

MINUTES

CLINTON TOWNSHIP PLANNING BOARD

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July 18, 2016

7:00PM

PUBLIC SAFETY BUILDING

1370 Route 31N

Annandale, NJ 08801

Chairman Cimei called the meeting to order at 7:00pm.

Chairman Cimei led the Flag Salute.

Chairman Cimei read the Public Notice.

This is the July 18, 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.

MEMBERS IN ATTENDANCE

Higgins, Kleinhans, Mardini, McTiernan, Scheick, Kilduff, Pfeffer, Cimei

Ms. Butcher arrived at 7:55pm.

MEMBERS ABSENT

Butcher, Mardini

BOARD PROFESSIONALS/STAFF IN ATTENDANCE

1. Jonathan Drill, Esq., Board Attorney
2. Joseph Burgis, PP, AICP, Board Affordable Housing Planner
3. Thomas Behrens, PP, AICP, Board Affordable Housing Planner
4. Denise Filardo, Board Secretary

MINUTES

MEETING MINUTES of April 4, 2016

Mr. McTiernan moved and Mr. Scheick seconded a motion to approve the Minutes of 4/4/16. The vote record follows.

Roll Call: Minutes of 4-4-16						
Member	Motion	2nd	Yes	No	Abstain	Absent
Butcher						X
Higgins			X			
Kilduff (Alt. 1)					Not Eligible	
Kleinhans			X			
Mardini						X
McTiernan	X		X			
Pfeffer (Alt. 2)					Not Eligible	
Scheick		X	X			
Cimei			X			

RESOLUTIONS

Clinbar, LLC, (Former Ol’ West BBQ – LMG Clinton, LLC)
 Block 29, lot 34, Application No. 2006-07
 Resolution No. 2016-02
 Extension of the time within which to comply with condition #12 of Resolution No. 2007-13, condition #3 of Resolution No. 2016-02 and condition #16 of Resolution No. 2016-03 relating to completing construction improvements.

Mr. Higgins moved and Mr. McTiernan seconded a motion to adopt Resolution No. 2016-05. The vote record follows.

Roll Call: Clinbar, LLC, Blk 29, Lot 34, Resolution No. 2016-05						
Member	Motion	2nd	Yes	No	Abstain	Absent
Butcher					Not Eligible	X
Higgins	X		X			
Kilduff (Alt. 1)					Not Eligible	
Kleinhans			X			
Mardini						X
McTiernan		X	X			
Pfeffer (Alt. 2)					Not Eligible	
Scheick					Not Eligible	
Cimei			X			

NEW BUSINESS

Approval of Vouchers

Mr. Cimei moved and Mr. Pfeffer seconded a motion to approve payment of the vouchers. The vote record follows.

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

REPORTS

1. Report from Council

Mr. McTiernan reported from the July 13th Council meeting. A number of consent orders were approved. We changed the promotion process for the Police Dept. In an effort to streamline the process, the psychological testing for means of a promotion has been eliminated from the process. Extensive psychological testing is performed as part of the hiring process. According to assessment methodologies, one of the best ways to predict a persons’ success on the job is to observe them on the job. Eliminating the psychological testing from the promotion process saves money and makes the process more expeditious.

Also made some amendments to the Open Space Committee to simplify & streamline the process and get people who are interested in the process. It should allow us to deal with open space issues quicker than in the past. The Township has taken over the Fire Code Approvals which will be an income generator for the Township. The Fire Code Official will need some administrative support, so we amended the job responsibilities and expanded the hours of one of Township’s administrative assistants fill this need. This additional expense will be paid for by the Fire Code fees.

Approved a resolution increasing the deferred school tax regarding administrative functions having to do with when we collect the monies vs. when we disperse the monies.

Approved participation in the Municipal Alliances for another year. This provides the Township with opportunities to make quicker purchases at a more beneficial rate.

2. Report from Ordinance Subcommittee

Discussion regarding the creation of a Completeness Waiver Subcommittee. This would streamline the process and eliminate the need for applicants to come before the board for Completeness Waiver.

The Board suggested that the Board Secretary reach out to the BOA Chairman regarding any additional ideas/suggestions for the Ordinance Sub-committee.

3. Report from Open Space

Mr. Cimei, the Committee did some work clearing out some trails. They are looking for Scout to help with work on trails and benches on the Windy Acres Site.

Mr. Higgins elaborated on the revision to the Open Space Trust Ordinance, about a diversion process where it is a dollar like kind of exchange allowing us to unpreserve a portion of land on one site and preserve land not currently preserved on another site.

4. Report from Environmental Commission

None.

UPDATE ON DECLARATORY JUDGEMENT ACTION

Board Attorney Drill gave a brief update on the status of the Declaratory Judgement Action regarding the Township's Affordable Housing obligation. Last Monday, the appellate division ruled in our favor that there is no obligation for the gap period. Attorney discussed Present Need and Prospective Need. The Township's worst-case obligation was reduced from 900+ to 450 units.

COMPLETENESS WAIVER HEARING

EXXONMOBIL RESEARCH AND ENGINEERING COMPANY

Block 30, Lots 17, 30, 31, 41

Block 31, Lot 1

Block 30.02, Lot 1

Applicant is seeking Preliminary and Final Site Plan Approval with Bulk Variance relief to expand its existing office/research facility.

Mr. Higgins and Mr. Scheick recused themselves and left the dais.

Attorney Drill explained the Completeness Waiver process to members of the Public. And noted that the applicant has requested waivers from 11 of the 65 checklist items.

Thomas Malman, Esq. of Day Pitney, LLP summarized the application. ExxonMobil is seeking Preliminary and Final Site approval and Bulk Variance relief to expand its existing office/research facility to accommodate a new engine test facility that is being re-located from their current site in Paulsboro, NJ. The site improvements include construction of a 25,670sf two story addition to the main building as well as additional parking spaces, 31 proposed above ground storage tanks, landscaping improvements and stormwater management facilities.

Attorney Malman read through and explained the reasoning for the Waiver requests from Checklist Item numbers 17, 19, 21, 29, 43, 44, 46, 50, 57, 59 and 65. Per her completeness report, Cathy Marcelli, Board engineer did not have any objection to the Board granting these waivers.

Mr. Cimei moved and Mr. Pfeffer seconded a motion to grant the requested waivers and deem the application complete. The vote record follows.

Roll Call: ExxonMobil Completeness, Blk 30, Lots 30, 31, 41, Blk 31, Lot 1, Blk 30.02, Lot 1						
Member	Motion	2nd	Yes	No	Abstain	Absent
Butcher						X
Higgins					Recused	
Kilduff (Alt. 1)			X			
Kleinhans			X			
Mardini						X
McTiernan	X		X			
Pfeffer (Alt. 2)		X	X			
Scheick					Recused	
Cimei			X			

Board Attorney Drill noted that since both Completeness and waivers were granted, he will not prepare a completeness resolution. The approval will be reflected in these minutes.

The published ExxonMobil Notice for Public Hearing will be carried until the August 1, 2016 meeting. There will not be a need for further notice.

Attorney Drill and Chairman Cimei informed the members of the public that they may freely contact the Board secretary if they would like to review the application and/or Board Professional reports prior to the August 1, 2016 hearing.

PUBLIC HEARING

2016 HOUSING PLAN ELEMENT AND FAIR SHARE PLAN

Attorney Drill confirmed that there were no members of the public present for this hearing. Since there are no members from the Public hard copies of the PowerPoint presentation and the plan have been handed out to all Board members. The PowerPoint presentation is attached herewith.

Joseph Burgis, Board Affordable Housing Planner was sworn by Attorney Drill. Mr. Burgis presented the Housing Plan.

It was again noted that no one from the public was in attendance.

Mr. McTiernan moved and Mr. Higgins seconded a motion to adopt the July 6, 2016 Housing Plan Element and Fair Share Plan. The vote record follows.

Roll Call: 2016 Housing Plan Element and Fair Share Plan						
Member	Motion	2nd	Yes	No	Abstain	Absent
Butcher			X			
Higgins			X			
Kilduff (Alt. 1)			X			
Kleinhans			X			
Mardini						X
McTiernan	X		X			
Pfeffer (Alt. 2)					Not Eligible	
Scheick			X			
Cimei		X	X			

ADJOURNMENT

Mr. McTiernan moved and Mr. Scheick seconded a motion to adjourn. The Board concurred unanimously and the meeting was adjourned at 8:40pm.

These minutes were approved on August, 21, 2016.

Respectfully Submitted,

Denise Filardo

Planning and Zoning Board Secretary