

MINUTES OF CLINTON TOWNSHIP PLANNING BOARD
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PUBLIC MEETING

DATE: November 19, 2007

PRESENT: Michael Brady, Phil Iannitto, Bill Honachefsky, Sr., John Higgins, Charles Howard, Nick Corcodilos, Marvin Joss, Chris D'Alleinne, and Jim Imbriaco.

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

ABSENT: John Sladicka and Sharon Simmons.

CALL TO ORDER

Chairman Brady called the meeting to order at 7:30P.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

Phil Iannitto moved and Bill Honachefsky seconded a motion to approve the minutes of November 5, 2007, as written. The Board concurred unanimously.

RESOLUTIONS

SALT DOME CAPITAL PROJECT

Resolution #2007-16

Bill Honachefsky moved and Chris D'Alleinne seconded a motion to approve the a resolution that the project as described was not inconsistent with the Master Plan. Members in favor: Brady, Honachefsky, Iannitto, D'Alleinne, Imbriaco and Higgins.

BOURBON STREET PLAZA, Block 3.03, Lot 1

Resolution #2007-17

Marvin Joss moved and Charles Howard seconded a motion to approve a resolution granting an amended preliminary site plan approval. Members in favor: Brady, Iannitto, D'Alleinne, Imbriaco, Corcodilos, Howard, Joss and Higgins.

ALEXANDER & BARTLETT, Block 52, Lot 1

Resolution #2007-18

It was determined to address the resolution at the December 3, 2007 meeting.

EXTENSION OF TIME

KINGDOM CROWN, Block 3.03. Lot 7

Robert Alexander, Esq. introduced himself on behalf of the applicant. He explained the reasons that the applicant had been unable to get the maps signed within the time allotted in the resolution. Bill Honachefsky moved and Chris D'Alleinne seconded a motion to approve a 90-day extension of time. Members in favor: Brady, Honachefsky, Iannitto, D'Alleinne, Imbriaco, Corcodilos, Howard, Joss and Higgins.

AGRICULTURAL SUBDIVISION

LECOMPTE, Block 29, Lots 3 & 4.01, Block 30, Lots 15 & 15.01

Jon Drill explained the reasons that the applicant wished to have an agricultural subdivision. Cathy Marcelli noted that the township wanted to buy the development rights for the property. Marvin Joss explained that Mr. LeCompte wanted to enlarge one of the parcels so that it could be used as a camp. Cathy Marcelli explained that the lot line would be moved by 40 feet and that a 75-acre minimum was required for the land to qualify as a camp. Mr. LeCompte commented that there was no camp presently on the lot, but with the lot line change, the land would lend itself to use as a camp in the future. Jon Drill advised that the applicant wished to adjust a lot line on farm assessed property. Robert LeCompte was sworn and stated that both lots would be farmed. Jim Imbriaco moved and Nick Corcodilos seconded a motion to approve the lot line change as requested. The Board concurred unanimously.

Bill Honachefsky recused himself from the following application due to a conflict of interest.

PUBLIC HEARINGS

KINDERCARE, Block 78, Lot 1

Kevin Benbrook, Esq. introduced himself on behalf of the applicant. Jim Imbriaco left the meeting due to illness. Mr. Benbrook noted that the hearings for a preliminary and final site plan had begun on February 20, 2007. He described the

KinderCare application. He stated that the applicant would need to demonstrate geotechnical ordinance compliance and would have an expert testify. He also discussed the issue of the retaining wall, noting that a structural engineer would testify. Jon Drill discussed the procedural issues. He asked if the amount of detail on geotechnical issues were enough for a preliminary approval, would the applicant agree to amend the application to be a preliminary site plan only. Jon Drill read the MLUL requirements for a preliminary versus a final approval. Kevin Benbrook responded that the application could be bifurcated. Chairman Brady discussed the June site walk and the issues that had been raised, commenting on how narrow Fulper Place was. The guard rail will be DOT approved, and designed for residential areas. Brian Bosenberg discussed the areas of disturbance for the landscaping.

Robert Schwankert, geotechnical engineer, presented his credentials, which were accepted by the Board. He described the tests that had been conducted on the property. He listed the issues on the site and indicated that the soil was of varying thickness over dolomite bedrock. Mr. Schwankert stated that they had not found any karst formation, but commented that they could find some later. The daycare facility was proposed as a 9000 square foot building with parking, and a retaining wall. Joe Fischer explained that the proposal for the retaining wall was conceptually feasible, stating that he was comfortable with the level of detail for preliminary approval, but not for final. He indicated that he would want more details for a final approval. Kevin Benbrook commented that more borings were needed, and Mr. Schwankert expressed the opinion that there would be nothing that could make the wall impossible to build, indicating that the wall system would work. He noted that he had suggested more borings along the wall to eliminate surprises. Nick Corcodilos discussed the intensity of the development on the site. Mr. Schwankert discussed the cut that would be made for the wall, noting that it would be 10-15 feet high. Joe Fischer commented that there were good and bad ways to remove rock to minimize the impact on the neighborhood. Kevin Benbrook indicated that the applicant would be conservative in its approach and that could be a condition of approval. Joe Fischer discussed the levels of risk and commented on the extent of the work that needed to be done. He noted that the retaining wall would be expensive.

Tom Yager, 10 Grayrock Rd, asked about the soils testing and the bedrock under the detention basin. Mr. Schwankert indicated that the rock was 5 feet under the detention basin. Whether the detention basin was to be lined and whether sinkholes could develop under the basin were discussed. Mr. Schwankert stated that it was possible if there was a void. He commented that the detention basin was not lined. Joe Fischer commented that the inspection during construction would be very important and that remediation would be necessary if issues were found. Cathy Marcelli discussed procedures if a problem were to arise. Mr. Schwankert stated that all of the facilities could be built without a major sinkhole problem, and that the applicant would work to reduce or eliminate the possibility of soil movement. Joe Fischer commented that the data indicated that the soils were not permeable. Jon Drill discussed the protocol for a sinkhole in an underground detention basin and asked how it would affect the stormwater plan if an opening in the rock were found. Mr. Schwankert stated that they would address only the cavity found. Mr. Fischer commented that there were ways to mitigate

other than grouting. Mr. Schwankert commented that he did not expect a major sinkhole, but that there could be smaller ones. A recess was called at 9:24PM.

Chairman Brady called the meeting to order at 9:33PM. Joe Fischer explained the process that dissolves rock over millions of years. He discussed cave formation, and noted that in this area that there are usually small fractures. He discussed training and what should be looked for when digging a foundation or detention basin.

Glenn Brackmann, structural engineer, presented his credentials, which were accepted by the Board. He displayed a drawing of the proposed retaining wall. He described the composition of the wall and discussed the components of the structure. Mr. Brackmann commented that a modular retaining wall would not be possible because of the proximity of the street and the property line. He indicated that the type was a "soldier pile" wall. He noted that the wall had been designed with the data from the Melick Tully report. Mr. Brackmann described the procedural notes on the plan for the contractor. He expressed the opinion that the wall could be safely built, displayed the side view of the site plan for the wall and discussed the building process in detail. Mr. Schwankert noted that they would stabilize Fulper Drive and Fairview Avenue, in order to construct the rest of the site. He discussed the variety of finishes that were possible and indicated that the concrete cap would be above grade. He noted that the angle at the bottom of the wall could be made to look like man-made rocks. He displayed a side view of the wall and stated that the design was the most appropriate type of wall for the site and that it was not a new type or unproven technology. Joe Fischer suggested that a specialty contractor should be recommended for this project. Public water was proposed and there would be no well drilled. The will-serve letter from Town of Clinton Water department could be a condition of preliminary site plan approval.

Michael Sullivan asked whether the fence could be attached to the cap of the wall. Mr. Brackmann commented that it could be bolted to the cap. Charles Howard asked about blasting for the wall, and Mr. Brackmann replied that it could be necessary, but only as a last result. Chris D'Alleinne asked whether the cap could be below grade and Mr. Brackmann stated that the water should drain to the road, and not run down the front of the wall. Discussion ensued concerning the design of the cap. Kevin Benbrook indicated that enough data had been provided on the wall and stated that the applicant wished to bifurcate the preliminary from the final approval. It was determined that updated stormwater calculations from Heritage Consulting would be provided. The application will be continued to December 17, 2007.

Amy Glaser, 40 Fairview Ave., asked whether the cap could it be the same height with the grade. She expressed a preference for the cap to be as low as possible. She asked whether the play area would be visible from Fairview and the applicant will bring information to the next meeting

Brian Bosenberg discussed the landscape plan and how it fit with the buffer on top of the wall, noting that the proposed design reduced the amount of available space. He asked whether the wall would be able to support the weight of the shade trees and Mr. Brackmann stated that he wouldn't advise planting close to the wall. Michael Sullivan asked whether the fence and the guard rail could be combined and Mr. Brackmann responded that he wouldn't want to combine the two elements.

Stephen Gulden, 38 Fairview Avenue, asked what would be safe to plant. Mr. Brackmann responded that shrubs and bushes would be best. Shade trees, access to the site and the aesthetics of the overall building were discussed.

The application was continued to December 17, 2007 without need for further notice. The applicant extended the time within which the Board must act to January 21, 2008. The applicant agreed to submit updated stormwater calculation to Cathy Marcelli by November 30, 2007.

REPORTS & ASSIGNMENTS

1. Report from Council: Charles Howard reported that the Council had introduced an ordinance to address water runoff between two properties.
2. Report from Open Space: There was no report.
3. Report from Environmental Commission: There was no report.
4. Ordinance 944-07: Jon Drill explained that the Council had settled the litigation concerning the CRC Longview Manor application that had been before the Board. He noted that an ordinance had been introduced and that the Board must determine whether it was consistent with the Master Plan. Michael Sullivan explained that ordinance would grandfather any application that was complete at the time of the zone change. He expressed the opinion that the settlement would advance the objectives of the Master Plan. He discussed the layout of the site and displayed the original site plan from the applicant. He then displayed a cluster plan for the R1 Zone, noting that the proposed open space was not contiguous. Mr. Sullivan pointed out that the RC zone conventional plan left only 40 acres of open space. He described the settlement cluster plan, noting that 127 acres of open space would be created and that there would be smaller lots. Less buffering would be required for the 15 lots. Jim Imbriaco commented that the proposal was a far superior plan. Michael Sullivan stated that the ordinance would only apply to this application, as no others had been deemed complete at the time of the zone change. It was noted that the settlement didnt approve the site plan. Nick Corcodilos discussed the settlement process and the value of clustering. Michael Sullivan commented that the proposal conformed to the R1 zoning requirements. Chris D'Alleinne moved and Marvin Joss seconded the motion that ordinance #944-07 was not inconsistent with the Master Plan. The Board concurred unanimously.
5. Ordinance Subcommittee: There was no report.
6. Well Head protection: There was no report.
7. Municipal Assessment Report: There was no report.
8. Master Plan Subcommittee: Charles Howard reported that they were waiting for information from Board Planner Michael Sullivan, and noted that the committee needed to look at infrastructure issues.

VOUCHERS

Phil Iannitto moved and Marvin Joss seconded a motion to approve the vouchers. The Board concurred unanimously.

ADJOURNMENT

Nick Corcodilos moved and Chris D'Alleinne seconded a motion to adjourn. The motion passed unanimously, and the meeting was adjourned at 11:00PM.

These minutes were approved on December 4, 2007.

Rebecca E. D'Alleinne
Administrator