



TOWN OF CLINTON

INCORPORATED APRIL 5, 1865

43 Leigh St., P.O. Box 5194

Clinton, N.J. 08809-5194

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PLANNING BOARD

Minutes of the Town of Clinton Planning Board reorganization meeting and regular meeting held on January 16, 2007 at 7:30pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Chairman Hendricksen called the Reorganization meeting to order at 7:30pm and read the "Administrative Statement" and the "Statement of Adequate Notice":

"Meetings are held on the first Tuesday of each month. Applications must be filed at least 21 days prior to the meeting date. In order to ensure that all applications receive complete and thorough consideration of the board, all meetings will adjourn no later than 10:30pm with all items not concluded to be carried over to next month's agenda".

"Adequate notice of this meeting has been provided indicating the time and place of the meeting with the proposed agenda, which notice was posted, made available to the newspapers and filed with the clerk of the Town of Clinton in accordance with Section 3(d) of the Public Laws of 1975".

Oaths of Office:

Mr. John Baka, Mrs. Michelle Harrison, and Mrs. Laurie Insel were sworn in.

ROLL CALL:

Present: Baka, Gallagher, Harrison, Hendricksen, Insel, McGuire, Schaumburg, Tranquilli, Wiant (arrived 7:45pm)

Absent:

Election of Chairman:

A Motion was made by Mr. Tranquilli, seconded by Mr. Gallagher, to nominate Mr. Hendricksen as Chairman.

A Motion was made by Mr. Baka, seconded by Mrs. Insel, to nominate Mr. Gallagher as Chairman.

A Motion was made by Mr. Baka, seconded by Mrs. Insel to close the nomination for Chairman.

All Ayes. Motion Carried.

A Motion was made by Mr. Tranquilli, seconded by Mrs. Insel to have a closed vote for Chairman.

All Ayes. Hendricksen Opposed

Due to the late arrival of Mr. Wiant, Mayor Schaumburg made a Motion to redo the nomination for Chairman, seconded by Mr. Gallagher

All Ayes. Motion Carried.

A Motion was made by Mr. Baka, seconded by Mrs. Insel, to nominate Mr. Gallagher as Chairman.

A Motion was made by Mr. Tranquilli, seconded by Mr. Gallagher, to nominate Mr. Hendricksen as Chairman

A Motion was made by Mr. Baka, seconded by Mrs. Insel, to close the nominations for Chairman
All Ayes. Motion Carried.

A Motion was made Mr. Tranquilli, seconded by Mr. McGuire to have a closed vote
All Ayes. Hendricksen Opposed

Closed vote results:

6 in favor of Mr. Gallagher as Chairman
3 In favor of Mr. Hendricksen as Chairman

Chairman Gallagher proceeded to run the meeting. Chairman Gallagher asked for a Motion to thank Mr. Hendricksen for his Chairmanship for the last year and giving the necessary guidance.

Mayor Schaumburg made the motion, seconded by Mrs. Insel. **All Ayes. Motion Carried.**

Chairman Gallagher asked for a Motion to thank Larry Cagno who stepped down this year for all his years of devotion.

Mr. Hendricksen made the motion, seconded by Mrs. Insel **All Ayes. Motion Carried.**

Mr. McGuire inquired if we could present him with a plague and Mayor Schaumburg suggested that we could recognize him at the town dinner. Chairman Gallagher advised the board that he bought a new gavel and would like to present Larry with the old planning board gavel

A Motion was made by Mr. McGuire, seconded by Mr. Baka to present Mr. Cagno with the old gavel:
All Ayes. Motion Carried.

Election of Vice Chairman:

A Motion was made by Mr. Wiant to nominate Mr. Hendricksen as Vice Chairman, Mr. Hendricksen declined the nomination.

A Motion was made by Mr. McGuire to nominate Mr. Tranquilli as Vice Chairman; Attorney Caldwell advised the board that a Class II member could not serve

A Motion was made by Mr. Tranquilli to nominate Mr. Wiant as Vice Chairman, Mr. Wiant declined the nomination.

A Motion was made by Mrs. Insel, seconded by Mr. Tranquilli, to nominate Mr. McGuire as Vice Chairman:

Roll Call Vote:

Ayes: Baka, Gallagher, Harrison, Hendricksen, Insel, Schaumburg, Tranquilli, Wiant
Nays: **All Ayes. Motion Carried.**

Appointment of Board Attorney:

A Motion was made by Mrs. Insel, seconded by Mr. Baka, to appoint William Caldwell as the Board's Attorney for the 2007 calendar year

All Ayes. Motion Carried

Be it Resolved that William Caldwell, Esq. is hereby appointed to serve as the Planning Board Attorney for the Town of Clinton and;

Whereas there exists a need for the performance of the statutory legal services for the year 2007 for the Town of Clinton Planning Board and;

Whereas funds are or will be made available for this purpose to be certified by the local finance officer and;

Whereas the contract for Professional Services was awarded pursuant to the Fair and Open Process.

Now Therefore, Be Resolved by the Town of Clinton Planning Board as follows:

The Mayor and Council are hereby authorized and directed to execute an agreement with William Caldwell, Attorney for 2007.

Notice of this action shall be printed once in the Hunterdon Review.

Appointment of Board Planner:

A Motion was made by Mrs. Insel, seconded by Mr. Tranquilli, to appoint Carl Hintz and Elizabeth McManus from Clarke, Caton and Hintz as the Board Planners for the 2007 Calendar Year:

All Ayes. Motion Carried.

Be it Resolved that Carl Hintz and Elizabeth McManus is hereby appointed to serve as the Planning Board Planners for the Town of Clinton and;

Whereas there exists a need for the performance of the statutory Planner services for the year 2007 for the Town of Clinton Planning Board and;

Whereas funds are or will be made available for this purpose to be certified by the local finance officer and;

Whereas the contract for Professional Services was awarded pursuant to the Fair and Open Process.

Now Therefore, Be Resolved by the Town of Clinton Planning Board as follows:

The Mayor and Council are hereby authorized and directed to execute an agreement with Carl Hintz and Elizabeth McManus, Planners for 2007.

Notice of this action shall be printed once in the Hunterdon Review.

Appointment of Board Engineer:

A Motion was made by Mrs. Insel, seconded by Mr. Baka, to appoint Robert Clerico from Van Cleef Engineering as the Board Engineer for the 2007 Calendar Year:

All Ayes. Motion Carried.

Be it Resolved that Robert Clerico is hereby appointed to serve as the Planning Board Engineer for the Town of Clinton and;

Whereas there exists a need for the performance of the statutory Engineering services for the year 2007 for the Town of Clinton Planning Board and;

Whereas funds are or will be made available for this purpose to be certified by the local finance officer and;

Whereas the contract for Professional Services was awarded pursuant to the Fair and Open Process.

Now Therefore, Be Resolved by the Town of Clinton Planning Board as follows:

The Mayor and Council are hereby authorized and directed to execute an agreement with Robert Clerico, Engineer for 2007.

Notice of this action shall be printed once in the Hunterdon Review.

Appointment of Board Secretary:

A Motion was made by Mr. Hendricksen, seconded by Mr. Tranquilli, to nominate Allison McGinley as the board secretary for 2007:

All Ayes. Motion Carried.

Committee Appointments:

Site Plan Committee:

Mr. McGuire to serve as Chairman, Mr. Hendricksen, Mr. Wiant, Mrs. Harrison to serve on the Site Plan Committee. The Site Plan Committee will meet on the third Tuesday of each month on an as needed basis.

Master Plan Committee:

Mrs. Insel to serve as Chairperson, Mr. Gallagher, Mrs. Harrison, Mr. Wiant to serve on the Master Plan Committee and Mr. Baka will serve as an alternate. Meetings of the Master Plan will be held on an as needed basis.

Bicycle / Pedestrian Committee:

Mr. Wiant and Mr. Baka will serve on the Bicycle/Pedestrian Committee

COAH Committee:

Mr. Hendricksen, Mr. McGuire and Mr. Wiant to serve on the COAH Committee.

Designation of the Official Newspaper:

A Motion was made by Mr. Wiant, seconded by Mrs. Insel, to designate the Hunterdon Review, the Hunterdon Democrat, and the Courier News as the official newspapers:

All Ayes. Motion Carried.

Designation of Meeting Nights:

The board will continue to meet on the first Tuesday of each month at 7:30pm and the third Tuesday of the month for any carry over items.

The board agreed to move the July 3, 2007 to July 17, 2007. The board discussed the November 6, 2007 meeting and some members felt that due to election night the meeting should be moved to November 20, 2007.

A Motion was made by Mr. Baka, seconded by Mrs. Harrison, to move the November 6, 2007 meeting to November 20, 2007:

Roll Call Vote:

Ayes: Baka, Harrison, Insel, McGuire, Schaumburg, Tranquilli

Nays: Gallagher, Hendricksen, Wiant

6 - 3 Motion Passed.

A Motion was made by Mr. Hendricksen, seconded by Mrs. Insel, to adopt the revised 2007 annual schedule:

All Ayes. Motion Carried.

Agenda Fees:

A Motion was made by Mr. Hendricksen, seconded by Mrs. Insel, to charge a \$35.00 fee for a yearly agenda.

All Ayes. Motion Carried.

A Motion was made by Mrs. Insel, seconded by Mr. Baka, to adjourn the reorganization meeting at 8:30pm:

All Ayes. Motion Carried.

Regular Meeting:

Chairman Gallagher called the meeting to order at 8:30pm and read the "Administrative Statement" and the "Statement of Adequate Notice":

"Meetings are held on the first Tuesday of each month. Applications must be filed at least 21 days prior to the meeting date. In order to ensure that all applications receive complete and thorough consideration of the board, all meetings will adjourn no later than 10:30pm with all items not concluded to be carried over to next month's agenda".

"Adequate notice of this meeting has been provided indicating the time and place of the meeting with the proposed agenda, which notice was posted, made available to the newspapers and filed with the clerk of the Town of Clinton in accordance with Section 3(d) of the Public Laws of 1975".

ROLL CALL:

Present: Baka, Gallagher, Harrison, Hendricksen, Insel, McGuire, Schaumburg, Tranquilli, Wiant

Mr. Hintz advised the board that he would have to leave by 9:30pm tonight. A Motion was made by Mr. Hendricksen, seconded by Mr. Tranquilli, to suspend the agenda to allow Mr. Hintz to discuss the proposed Historic Preservation Ordinance before he leaves.

All Ayes. Motion Carried.

Mr. Hintz advised the board he has prepared a draft 2006 reexamination report for the board's review. Mrs. Insel commented that the Smart Growth Committee felt it was important to review the Master Plan and asked Mr. Hintz to prepare the report. Mrs. Insel stated the report is a base start and will allow us to move forward with our vision studies. Mr. McGuire commented that it would be useful to know how the board members prioritize the goals and suggested that each member rank the order on what issues are a priority to them.

Mr. Wiant announced that he had to leave the meeting at 8:35pm.

Mr. Hintz asked the board to review the report, which he would like to discuss in conjunction with the Highlands Regional Plan at the next meeting. Chairman Gallagher advised the board to bring their comments for discussion at the next meeting.

Historic Preservation Ordinance Discussion:

Mr. Hintz advised the board that the proposed ordinance was drafted by the Historic Preservation Commission. Mr. Hintz stated this ordinance is similar to the Flemington ordinance, the main difference is in Flemington after the Commission makes their recommendations the recommendations go to the Planning Board for a vote. This proposed ordinance has a mandatory review and the recommendations are

not mandatory. Mr. Hintz felt this was a tamer approach and a good way to implement the ordinance and see how it works. Mr. Tranquilli was concerned with this approach and questioned whether a more stringent ordinance similar to Cape May’s ordinance would be better. Mr. Hintz responded that he thought this ordinance is a good first step. Chairman Gallagher questioned whether the board had any concerns with the language and Attorney Caldwell stated that he had forwarded his comments in regard to the demolition language. Mr. Hendricksen commented that he would like to see the language amended before recommending to Council. Mr. Baka commented that this ordinance is more of an educational ordinance and perhaps we could look at other alternatives for enforcement. Mrs. Insel responded the intent of the ordinance was to educate the public. Mr. Tranquilli inquired how do you legislate education and stated that he understands this is the first step but felt that the ordinance should have more substance such as Flemington’s Ordinance. Chairman Gallagher stated that this ordinance starts the process and it can be a working document in the future.

Mr. Hintz stated the next step would be to recommend the ordinance to council and they would hold a public meeting to get public feedback on the ordinance. Mr. McGuire suggested that it makes sense to move forward and start out as an advisory ordinance, which can be amended at a later time if necessary. Mrs. Insel stated that it makes sense to introduce the ordinance to the public as an educational tool.

A Motion was made by Mrs. Insel, seconded by Mr. McGuire, to recommend the Historic Preservation Ordinance and the memo from Bill Caldwell dated December 5, 2006 regarding demolition of structures be forwarded to the Council for their review.

Roll Call:

Ayes: Baka, Gallagher, Harrison, Hendricksen, Insel, McGuire, Schaumburg, Tranquilli,
All Ayes. Motion Carried

Mr. Hendricksen commented that he was not in favor of all the items in the ordinance.

Mr. Hintz advised the board that they are still waiting to hear back from COAH regarding the one objector to the Round III Plan.

A Motion was made by Mayor Schaumburg, seconded by Mr. Tranquilli, to open the meeting to the public:

All Ayes. Motion Carried.

Mr. Water Hetzel, Main Street, commented that it might be a good idea to take the demolition portion out of the proposed Historic Preservation Ordinance and make a separate mandatory demolition ordinance.

There being no further questions, a Motion was made by Mr. Tranquilli, seconded by Mrs. Insel, to close the meeting to the public:

All Ayes. Motion Carried.

A Motion was made by Mayor Schaumburg, seconded by Mr. Baka, to resume the agenda:

All Ayes. Motion Carried.

A Motion was made by Mr. Tranquilli, seconded by Mr. McGuire, to approve the minutes of December 5, 2006:

Ayes: Gallagher, McGuire, Tranquilli
Abstain: Hendricksen, Insel, Schaumburg, Motion Carried.

Zoning Application:

Chairman Gallagher tabled the review of the zoning application to the next meeting.

Smart Growth Update:

Mrs. Insel advised the board that they have applied for another grant for the completion of the sidewalks along RT 173 and Union Road.

Voucher Approval:

A Motion was made by Mr. Tranquilli, seconded by Mr. Hendricksen, to approve the following vouchers:

Clarke, Caton & Hintz	Twin Ponds	\$556.60
Clarke, Caton & Hintz	Z&F LLC	\$168.15
Bill Caldwell	Z&F LLC	\$522.00
Bill Caldwell	Hunterdon Capital	\$101.50
Bill Caldwell	General	\$1044.00

Board Discussion:

Chairman Gallagher asked the board members to make comments on what they would like to see the board accomplish this year.

Mrs. Insel commented that she would like to see good communication between the Planning Board and the Smart Growth Committee. Chairman Gallagher added that it would be helpful if the Smart Growth Committee could also communicate with the Master Plan Committee.

Mayor Schaumburg stated it is important to redraft the Sign Ordinance, which she would like the draft to come before Planning Board before being approved by Council. Another important aspect is to start to implement the vision studies. The first step is to look at the reexamination report, then to look at our ordinances and then hold public meetings and planning workshops to engage the public, merchants, residents and board members, parts of the plan should be ready for the summer and other parts are long range plans.

Mr. Baka stated it would be helpful to have our own independent studies on traffic and parking in town, in order to make sound decisions we need current updated information. Mayor Schaumburg responded that the Smart Growth Committee has funding through grants and intends to address both issues.

Mrs. Harrison stated she would like to see the studies from the Smart Growth Committee move forward and to be able to work with surrounding towns in regards to congestion and traffic.

Attorney Caldwell invited the new members to make an appointment with him to go over policy and procedures.

Chairman Gallagher questioned the response letter provided by Mr. Leonard to the Old River House Restaurant; Mayor Schaumburg responded that it appears that Mr. Leonard has handled it. Mr. Hendricksen commented that making it an accessory structure could bring up a lot of issues because of the flood plain. Attorney Caldwell responded that the Governing Body is the enforcement agency.

There being no further business a Motion was made by Mrs. Insel, seconded by Mr. Baka, to adjourn the meeting at 10:00pm.

Respectfully submitted,

Allison McGinley
Land Use Administrator.