion to adjourn. The motion passed unanimously, and the meeting was adjourned at 10:06PM.

These minutes were approved July 10, 2007.

Rebecca E. D'Alleinne
Administrator