

MINUTES OF CLINTON TOWNSHIP PLANNING BOARD  
<http://clintontownshipnj.com>

PUBLIC MEETING

DATE: November 9, 2004

*PRESENT:* Jim Imbriaco, Pat Papa, Chris D'Alleinne, Marc Melloy, Brendan Wall, and Ed Lee.

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

*ABSENT:* Phil Iannitto, Tom Kacedon, Tom Borkowski, and Bill Barr.

*CALL TO ORDER*

Chairman Jim Imbriaco called the meeting to order at 7:36 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 15, 2004, 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*

Marc Melloy moved and Chris D'Alleinne seconded a motion to approve the minutes from the meeting of 10/18/04 as written. The motion passed unanimously.

*RESOLUTION*

**VERIZON @ GEORGE'S, Block 89, Lot 5.02**  
Resolution #2004-24, Application #2004-05

Marc Melloy moved and Pat Papa seconded a motion to approve the memorializing resolution as written. Members in favor: Imbriaco, Papa, D'Alleinne, Melloy, Wall, and Lee.

*ORDINANCE REVIEW*

- Traffic: Chairman Imbriaco discussed his talks with the traffic expert concerning the recent Petticoat Lane concept application. Mr. MacKiewicz will develop information and report back to the Board. He also reported that TRC had been contacted by the Foundation Preschool's traffic expert. Mr. Imbriaco indicated that TRC would need to recuse itself on the application for Payne Towne Square due to a conflict of interest.
- Fence: Mike Bolan discussed the changes in the ordinance to be up to the property line of lots less than 50,000 sq ft., rather than two feet inside of the property line. Common fence lines were discussed. It was noted that the zoning officer could keep a file of the consent between neighbors. Mr. Bolan indicated that the new ordinance would move from the design standards to the zoning section of the code. After a lengthy discussion, it was decided to not include common fences in the ordinance, but allow neighbors to tie in to an existing fence. Marc Melloy moved and Chris D'Alleinne seconded a motion to approve the recommendation of the revised ordinance to the Township Council for approval. The Board concurred unanimously.
- EIS: Mike Bolan commented on the revisions concerning the necessity of having applicants supply Phase I studies, threatened and endangered species and wells that might be contaminated from other lots. The need for testing of the observation well, in addition to the pumping well, on a known contamination site was discussed. A lengthy discussion ensued. Chairman Imbriaco directed Mike Bolan and Matt Mulhall to make changes to the ordinance and report back to the Board. Steep slopes were discussed. It was decided to raise the highest percentage to 20% on the high end.
- Tree: Marc Melloy reported on the ordinances that the Environmental Commission had researched. He commented on the enforceability issue. He noted that there could be conflict with the landscape ordinance. It was suggested that Brian Bosenberg could review and make comments. Mike Bolan asked if the ordinance should wait until Mr. Bosenberg does the Landscape Ordinance. Mr. Bolan asked the Board to consider what it is trying to achieve. Marc Melloy responded that the commission was trying to conserve trees and views, while balancing that with homeowners' rights. Discussion ensued. Exceptions for foresting wood were discussed. Moratoriums as regulated in the MLUL were discussed. The issue of enforceability was discussed and Jon Drill was tasked to draft an ordinance. Marc Melloy commented that it was important to note that trees are an important asset. Mr. Drill noted that was a police power ordinance not a zoning ordinance. Jon Drill will investigate the Lebanon Township ordinance and report back to the Board.

*OLD BUSINESS*

1. Approval of Vouchers: The committee recommended that the vouchers would be allowed. Pat Papa moved and Marc Melloy seconded a motion to pay the vouchers. The board concurred unanimously.

*REPORTS & ASSIGNMENTS*

1. Cross-Acceptance Committee: Brendan Wall reported that a meeting was scheduled for November 30<sup>th</sup>.
2. Open Space & Bike Committees: Pat Papa reported that she had walked the bike path with tree experts. She noted that there was a severe impact on 35 trees and that the experts indicated that some will die. One is a black oak over 100 years old. She indicated that the professionals had said that beech trees are sensitive to soil compaction. Ms. Papa reported that she saw numerous wounds and gouges due to the construction. She discussed remediation to reverse the soil compaction and the cost. Chairman Imbriaco noted that there may be money left from the grant. Marc Melloy discussed project management accountability. He recommended that the Environmental Commission be involved in the stewardship of the beech forest.

*ADJOURNMENT*

Marc Melloy moved and Brendan Wall seconded a motion to adjourn. The motion passed unanimously, and the meeting was adjourned at 8:50PM.

These minutes were approved on December 6, 2004.

Rebecca E. D'Alleinne  
Administrator