



TOWN OF CLINTON

INCORPORATED APRIL 5, 1865

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Land Use Board Minutes

Minutes of the Town of Clinton Land Use Board meeting held on March 7, 2017 at 7:00pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Chairman Sailer called the meeting to order at 7:00pm and read the “Statement of Adequate Notice” and the “Administrative Statement”.

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”.

“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 10:00pm with all items not concluded to be carried over to the next month’s agenda”.

ROLL CALL:

Present: Mr. Sailer, Mr. Feldmann, Ms. Healy, Mr. Maher, Mr. Schaumburg, Mr. Smith, Mr. Viotto

Absent: Mr. Blanco, Mr. Mellick,
Mayor Kovach & Mr. Carberry were not eligible to hear the use variance application

Attorney Bill Caldwell and Mr. Kyle were present

Approval of Minutes:

A Motion was made by Mr. Smith, seconded by Mr. Maher to approve the February 7, 2017 minutes:

All Ayes.	Motion Carried
Abstain:	Schaumburg

Application for Rite Aid – Block 21 Lot 34 is carried to April 4, 2017:

Use Variance Application for Home Occupation - Block 16 Lot- 21 Water Street- Jonathon Wall

Mr. Johnathon Wall was sworn in. The following items were submitted into evidence:

- A1 Application package
- A2 Affidavit of service and proof of publication
- A3 Certified 200 foot notices
- A4 Tax Certification dated February 28, 2017

Mr. Wall advised the board that he is the contract purchaser for 21 Water Street and is here tonight to ask the board for approval to permit his psychology office in his residence. The location of the property is ideal for a psychology home office in where the location is quiet and serene and the home is located at the end of a dead end street. Parking for his clients can be accommodated at the Water Street parking lot. Mr. Wall described his practice and clients he stated he has a small psychology practice he usually does his evaluations in the morning starting at 9:00am which typically run between 3- 3 1/2 hours and in the afternoon and early evening he usually sees a few patients, the evening hours typically end at 6:30pm unless he has an emergency. My office is open Monday through Friday, if I have an emergency I will open on a Saturday. My evaluations are mainly related to custody issues and parental fitness, Mr. Wall stated some of his clients may have had a drug and alcohol problem and are in recovery and therefore need to be evaluated to see if they are fit to parent. In addition to adults I do see some kids that may have issues with ADD and neuro psychological issues. Mr. Wall testified that he does not evaluate any sexual offense cases. The office space will consist of 389 square feet which is suitable for a home office, psychology offices have a long history of home based offices even going back to Sigmund Freud. Mr. Wall testified that he usually does two evaluations a week and sees two to three patients every day, there are no plans to do group sessions other than related family members.

Mr. Wall advised the board he would like to put up a small 9” x 34” sign hanging from the front of his porch with his name and his phone number. The board did not see the need to add the phone number, Mr. Wall agreed to eliminate the phone number.

Mr. Smith inquired if his clients will be instructed to park in the Water Street lot, Mr. Wall responded it will not be an imposition for his clients to park in the lot and he will advise them to do so, on a rare occasion a child will be dropped off for therapy and he will advise his clients to be cautious of the residential street.

The board opened up the meeting to the public:

Mr. Robert Smith, 10 Water Street stated he was in favor of the application, there have been other professional home occupation on the street in the past, if the board approved the office he does not see any adverse effect to the neighborhood.

The board agreed that the use is suited for the location, the use will not generate a high traffic impact or a noisy operation and the clients will not present a health or safety issue, by permitting the use, the board finds no detriment to the neighborhood.

A Motion was made by Mr. Feldmann, seconded by Mr. Maher, to approve the “Psychology Home Office” as represented by Mr. Wall with the following condition:

1. The hours of operation are limited to 9:00am-7:30pm.
2. No on site customer parking, parking restricted to the Water Street Parking Lot.
3. No non family group therapy and no more than 3 unrelative family members at one time.
- 4). No lit sign.
- 6). The sign is limited to name only, no phone number will be displayed.
- 7). The square footage of the hanging sign is restricted to 9” x 24”.
- 8). The applicant will be required to re-record his deed with the approving resolution, so that future owners will be aware of the conditional approval.

Roll Call Vote:

Ayes: Mr. Sailer, Mr. Feldmann, Ms. Healy, Mr. Maher, Mr. Schaumburg, Mr. Smith, Mr. Viotto
Nays:

All Ayes. Motion Passed.

Public Comment:

Mr. Patrick McGuire, 94 Center Street inquired if the applicant for Rite Aid would be required to renotify and inquired if there should be something in place to notify the residents when an applicant cancels. Chairman Sailer stated the application was announced and made part of the record that it has been carried to the April meeting and no further notice is required. In addition to putting the cancellation on the website you can always call the board secretary to confirm the applicant is still scheduled.

Mr. Dave Wiant, 78 Center Street inquired if the application had been deemed complete and if the board could ask for a more detailed site plan, the board secretary advised him it was deemed complete at the January 2017 meeting and Attorney Caldwell stated the board can ask for additional information. Attorney Caldwell advised Mr. Wiant if he has some specific concerns please feel free to file them with the board in advance so they can be reviewed. Mr. Wiant would be required to attend the next meeting for cross examination by the applicant if necessary.

Voucher Approval:

A Motion was made by Mr. Maher, seconded by Mr. Smith, to approve the vouchers:

All Ayes. Motion Carried.

There being no further business a Motion was made by Mr. Maher, seconded by Mr. Schaumburg, to adjourn the meeting at 7:50pm.

Respectfully submitted,

Allison Witt
Land Sue Administrator