

MINUTES OF CLINTON TOWNSHIP BOARD OF ADJUSTMENT

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PUBLIC MEETING

May 27, 2014

PRESENT: Tom McCaffrey, John Matsen, Sharon Stevens, Wayne Filus, John Lefkus, Dave Roberts and Sharol Lewis.

PROFESSIONALS: Jay Bohn, Attorney, Andrea Malcolm, Planner, Cathleen Marcelli, Engineer, Brian Bosenberg, Landscape Architect and Rebecca D'Alleinne, Administrator.

ABSENT: None.

CALL TO ORDER

Chairman McCaffrey called the meeting to order at 7:31PM.

PUBLIC NOTICE

This is a public meeting of the Zoning 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, and the Star Ledger, no later than the Friday prior to the meeting.

NEW BUSINESS

Vouchers

Chairman McCaffrey moved and John Matsen seconded a motion to approve the vouchers for payment. The Board concurred unanimously.

MINUTES

Sharon Stevens moved and Sharol Lewis seconded a motion to approve the minutes of April 28, 2014, as corrected. The Board concurred unanimously.

RESOLUTIONS

VALLEY BROOK FARM, Block 7, Lot 2

Resolution #2014-02C, Application #2013-13

Sharon Stevens moved and Wayne Filus seconded a motion to approve the corrected resolution. Members in favor: Matsen, Stevens and Filus.

ENGINEERING & LAND PLANNING, Block 66, Lot 2

Resolution #2014-04, Application #20213-09

Chairman McCaffrey stated that Version 2 was under consideration. Sharon Stevens moved and Dave Roberts seconded the motion to approve the resolution as written. Members in favor: McCaffrey, Stevens, Lewis, Filus, Lefkus and Roberts.

JOSEPH SMELTZER, Block 16, Lot 52

Resolution #2014-03, Application #2014-01

Chairman McCaffrey stated that Version 3 was under consideration. Sharon Stevens moved and John Lefkus seconded a motion to approve the resolution as written. Members in favor: McCaffrey, Stevens, Lewis, Filus, Lefkus and Roberts.

PUBLIC HEARING

ENGINEERING & LAND PLANNING, INC., Block 66, Lot 2

Walter Wilson, Esq. introduced himself on behalf of the applicant. He introduced Wayne Ingram and Eric Reese from the firm, and noted that they had received review reports from the township professionals. He noted that Resolution #2006-07 had granted a use variance and that in 1978 and 1979 the original site plan was approved. Mr. Wilson indicated that they would be seeking a waiver of site plan and a use variance for general office use. He stated that Engineering and Land Planning would move into the facility. He characterized the current and proposed uses as similar. Mr. Wilson reported that there were two buildings on the property: an office and a storage building, which would both remain. Wayne Ingram, applicant, Cathy Marcelli, Board Engineer, Andrea Malcolm, Board Planner and Brian Bosenberg, Board Landscape Architect were sworn. Mr. Ingram presented his credentials as an engineer and planner, which were accepted by the Board. He stated that he was a principal in the firm.

Mr. Ingram displayed the layout of the property, noting that it was a little more than four acres. He pointed out the neighboring commercial and residential uses, stating that there were 29 parking stalls, and that the site had a well and septic system. He indicated that there was a 40 foot increase in elevation from the street. Mr. Ingram displayed Exhibit A-1, (Aerial View), which was marked into evidence. He pointed out the wooded areas around the site and indicated that they did not intend to remove any trees. He stated that the sign would be changed, but would be in the same location and compliant. Mr. Ingram stated that there were 6162 square feet in the office building; the storage building was approximately 1500 sq. feet and heated, but was without facilities

and would only be used for storage. He stated that the office building had approximately 3000 sq. ft. on the first floor and there would be 15 employees. He noted that the second floor would handle future growth and could be rented. Mr. Ingram stated that 28 spaces were required by ordinance, and that 29 spaces currently existed on the site. He indicated that there was an existing 18.9% impervious cover and that no internal changes were planned. He commented that there would be no ground or internal lighting of the sign and that the hours of operation would be 8AM-6PM.

Mr. Ingram stated that there would be only a few visitors to the site at a time and that there would be no large vehicles parked on the lot. He indicated that they were not proposing to add landscaping and that the lot was larger than the surrounding residential properties. He noted that they would not change the exterior lighting and expressed the opinion that there was no light spillage off the site. Mr. Ingram commented that the lot was a good transitional property and not well suited for residential use. He stated that there was no negative impact on the zone plan and that the use was well suited to the property. John Lefkus discussed the adjoining property. Chairman McCaffrey discussed the previous tenant and Mr. Ingram stated that the building was currently empty. Dave Roberts asked about company vehicles and Mr. Ingram stated that there were three.

Walter Wilson discussed the Hatch Mott McDonald review memo of 5/20/14. Mr. Ingram stated that they would have 15 employees and would sublet the second floor. He noted that not all of their employees would be there at the same time. He discussed the existing lighting, expressing the opinion that it did not spill over to neighboring properties. Dave Roberts asked whether the outdoor lights would be on all night and Mr. Ingram stated that there were motion detector security lighting fixtures on site. He noted that the storage building would be solely for his company's use. Sharon Stevens discussed the number of employees that would fit within the 6,162 sq feet. Mr. Ingram expressed the opinion that they would not need more than 25 spaces, but that if that were to change in the future, they would have to come back to the Board for approval. Sharon Stevens asked about banked spaces and referred to the 2006 resolution. Brian Bosenberg reminded the Board that the original approval was for medical office use, which had a higher parking requirement. Mr. Ingram stated that they would not park on the driveway and would return if more spaces were needed. Jay Bohn discussed visitor parking. Mr. Wilson noted that the number of existing spaces met the required ordinance standard, adding that if there was a need for future parking, the applicant would return to the Board. Mr. Ingram noted that it was not a constrained site and that spaces could be added. Chairman McCaffrey stated that the applicant met the ordinance requirements. Cathy Marcelli suggested re-stripping the lot and the applicant agreed. He also agreed to apply to the county for approval.

Mr. Wilson reviewed the Bosenberg & Company memo which noted that the buffering didn't meet the ordinance. Mr. Ingram commented that he was not planning to buffer, and expressed the opinion that the proposed use was not a noisy one that would create a nuisance for the neighbors. Sharol Lewis asked about weekend use, and Mr. Ingram stated that would be the exception. Brian Bosenberg stated that the property was fairly well screened on three sides, but pointed out that the trees were primarily deciduous. Mr. Bosenberg passed around his i-Pad with pictures of the site. Wayne Ingram discussed the view of the building from the houses. Mr. Bosenberg suggested a few shade trees along Route 513 and pines in the parking lot. Jay Bohn recommended

that the photos be incorporated into a supplemental report. Planner Andrea Malcolm felt that that the adjoining house was exposed to the parking area. Mr. Ingram discussed putting in four or five street trees and several evergreens by the parking lot. Mowing versus natural meadow was discussed.

Dave Roberts asked about the proposed sign location. Mr. Ingram agreed to move it back if needed and stated that it would be in a compliant location. It was determined that a variance was needed. The size of the sign was discussed. Walter Wilson discussed the need for a (c)2 variance in which the benefits exceeded the potential detriments. John Lefkus pointed out that the site was a transitional property with a non-residential appearance. He stated that he was not opposed to the size of sign. Mr. Roberts noted that the sign area was close to compliant, but that the decorative area made it larger than the ordinance requirements. John Matsen referred to the ordinance and Mr. Ingram stated that he would make sure the sign was conforming. Brian Bosenberg offered to help him design landscaping for the sign to make it aesthetically pleasing. John Matsen asked about another tenant and whether additional directional signage would be necessary. Mr. Ingram stated that signs would be put up for the secondary tenant.

Walter Wilson discussed the planner's report and the request for a waiver of site plan. Mr. Ingram listed the criteria for granting a waiver of site plan approval. John Matsen discussed the need for minor site plan approval, noting that the applicant didn't have an approved site plan for the existing conditions. Cathy Marcelli commented that the submitted application checklist was for a "d" variance. Chairman McCaffrey asked whether there was an approved site plan that accurately reflects the existing conditions. Mr. Wilson responded that there was no site plan, but a use plan. He expressed the opinion that it fit the criteria for Requirement 3 for a waiver of site plan. Cathy Marcelli went through the checklist to determine whether the items submitted would also match the checklist for site plan submission and identified each one. Mr. Matsen expressed the opinion that the elevation change was important to show on the plan. Chairman McCaffrey stated that there were only a few checklist items that were not the same, but that they would be easy to comply with. Cathy Marcelli suggested that the heading on the use plan be changed to Minor Site Plan and that a signature block be added. Andrea Malcolm discussed the number of employees. John Matsen stated that he would like to have any tenant appear before the Board and explain their use. It was noted that there was a list of use limitations in the planner's report. Mr. Lefkus commented that the potential tenants would be limited by the parking constraints to those with the same intensity of use. Cathy Marcelli stated that parking should be in designated spaces only and that the applicant would have to return if more stalls were needed in the future.

Chairman McCaffrey listed the required variances, hours of operation and sign as discussed. Mr. Ingram commented on the general office hours of business. Chairman McCaffrey noted that the Board did not want to limit the owners from being able to work odd hours. Sharon Stevens expressed concern about lights at night affecting the neighboring residences. Discussion ensued about shifts and regular operating hours for public access. Cathy Marcelli suggested a lighting test for the site and the applicant agreed.

Chairman McCaffrey stated that the applicant would need to comply with the additional checklist waivers for a minor site plan, would require a (d)1 office use

variance, a (d)1 variance for the sign and a (c)1 for storage building setbacks. Jay Bohn listed the all of the conditions and relief to be granted for the record. Dave Roberts moved and John Lefkus seconded a motion to approve the application with conditions as discussed. Members in favor: McCaffrey, Matsen, Stevens, Lewis, Filus, Lefkus and Roberts.

ADJOURNMENT

Dave Roberts moved and Sharon Stevens seconded a motion to adjourn, and the motion passed unanimously. The meeting was adjourned at 9:50PM.

These minutes were approved on July 28, 2014.

Rebecca E. D'Alleinne, Administrator