

**MINUTES**

**CLINTON TOWNSHIP PLANNING BOARD**

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March 21, 2016

7:30PM

PUBLIC SAFETY BUILDING

1370 Route 31N

Annandale, NJ 08801

Chairman Cimei called the meeting to order at 7:32pm.

Chairman Cimei led the Flag Salute.

Chairman Cimei read the Public Notice

This is the March 21, 2016 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 and the notice of and agenda for this meeting was posted on the bulletin boards in the Municipal Building and faxed to the Hunterdon County Democrat, the Express Times, the Courier News, the Hunterdon Review, and the Star Ledger no later than the Friday prior to the meeting.

**ROLL CALL**

Ms. Filardo called the role.

<b><i>Roll Call: Member Attendance</i></b>						
<b>Member</b>	<b>Motion</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Butcher						X
Higgins			X			
Kilduff (Alt. 1)						X
Kleinhans			X			
Mardini			X			
McTiernan			X			
Pfeffer (Alt. 2)			X			
Scheick			X			
Cimei			X			

John Kilduff, Alt. 1 arrived at 7:39pm.

Sandra Butcher arrived at 7:44pm.

**MINUTES**

EXECUTIVE CLOSED SESSION MINUTES of February 17, 2016

Mr. Scheick moved and Ms. Kleinhans seconded a motion to approve the Executive Session minutes of 2/17/16. The motion carried unanimously.

<b>Roll Call: Closed Session Minutes 2-17-16</b>						
<b>Member</b>	<b>Motion</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Butcher						X
Higgins			X			
Kilduff (Alt. 1)						X
Kleinhans		X	X			
Mardini					X	
McTiernan			X			
Pfeffer (Alt. 2)			X			
Scheick	X		X			
Cimei			X			

**RESOLUTIONS** (Dist. by J. Drill via email.)

1. SJN PROPERTIES, LLC, PAYNE FARMS MAJOR SUBDIVISION  
Block 90, lot 2.01, Application No. 2013-09  
**Resolution No. CTPB-2016-01**  
Modification of condition #7 of Resolution No. 2013-23

Mr. McTiernan moved and Mr. Scheick seconded a motion to approve modification of condition No. 7 of Resolution No. 2013-23. The motion carried unanimously.

<b>Roll Call: SJN Modification of Resolution No. 2016-01</b>						
<b>Member</b>	<b>Motion</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Butcher						X
Higgins			X			
Kilduff (Alt. 1)						X
Kleinhans			X			
Mardini					X	
McTiernan	X		X			
Pfeffer (Alt. 2)			X			
Scheick		X	X			
Cimei			X			

2. CLINBAR, LLC (FORMER OL' WEST BBQ – LMG CLINTON, LLC)  
Block 29, lot 34. Application No. 2006-07

**Resolution No. CTPB-2016-02**

Fourth extension of the time within which to comply with conditions #10 and #12 of Resolution No. 2007-13 relating to obtaining signed plans and completing construction improvements.

Mr. Higgins moved and Ms. Kleinhans seconded a motion to approve a fourth extension of time of Resolution No. 2013-23. The motion carried with Mr. Kilduff, Mr. Mardini and Mr. Pfeffer abstaining.

<b>Roll Call: Clinbar 4<sup>th</sup> Extension of Time - Resolution No. 2016-02</b>						
<b>Member</b>	<b>Motion</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Butcher						X
Higgins	X		X			
Kilduff (Alt. 1)					X	
Kleinhans		X	X			
Mardini					X	
McTiernan			X			
Pfeffer (Alt. 2)					X	
Scheick			X			
Cimei			X			

3. CLINBAR, LLC (FORMER OL' WEST BBQ – LMG CLINTON, LLC)  
BLOCK 29, LOT 34. Application No. 2006-07

**Resolution No. CTPB-2016-03**

Amended Final Site Plan Approval

Ms. Kleinhans moved and Mr. Higgins seconded a motion to approve a fourth extension of time of Resolution No. 2013-23. The motion carried with Ms. Butcher, Mr. Kilduff, Mr. McTiernan and Mr. Pfeffer abstaining.

<b>Roll Call: Clinbar Amended Final SP - Resolution No. 2016-03</b>						
<b>Member</b>	<b>Motion</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Butcher					X	
Higgins		X	X			
Kilduff (Alt. 1)					X	
Kleinhans	X		X			
Mardini			X			
McTiernan					X	
Pfeffer (Alt. 2)					X	
Scheick			X			
Cimei			X			

**REQUEST FOR EXTENSION OF TIME**

CRC COMMUNITIES AT HEADLEY FARM ESTATES, INC., Block 46, Lots 33 and 33.01. Applicant is seeking an additional One-Year extension of the Final Subdivision approval protection period from February 6, 2016 to February 6, 2017 as well as an additional One Year extension of time in which to obtain signatures on the final plan and to record the final plat from February 6, 2016 to February 6, 2017.

Guliet D. Hirsh, Esq., attorney for the applicant introduced herself & Mr. Robert Ceccio, President of CRC.

The details of attorney Hirsch’s testimony are enclosed herewith in her letter dated January 8, 2016.

After discussion and completion of Ms. Hirsch’s testimony, attorney Drill suggested to the Board that they use the last of the of the “a” options of N.J.S.A 40:55D-52a in granting a 3<sup>rd</sup> One (1) year extension, before going to the “b” of N.J.S.A. 40:55D-b.

Mr. Mardini moved and Mr. Cimei seconded a motion to approve a third One (1) Year extension of time of Resolution No. 2013-23. The motion carried unanimously.

<b><i>Roll Call: CRC Headley Farms 3<sup>rd</sup> One Year Extension of Time Resolution No. 2013-23 to February 6, 2017</i></b>						
<b>Member</b>	<b>Motion</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Butcher			X			
Higgins			X			
Kilduff (Alt. 1)					X	
Kleinhans			X			
Mardini	X		X			
McTiernan			X			
Pfeffer (Alt. 2)					X	
Scheick			X			
Cimei		X	X			

**PUBLIC HEARING**

1. THE FOOD CURE, Block 59, Lot 4.01  
Applicant is seeking Preliminary and Final Major Site Plan approval to convert the former PNC Bank site to a restaurant.

The applicant has requested to carry the hearing for this application to April 18, 2016 with no further notice required, provided they submit revised plans no later than March 25, 2016.

Ms. Kleinhans moved and Mr. Higgins seconded a motion to carry this application hearing until April 18, 2016. The motion carried unanimously.

<b>Roll Call: Carry Food Cure Hearing to April 18, 2016</b>						
<b>Member</b>	<b>Motion</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Butcher			X			
Higgins		X	X			
Kilduff (Alt. 1)					X	
Kleinhans	X		X			
Mardini			X			
McTiernan			X			
Pfeffer (Alt. 2)					X	
Scheick			X			
Cimei			X			

**NEW BUSINESS**

1. Approval of Vouchers

Mr. McTiernan moved and Mr. Higgins seconded a motion to approve payment of the vouchers. The motion carried unanimously.

<b>Roll Call: Approval of Vouchers</b>						
<b>Member</b>	<b>Motion</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Butcher			X			
Higgins		X	X			
Kilduff (Alt. 1)					X	
Kleinhans			X			
Mardini			X			
McTiernan	X		X			
Pfeffer (Alt. 2)					X	
Scheick			X			
Cimei			X			

**REPORTS**

1. Report from Council  
Mayor Higgins reported that the Board of Health will be taken over by the Mayor and Council.
2. Report from Ordinance Subcommittee  
None.
3. Report from Open Space  
None.
4. Report from Environmental Commission  
None.

**ADJOURNMENT**

Ms. Butcher moved and Mr. Cimei seconded a motion to adjourn. The motion carried unanimously and the meeting was adjourned at 8:59pm.

<b><i>Roll Call: Adjournment</i></b>						
<b>Member</b>	<b>Motion</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Butcher	X		X			
Higgins			X			
Kilduff (Alt. 1)					X	
Kleinhans			X			
Mardini			X			
McTiernan			X			
Pfeffer (Alt. 2)					X	
Scheick			X			
Cimei		X	X			

These minutes were approved on June 20, 2016.

Respectfully Submitted,

*Denise Filardo*

Planning and Zoning Board Secretary