

**MINUTES**

**CLINTON TOWNSHIP PLANNING BOARD**

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March 19, 2018

7:00PM

PUBLIC SAFETY BUILDING

1370 Route 31N

Annandale, NJ 08801

Pro Tem Chair Kleinhans called the meeting to order at 7:03pm.

Pro Tem Chair Kleinhans led the Flag Salute.

Pro Tem Chair Kleinhans read the Public Notice.

This is the March 19, 2018 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.

Secretary Filardo called the roll.

**MEMBERS PRESENT**

Higgins, Kilduff, Kleinhans, Pfeffer

Mr. Cimei arrived at 7:04pm

Mr. McTiernan arrived at 7:17pm

Ms. Butcher arrived at 7:42pm

**MEMBERS ABSENT**

Mardini, Scheick

**BOARD PROFESSIONALS/STAFF IN ATTENDANCE**

Jonathan Drill, Esq., Board Attorney, Denise Filardo, Board Secretary

**MEETING MINUTES**

1) MINUTES OF OCTOBER 17, 2016

Mr. Kilduff motioned and Mr. Pfeffer seconded a motion to approve the Minutes of October 17, 2016. The vote record follows.

<b><i>Roll Call: Meeting Minutes of October 17, 2016</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					Not Eligible	
Kilduff (Alt. 1)	X		X			
Kleinhans			X			
Mardini						X
McTiernan					Not Eligible	X
Pfeffer (Alt. 2)		X	X			
Scheick						X
Cimei			X			

2) MINUTES OF NOVEMBER 7, 2016

Mr. Higgins motioned and Mr. Pfeffer seconded a motion to approve the Minutes of November 7, 2016. The vote record follows.

<b><i>Roll Call: Meeting Minutes of November 7, 2016</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		X			
Kilduff (Alt. 1)					Not Eligible	
Kleinhans			X			
Mardini						X
McTiernan						X
Pfeffer (Alt. 2)		X	X			
Scheick						X
Cimei					X	

**RESOLUTIONS**

- 1) ROBERT LECOMPTE  
 Block 29, Lot 4  
 65 Valley Crest Road  
 Application No. PB-2016-14  
**Resolution No. 2016-13**

Resolution memorializing Waiver of Site Plan Approval and “C(1)” Variance to allow subsurface septic system and shed.

Mr. Cimei motioned and Mr. Higgins seconded a motion to adopt resolution No. 2016-13. The vote record follows.

<b>Roll Call: Resolution No. 2016-13 LeCompte, Blk 29, Lot 4</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
Pfeffer (Alt. 2)					Not Eligible	
Scheick						X
Cimei	X		X			

- 2) HUNTERDON PREPATORY SCHOOL  
 BLOCK 13, LOT 3  
 11 Spencer Lane  
 Application No. PB-2017-07

**Resolution No. 2018-03**

Resolution memorializing Waiver of Site Plan Approval and “C(2)” variances to allow construction of paver patio at the southwest corner of the existing building and a second paver patio and gazebo at the northwest corner of the building.

Mr. Cimei motioned and Mr. Pfeffer seconded a motion to adopt resolution No. 2018-03. The vote record follows.

<b>Roll Call: Resolution No. 2018-03 Hunterdon Prep School, Blk 13, Lot 3</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)					Not Eligible	
Kleinhans			X			
Mardini						X
McTiernan						X
Pfeffer (Alt. 2)		X	X			
Scheick						X
Cimei	X		X			

- 3) BEAVER BROOK URBAN RENEWAL ASSOCIATES, LLC  
 “WILLOWS AT ANNANDALE VILLAGE”  
 Block 60.03, lot 26

Beaver Brook Homestead Site  
 Application No. PB-2017-14  
**Resolution No. 2018-05**

Amended Preliminary Site Plan Approval, Final Site Plan Approval, "C(1)" and "C(2)" Variances, and Exceptions to allow for construction of a 100% Affordable Housing Project, including redevelopment of a historic structure and construction of related site improvements, to be known as "Willows At Annandale Village"

Mr. Cimei motioned and Mr. Pfeffer seconded a motion to adopt Resolution No. 2017-10. The vote record follows.

<b>Roll Call: Resolution No. 2018-05 Beaver Brook Urban Renewal assoc. "Willows at Annandale", Blk 60.03, Lot 26</b>						
<b>Member</b>	<b>Motion</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Butcher					Not Eligible	X
Higgins					Not Eligible	
Kilduff (Alt. 1)					Not Eligible	X
Kleinhans			X			
Mardini						X
McTiernan					Not Eligible	
Pfeffer (Alt. 2)		X	X			
Scheick					Not Eligible	X
Cimei	X		X			

**APPROVAL OF VOUCHERS**

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

<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			
Kilduff (Alt. 1)			X			
Kleinhans			X			
Mardini						X
McTiernan						X
Pfeffer (Alt. 2)		X	X			
Scheick						X
Cimei	X		X			

**COURTESY REVIEW**

CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS - TOWNSHIP OF CLINTON  
 1370 ROUTE 31 NORTH  
 Block 30, Lot 16  
 Proposed Wireless Telecommunications Facility.

Township Attorney Joseph Tauriello, Esq., appeared on behalf of the Township. Cellco Partnership d/b/a Verizon Wireless was the successful bidder in connection with the Township’s Request for Proposal to erect a wireless communications tower at the Township property located at 1370 Route 31 North. Attorney Tauriello introduced Verizon Wireless’ attorney, David H. Soloway, Esq., who presented the Proposal with Verizon Wireless engineer Petros Tsoukalas, PE.

After hearing the proposal, the Board determined that the project was not inconsistent with the Master Plan and the Board did not have any recommendations.

It was noted that there were no members of the public interested in this application.

The Board voted on the motion of Mr. David Pfeffer seconded by Mr. John Kilduff that the Project was not inconsistent with the Township Master Plan. The Board did not have any recommendations.

<b>Roll Call: Cellco VZ Wireless – Clinton Township Cell Tower, Blk 30, Lot 16 – Not Inconsistent with the Township Master Plan</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					Recused	
Kilduff (Alt. 1)			X			
Kleinhans			X			
Mardini						X
McTiernan			X			
Pfeffer (Alt. 2)		X	X			
Scheick						X
Cimei	X		X			

The Board directed Secretary Filardo to prepare and send a letter to Mayor and Council of the Board’s finding.

**PUBLIC HEARING**

EZENERGY NJ, LLC  
 BLOCK 70, LOT 13  
 1738 ROUTE 31 NORTH  
 Application No. 2017-08

The Board granted Minor Site Plan Approval and “C(1)” Variance to allow installation of a Ground-Mounted Solar Panel Array and “C(2)” Variance to allow fencing to exceed the height limitation. The Applicant is seeking a Modification to the approved Fire Access Aisle located within the Solar Panel Array.

The applicant’s attorney, Guliet Hirsch, Esq. explained that the applicant has moved to reopen this application due to a change.

After the approval was granted on February 21, 2018, the EZnergy Operations Group discovered that the fire access aisle running North to South through the solar field as approved by Fire Marshall Milne would cause substantial construction difficulties as many trenches would have to be dug. Kurt Hoffman then conveyed this to Fire Marshall Milne who then approved a change in the access aisle so that a 12foot wide access aisle running East to West with a direct gate access from the Hunterdon Wellness center parking lot would be substituted for the 10 foot wide North to South aisle. As such we have asked the Board to re-open the hearing and vote on this proposed change. Public notice has been provided for this meeting.

**EXHIBITS**

A-5 Revised color rendered sheet depicting the 12foot access aisle running East to West

A-6 Email dated March 1, 2018 from Fire Marshall Milne to Kurt Hoffman

The applicants engineering expert, Kurt Hoffman remained under oath from the February 21<sup>st</sup> hearing. Mr. Hoffman referenced Exhibit A-5 which was a color rendered revised sheet hi-lighting the 12 foot fire access aisle in pink.

It was noted that the solar array will be “Net Metering” and will serve only the needs of the Hunterdon Wellness Center

There were no questions or comments from the public and the hearing was closed.

Mr. Pfeffer motioned and Mr. McTiernan seconded a motion to grant the requested modification to the Fire Access aisle. The vote record follows.

<b>Roll Call: EZnergy, NJ, LLC, Blk 70, Lot 13</b>						
<b>Member</b>	<b>Motion</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Butcher					Not Eligible	
Higgins			X			
Kilduff (Alt. 1)			X			
Kleinhans			X			
Mardini						X
McTiernan		X	X			
Pfeffer (Alt. 2)	X		X			
Scheick						X
Cimei					Not Eligible	

The following resolution No. 2018-04 was adopted directly following the Board’s granting of the requested modification.

EZENERGY NJ, LLC  
 BLOCK 70, LOT 13  
 1738 ROUTE 31 NORTH  
 Application No. 2017-08

**Resolution No. 2018-04**

Resolution memorializing Minor Site Plan Approval and “C(1)” Variance to allow installation of a Ground-Mounted Solar Panel Array and “C(2)” Variance to allow fencing to exceed the height limitation.

Mr. Pfeffer motioned and Mr. McTiernan seconded a motion to adopt resolution No. 2018-04 with revision including the amended fire access aisle. The vote record follows.

<b>Roll Call: Resolution No. 2018-04 EZnergy, Blk 70, Lot 13</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)					Not Eligible	
Kleinhans			X			
Mardini						X
McTiernan		X				
Pfeffer (Alt. 2)	X		X			
Scheick						X
Cimei					Not Eligible	

**REPORTS**

- 1) Report from Council – Mr. Higgins reported that the Township amended Wastewater and Sewer capacity agreement with CTSA obtaining all of the remaining capacity CTSA had. McTiernan reported that the Township reduced the principal on a bond ordinance for roads.
- 2) Report from Ordinance Subcommittee – No meeting.
- 3) Report from Open Space - No meeting.
- 4) Report from Environmental Commission – No meeting

**ADJOURNMENT**

Ms. Butcher motioned and Mr. Pfeffer seconded a motion to adjourn. All were in favor and the meeting was adjourned at 8:01pm.

Respectfully Submitted,  
*Denise Filardo*  
 Planning Board Secretary

These minutes approved on April 16, 2018