

MINUTES OF CLINTON TOWNSHIP PLANNING BOARD

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PUBLIC MEETING

DATE: October 21, 2013

PRESENT: John Higgins, Sam Mardini, Chris D'Alleinne, Brian Mullay and Suzanne Kleinhans.

PROFESSIONALS: Jon Drill, Attorney and Rebecca D'Alleinne, Administrator.

ABSENT: Kevin Cimei, Michael Brady, Peter Marra, and Richard Scheick.

CALL TO ORDER

Chairman Higgins called the meeting to order at 7:32P.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 and the notice of and agenda for this meeting was posted on the bulletin boards in the Municipal Building and outside the Planning and Zoning Office on the 1st 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, no later than the Friday prior to the meeting.

MINUTES

Brian Mullay moved and John Higgins seconded a motion to approve the minutes of September 16, 2013, as corrected. The Board concurred unanimously.

Brian Mullay moved and Chris D'Alleinne seconded a motion to approve the minutes of October 7, 2013, as written. The Board concurred unanimously. John Higgins and Sam Mardini abstained.

RESOLUTION

FOUNDATIONS PRESCHOOL, Block 55, Lot 8

Resolution #2005-10, Application #2004-10

Jon Drill stated that Version #2 of the resolution was under consideration and read the corrections into the record. Suzanne Kleinhans moved and Chris D'Alleinne seconded a motion to approve the resolution as corrected. Members in favor: D'Alleinne and Kleinhans.

RUTLAND PLAZA/BOURBON STREET, Block 70, Lot 2
Resolution #2013-18, Application #2013-11

Jon Drill reported that Draft #2 of the resolution was under consideration and read the revisions into the record. Brian Mullay moved and Suzanne Kleinhans seconded a motion to adopt the resolution as corrected. Members in favor: D'Alleinne, Mullay and Kleinhans.

COMPLETENESS WAIVERS HEARINGS

CLINTON AG./OLD MOUNTAIN FARM, Block 7, Lot 3

Walter Wilson, Esq. introduced himself on behalf of the applicant. He indicated that he had received the completeness waivers report from Cathy Marcelli, and referred to checklist item #51, which was for a landscaping plan. He indicated that the applicant felt that they didn't need a plan, as the plant material on display was for landscaping and would change with the seasons. Brian Mullay asked about what was located along the property boundaries and Mr. Wilson stated that the south border had wetlands and a stream corridor and the western boundary had pumpkins and corn. Chairman Higgins discussed the distinction between the agricultural section of the property versus the front ten-acre "farm market" area. Jon Drill reminded the Board that they could ask for a landscape plan later. He noted that the Board needed to determine whether the professionals needed a landscaping plan for their reports or did the Board need it to make a decision. The Board agreed to waive the item.

Mr. Wilson stated that the plans for storm sewers (Item #54) would be supplied within in one week. Chairman Higgins stated that the administrator would declare the application complete after receiving the storm sewer profiles. Item #50 was for public water, and Mr. Wilson indicated that the applicant would use existing private wells. He stated that the applicant would need setback relief for the septic system, now that the recently approved minor subdivision had moved the line between the two lots. Mr. Wilson stated that as for Item #55, there were no traffic control devices on the property. He indicated that he would submit Items #5 and 6. Brian Mullay stated that he was inclined to deny #54, and to grant all of the other waiver requests. Chris D'Alleinne moved and Suzanne Kleinhans seconded a motion to deny #54 and grant all remaining waiver requests. Members in favor: Higgins, D'Alleinne, Mullay, Kleinhans and Mardini. Chairman Higgins commented that the understanding that the Planning Board had reached with the CADB was to limit the scope of the application, so the applicant did not need to submit materials to the Board Landscape Architect.

T-MOBILE, Block 13.01, Lot 1

Frank Ferraro, Esq. introduced himself on behalf of the applicant. Chairman Higgins stated that the applicant had previously gotten approval for a cell on wheels, and discussed the subsequent history of the project. He indicated that he would like to have a report as to the progress of the discussions with the Town of Clinton. Mr. Ferraro explained that he would have a number of witnesses at the public hearing to explain the progress of the application. After the last resolution #2012-17 was approved, he

indicated that a document had been drafted to allow the applicant to access the water tank site to conduct testing. The document was submitted in January 2, 2013, but wasn't signed until June 10, 2013. He reported that T-Mobile had scheduled a design visit on June 26th. He stated that the applicant had submitted a lease exhibit July 12th and received no comments until August 20th. He noted that the main issue for the town was the fall zone of the tower, and that the Town's engineer expressed concern that locating the tower anywhere on the property would put the water tanks at risk. Engineer Josh Cottrell stated that the size and shape of the Town's lease area did not permit them to locate a tower more than 100 feet from a tank. The Board Administrator stated that she had spoken to the engineer and attorney for the Town. Mr. Drill reported that the BOA had required the Town in the resolution of approval to consent to a condition for either antennas on the tanks or a tower, which was agreed to by Town Attorney Dick Cushing. Ms. D'Alleinne stated that the Town attorney and engineer had indicated to her that they preferred to not place the antennas on the tanks, due to maintenance and liability issues.

Mr. Ferraro stated that he had applied for a new approval to extend the approval of the C.O.W. for one more year. Mr. Drill expressed the opinion that the distinguishing feature this time was that the Town had not reacted in a timely fashion. He explained that the Board had given temporary approval for the C.O.W. and that there was no statutory time limit. He noted that the Board could consider whether to accept a modification of condition for the expiration date. Chairman Higgins expressed the opinion that it was the right thing to do and Chris D'Alleinne suggested including a timeline for the members to use at the hearing. Chairman Higgins suggested government to government discussions with the Town of Clinton. Mr. Ferraro commented that T-Mobile needed to find a permanent solution. The Administrator noted that she had included the public hearing materials in the packet and asked the members to hold on to them.

Brian Mullay moved and Chris D'Alleinne seconded a motion to approve the completeness waivers as discussed. Members in favor: Higgins, D'Alleinne, Mullay, Kleinhans and Mardini. Jon Drill stated that the application should be deemed complete by the administrator after receiving a revised application and timeline.

NEW BUSINESS

1. Approval of Vouchers—Chris D'Alleinne moved and Brian Mullay seconded a motion to approve the vouchers. The Board concurred unanimously.

REPORTS & ASSIGNMENTS

1. Report from Council: There was no report.
2. Report from Ordinance Committee: There was no report.
3. Report from Open Space: There was no report.
4. Report from Environmental Commission: There was no report.

ADJOURNMENT

Suzanne Kleinhans moved and Sam Mardini seconded a motion to adjourn. The motion passed unanimously, and the meeting was adjourned at 8:17PM.

These minutes were approved on November 4, 2013.

Rebecca E. D'Alleinne
Administrator