

MINUTES OF CLINTON TOWNSHIP PLANNING BOARD  
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PUBLIC MEETING

DATE: July 10, 2007

*PRESENT:* Bill Honachefsky, Sr., Phil Iannitto, Charles Howard, Nick Corcodilos, Marvin Joss, John Sladicka, John Higgins, Jim Imbriaco(7:50PM) and Chris D'Alleinne.

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

*ABSENT:* Michael Brady.

*CALL TO ORDER*

Vice-Chairman Honachefsky called the meeting to order at 7:37P.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 Nick Corcodilos seconded a motion to approve the minutes of June 18, 2007 as written. The Board concurred unanimously.

*PLANNING PRESENTATION*

- Highlands Regional Master Plan

Debbie Newcomb and Danielle Kearsley were in attendance on behalf the Environmental Commission. Highlands Council Deputy Executive Director Tom Borden introduced himself. He reported that the Council was compiling the responses to the proposed Regional Master Plan and would be issuing a final plan by the end of the year. He indicated that the design had been created on a regional basis. Mr. Borden discussed resources and growth and noted that the plan was incentive based. He reported that the

Legislature had set aside money for land preservation in the Hunterdon region and that there would be some money available for planning.

Mr. Borden reported that the Council had used GIS-based mapping to create the plan, noting that much information would need to be added based on updated information from the municipalities. He discussed resource assessments. He pointed out the areas in the township and their Highlands designations, commenting on the farmland areas. He noted that even in the high quality resource areas there may already be development. Mr. Borden discussed the "Abstract", which explained the rationale that had been used to designate the zones. He indicated that there were numerous comments that the Council was examining. Mr. Borden discussed the Regional Master Plan and the exemption process, noting that the exemptions would apply if the township opts into the plan.

He discussed incentives, which would include a legal shield to provide an enhanced presumption of validity for the township ordinances. He indicated that the Council would examine the township Master Plan in detail. There would be more money available from the state to conforming townships. He discussed the COAH plan, noting that the Regional Master Plan would affect the township's affordable housing designation. The state will use the RMP to determine growth in the township. Jim Imbriaco asked if the township's current COAH plan could be in jeopardy. Mr. Borden noted that COAH would use the Highlands RMP to decide whether the township's proposal was appropriate. Mr. Borden commented that the Regional Master Plan did not mandate growth areas.

Michael Sullivan asked about patterns of sprawl and how it should be defined. Mr. Borden described the patterns and noted that they varied in different areas. Michael Sullivan asked about the State Plan and the process for endorsement. Mr. Borden responded that the State had been commenting during the entire design of the RMP. Michael Sullivan discussed COAH and whether the state would amend their rules to conform. Chris D'Alleinne asked about if COAH units were located in high quality areas, whether the township be required to move them. It was noted that the township would have to wait to see what the COAH plans would be. Bill Honachefsky asked whether the Council would provide solutions for placement if the current plan was unsuitable. Michael Sullivan noted that the recommendation was to preserve 80% of the land as farmland or open space. Tom Borden noted that expansion of resources into that area would be acceptable. Jon Drill discussed the density that would be in the purple areas of the map. Nick Corcodilos stated that if the township adopted the RMP, it may have less developable land. Bill Honachefsky commented that the rationale of the RMP is to look at the environmental issues. Nick Corcodilos discussed the growth share plan versus the old procedure. Mr. Borden indicated that the Highlands Council would be applying to the state for endorsement of the RMP. The RMP would mandate more planning and pay for much of it.

Tom Borden discussed situations in which the cross acceptance process and the Highlands plan did not coincide. He said that there would be a state plan coming out in the fall. Nick Corcodilos wondered how to use the RMP to influence the cross acceptance process and commented on the connection between the PA2 zones on Rt. 22 between Clinton Township and Readington. Phil Iannitto asked if the township opted out whether the conservation area standards were the same. Mr. Borden noted that they would be different, but still stringent. Mr. Iannitto discussed the correlation between the

conservation zones in the two areas. He asked about GA monies and Mr. Borden commented on the methods of preserving land. Transfers of development rights were discussed. Michael Sullivan commented that the cost of TDR's was high. Mr. Borden commented on a study of the property in the area. Bill Honachefsky asked if TDR's could go outside of the Highlands area. Mr. Borden commented that there was a new bill before the legislature which may address that issue. He discussed impact fees. Nick Corcodilos asked about grants to lure a corporate entity to the township. Mr. Borden discussed a regional market analysis which would support TDR. Jim Imbriaco asked whether the Council had considered the township's existing environmentally friendly zoning and ordinances. Mr. Borden noted that environmental features had been considered on a regional basis and were the foundation of the map. Jim Imbriaco asked would the township be protected in a lawsuit and Mr. Borden responded that a threshold that would need to be met in order to provide legal representation. He noted that the legal framework was still being created. Mr. Imbriaco asked what a strong presumption of validity meant and Mr. Borden responded: "Extraordinary deference." It was noted that the township may "opt out" within the six year period of time mandated by the MLUL.

Danielle Kearsely asked about how the growth areas were encouraged, and Mr. Borden responded that growth would not be mandated and that capacity may be allocated to another town. Debbie Newcomb asked about DEP rules and Mr. Borden pointed out that there were 17 exemptions and waivers. There is no deadline in the Planning Area within which a town must opt in. Cluster zoning was discussed.

Ray Proscics, 4 Mountain View, asked about the funding for the Highlands Council. Mr. Borden reported that it was based on the realty transfer tax.

Jim Imbriaco asked about financial incentives. Mr. Borden responded that there would be planning grants and that there were 36 towns in the planning area that would be competing for the grant money.

Bill Honachefsky thanked Mr. Borden for his time and the information.

## *OLD BUSINESS*

### 1. Waiver of Site Plan Review

Michael Sullivan discussed the wording of the ordinance. Minor changes were suggested by Chris D'Alleinne. Conformance to the ordinance checklist was discussed. Phil Iannitto moved and Nick Corcodilos seconded a motion to refer the proposed ordinance to the Township Council as amended. Members in favor: Honachefsky, Iannitto, D'Alleinne, Imbriaco, Corcodilos, Howard, Sladicka, Joss and Higgins.

### 2. Self Storage Definition

Michael Sullivan discussed the definition. Jon Drill reviewed the two storage applications that had been before the BOA. He reported that the Board would be deciding whether to dismiss one of the applications "with" or "without prejudice". He suggested that the Planning Board wait until the BOA determined what action it would take. Chris D'Alleinne made suggestions. Jim Imbriaco moved and John Higgins seconded a motion to refer the ordinance to the Council as amended. Members in favor: Honachefsky, Iannitto, D'Alleinne, Imbriaco, Corcodilos, Howard, Sladicka, Joss and Higgins.

*REPORTS*

1. Report from Council: Charles Howard reported that the Council would be addressing the Historic Commission and the Allerton Road site. Storage sheds were discussed and he noted that the new ordinance regulations would be in conformance with the UCC code.
2. Report from Open Space: Bill Honachefsky displayed the maps of the properties that the township had acquired either the development rights or fee simple. Michael Sullivan asked about the Open Space plan. Mr. Honachefsky reported that they were also working on impervious cover maps. He discussed rain gardens. He reported that the HC Planning Board had been very supportive. Charles Howard reported that 1,411 acres had been preserved by Open Space.
3. Report from Environmental Commission: Debbie Newcomb discussed the proper disposal of yard waste, and education for the residents. Fines were discussed. She commented that the commission hoped to update the NRI. Jon Drill questioned whether the stormwater management ordinance had been included in the recent encoding.
4. Tree Ordinance: Bill Honachefsky reported that he would be writing an ordinance covering clear cutting and historical trees. Jon Drill suggested that it may need two different ordinances.
5. Definition of "Structure": Michael Sullivan noted that the Board should discuss what it would like to permit within setbacks. The issue of accessory structures was discussed. Jon Drill commented that a definition would take away the reasons for an appeal. It was determined that the Board should also consider septic systems, berms, and retaining walls. Chris D'Alleinne asked for a memo and how under current ordinance the issue was handled. Jon Drill suggested that the memo highlight the inconsistencies in the different zones. Michael Sullivan will summarize in a memo form.
6. Municipal Assessment Report: Assigned to Michael Brady.
7. Depth of Measurement: The administrator was directed to obtain a copy of the report for the Board.
8. On Site Remediation: Jon Drill discussed a BOA application that had a recharge issue. It was assigned to the Ordinance subcommittee. John Higgins asked how frequently the situation had arisen. Jon Drill explained that the Environmental Commission had objected that the size of the development should be reduced. It was noted that Cathy Marcelli was familiar with the subject.

9. Conservation Easement: Debbie Newcomb discussed the work that had been performed last year and reported that the EC would revisit the issue.
10. ECHO Housing: John Sladicka and Chris D'Alleinne were appointed to a subcommittee to explore the issue. David Mills is to provide assistance.
11. Well Head Protection: Bill Honachefsky discussed the history of a prior ordinance and gave the information to Michael Sullivan.

It was decided that reports should be addressed once a month in the future.

#### NEW BUSINESS

1. Approval of Vouchers-- Marvin Joss moved and Charles Howard seconded a motion to pay the vouchers. The Board concurred unanimously.

#### *ADJOURNMENT*

Jim Imbriaco moved and Chris D'Alleinne seconded a motion to adjourn. The motion passed unanimously, and the meeting was adjourned at 10:04PM.

These minutes were approved on August 6, 2007.

Rebecca E. D'Alleinne  
Administrator