



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 2, 2021 at 7:00pm. The Meeting of the Town of Clinton Land Use Board has changed the format of its regular meetings for the duration of the COVID-19 Public Health Emergency to “Virtual” Meetings via ‘Zoom’.

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”.

N.J.S.A. 10:4-8 (b) authorizes municipalities to conduct public meetings through use of streaming services and other online meeting platforms.

The Town of Clinton is using ZOOM Video Meetings. Please be aware that this meeting is being recorded for the public record. ZOOM meetings are imperfect, so if glitches pop-up, please be patient.

We will open the meeting to the public during public comment time, each person will have the opportunity to ask questions and give comments at the appropriate time. If you would like to speak, please use the raise hand feature and I will call on you one at a time, you must provide your name and address to be recognized for comment. Any individual giving sworn testimony, including members of the public making comments, shall appear by video. Members of the Public we ask that you keep your device muted and your Video turned off until called upon by the Chairman. In addition, the Board also has the capability of using the mute feature if necessary.

Attorney Razin, Mr. Clerico, Engineer Ms. McManus, Planner and Jack Daniels, Fire Marshal were present

ROLL CALL:

Present: Mr. Sailer, Ms. Healy, Mr. Kelly, Mr. Lubsen, Mr. Smith, Mr. Snider, Mr. Viotto, Ms. Van Weeren

Absent: Mayor Kovach, Ms. Dineen, Ms. VanWeeren

Approval of Minutes:

A motion was made by Mr. Viotto, seconded by Mr. Smith, to approve the February 16, 2021 minutes

All Ayes. Motion Carried

Resolution on Block 6 Lot 27- The Clinton House 2 West Main Street FAR Variance, Preliminary & Final Site Carried until March 16, 2021.

Administrative Completeness review Puleo International LLC Block 18 Lot 5- 13 Moebus Place (property fronts Route 31 North) - Use Variance, Preliminary & Final Site Plan Approval.

A Motion was made by Mr. Smith, seconded by Mr. Viotto, to grant the temporary waivers items H, 18, 20 and 22

outlined in Mr. Clerico's report dated February 28, 2021 and to deem the application complete:

Roll Call Vote:

Ayes: Mr. Sailer, Ms. Healy, Mr. Lubsen, Mr. Smith, Mr. Snider, Mr. Viotto,

Nays: All Ayes. Motion Passed.

Public Hearing for Puleo International LLC Block 18 Lot 5- 13 Moebus Place (property fronts Route 31 North) - Use Variance, Preliminary & Final Site Plan Application.

Attorney Kaczynski, Mr. Wayne Ingram. Engineer for ELP, Mr. Jim DeBarbieri, Architect, Mr. John Chadwick Planner, Mr. Gary Dean Traffic Engineer, and Mr. Chris Puleo were present and sworn in.

The following items were submitted into evidence:

- A1 Preliminary & Final Site Plan Application
- A2 Affidavit of Service & Proof of Publication
- A3 Town of Clinton Clerk's certified 200-foot list 2-5-2021
- A4 Clinton Township's Certified 200 foot list dated 2-5-2021
- A5 Tax Certification dated 2-26-2021
- A6 Preliminary & Final Site Plan prepared by Engineering Land Planning dated October 19, 2020, revised 1-5-2021
- A7 Architectural Plan "floor plan exterior and elevations & cross Section prepared by DeBarbieri Architects LLC dated October 21, 2020 (1 Page, revised 1-4-2021.
- A8 Town of Clinton Water Agreement dated 9-11-2006
- A9 Town of Clinton Sewer Agreement dated 9-26-2006
- A10 Agreement for well site, water line and construction easement dated April 8, 2020.
- A11 Preliminary Geologic evaluation dated May 15, 1998
- A12 Phase II Investigation of Carbonate Rock dated November 26, 2001
- A13 Test pits results prepared by Biggs Engineering dated August 29, 2020
- A14 Hunterdon County Development review application 12-7-2020
- A15 Hunterdon County Soil Conservation application 12-7-2020
- A16 Environmental Impact Statement prepared by ELP-dated October 19, 2020
- A17 Stormwater Management report prepared by ELP dated October 19, 2020, revised 1-5-2021
- A18 Stormwater Management Maintenance Manuel prepared by ELP dated October 20, 2020, revised January 20, 2021
- A19 Title Commitment Documents dated May 15, 2020
- A20 Utility companies Will Serve letters dated July 30, 2020
- A21 Existing Drainage map prepared by ELP dated 9-25-2020
- A22 Phase I CAD report prepared by ELP dated 12-14-2020
- A23 Wetlands Assessment prepared by ELP dated 12-14-2020
- Soil Logs prepared by ELP dated 12-22-2020
- A24 Colored rendering of site view dated 2-22-2021
- A25 Floor Plan Exterior elevation Prepared DeBarbieri Architects LLC Dated 1-4-2021-
- A26 Office Layout prepared by DeBarbieri Architects LLC dated 2-18-2021
- A27 Exterior Colored rendering prepared by DeBarbieri Architects LLC
- B1 Robert Clerico, Van Cleef Engineering report 2-28-2021
- B2 James Kyle, report dated 2-26-2021
- B3 J. Daniels. Fire Marshal review comments dated 12-14-2020
- B4 Chief Kubinak Review report dated 11-20-2020
- B5 Environmental Commission report dated December 30, 2020

Attorney Kara Kaczynski gave the board a brief summary of the application. Puleo International is a family owned business, the property is known as 13 Moebus Place and is owned by Z&F LLC Development. The prior approval on the site was for two 50,000 SF office buildings and in lieu of the office buildings we are proposing a 109,000 SF Warehouse/Office space. The site improvements are the same as what was approved, the access into the site was

previously approved by DOT, and the site was previously approved for water and sewer. The major difference between the two applications is the parking, the office building proposal consisted of 500 spaces with the vehicles traveling in the area on a regular basis. This proposal will require 150 spaces, we propose to construct only 54 and bank the remaining 96 spaces, the proposal will not create a traffic generated site. In regard to truck access Moebus Place has a truck restriction in place therefore the truck traffic will be generated off Route 31. Ms. Kaczynski advised the board they reviewed all of the professional reports and addressed some of the main issues. They reduced the height of the building so the height variance is not needed; the phase 2 office space expansion will not be needed and is off the table, if needed in the future they will reapply to the board; and the basin has been relocated 15 feet from the property line which will enable us to save the existing trees in that location.

Chris Puleo, owner and applicant summarized the project. This is a third generation family owned business, in which I have been involved with for the last 24 years. Our core product is artificial Christmas trees which is a seasonal business. The plan is to make this location our home base. The family owned business includes two brothers, my father, an accounting department, customer services department and warehouse employees. Most of the employees are from the Clinton vicinity. We currently we have a warehouse in South Plainfield which has 25 employees, we plan to expand the Clinton site to 40 employees during peak time, 30 full time and 10 part time. Mr. Puleo explained the peak and off peak times. The off season is January-June open Monday – Friday 8:00am- 5:00pm; mid- season is June-October open Monday-Friday 8:00am-5:00pm; and peak season is October to mid December. In October we still keep the five day schedule, November- December is crunch time employee's work longer and come in for overtime on the weekends.

Mr. Puleo testified regarding the traffic onsite; the off season January-June we have a daily pickup via UPS or Fed Ex truck, container traffic is almost non-existent, closer to June we typically see from 1-3 containers a week. The containers are 40 foot long which is smaller than a 53 foot tractor trailer. During mid-season June- October we will see 3 containers per week that arrive Monday- Friday 8:00am-5:00pm. Peak season October – December 7 we see 3-4 daily pickups, which include Fed Ex trucks, Ups Trucks and 2-3 tractor trailers will get loaded. December 7 is the tail- end of the season orders drop off drastically. No overnight trucks will remain on site, the trucks come into the site and wait until loaded or unloaded and leave the same day.

Visitors the facility is not open to the public with the exception of a special event sale once a year which is geared to the local neighborhood residents the sale includes our products and samples and takes place during a two-three week period in late November.

Mr. Puleo advised the board they choose Clinton as their permanent location, the location allows us to operate more efficiently with convenient access to Route 78 and Route 31. In addition the Town of Clinton played a significant role it is a place where our employees can access a lot of lunch options, and feel good about working in a beautiful town. The Town is a great fit for our family, this is an investment we plan to be part of community for a long time coming.

Board Professional & Member questions:

Jim Smith- Inquired about the purpose of the showroom, Mr. Puleo responded the showroom is for our product development.

Jack Daniels Fire Marshal- asked for clarification on the containers, Mr. Puleo responded the containers are the size of over night shipping containers that will be mounted on a chassis.

Ms. Beth McManus inquired about the 53 foot truck versus 43 container and if the sale event provides enough on -site parking, Mr. Puleo replied when mounted they would be the same size and the sale event is not advertised, it is an informal event and will operate under the town guidelines for a special event.

Mr. Robert Clerico inquired if the 15 loading docks were necessary, Mr. Puleo responded the docks are mostly for logistics it helps us move the freight around inside the building, the drive in door will be used smaller deliveries.

Meeting open to public for questions for Mr. Puleo only:

John Sappington 5 Riverbend Road, Clinton Township- questioned how trucks enter and exit the site, how employees enter and exit the site and whether any traffic would enter onto Moebus or Riverbend road. Mr. Puleo responded trucks enter the site from Route 31 go to the back of the building to load or unload then travel back onto Route 31, Moebus Place

has a weight limit restriction which does not allow truck traffic, the truck traffic will stay on the highway. The current staff will travel via 78 onto Route 31 to enter the site and do not foresee employees using the back roads.

Amy Macisaac, 24 Riverbend Road Clinton Township- inquired about the hours of truck traffic, the need for 15 bays and if they will be selling other products. Mr. Puleo replied hours of truck traffic will be between 8:00am-5:00pm, a smaller percentage of the business is the sale of spring floral items and holiday wreaths and the number of bays relate to the size of the building, the location and number will allow us to access different parts of the building.

John Sappington 5 Riverbend Road, Clinton Township inquired if any consideration had been given to the noise generated from 15 loading docks, Mr. Puleo stated the reason for the docks it allows us to access other areas of the building making loading and unloading more efficient, we have not received any noise complaints in our South Plainfield location.

Dan McTiernan 32 Riverbend Road Clinton Township-Inquired about the size of the container and chassis, questioned the location of the facility located one block away from residence and if this was better classified as warehouse/office. Mr. Puleo responded this is our daily place of work the staff in the warehouse is less than the office staff, the plans reflect exactly what is proposed and we have had no problems with the facility in South Plainfield which is one block away from residential homes.

Bill Burack, 39 Riverbend Road Clinton Township, questioned what do the trucks do if they arrive onsite earlier and if the trucks are running when overloading and loading, Mr. Puleo stated the trucks are all timed through scheduling, it is not common for the trucks to just show up, it typically takes couple of hours to offload, the driver usually takes break during this time, and it is not normal to leave the trucks running.

Rebecca Walter, 23 Georges Place Town of Clinton, questioned the architectural and how it fits into the Town of Clinton, and that a letter was circulated from the Town of Clinton Environmental Commission and if the comments would be addressed. Mr. Puleo stated the design evolves around functionality and the Environmental Commission comments will be addressed by the Professionals when they testify.

Dan McTiernan 32 Riverbend Road Clinton Township asked about the percentage of space and if any plans to sublease during off season, Mr. Puleo replied during peak time 90% of the warehouse will be utilize off season approximately 30 to 40% will be utilized and they will not sublease the space.

Damian Ryan 1 Riverbend Road Clinton Township asked if they would be amendable to restricting the staff to use the Route 31 exit and leave the Moebus driveway as an emergency exit only and if they are expecting future growth. Mr. Puleo stated the functionality of the access is important and he believes this facility will meet it needs I do not see it growing any more than what is proposed.

Ed Kane 41 Riverbend Road Clinton Township questioned the trucks at peak time, and if the trucks could make the turn into the site, Mr. Puleo stated 3 to 4 pickups via Ups and Fed Ex trucks daily and on top of that 2 to 3 trucks for pickup, the site has an existing DOT approval for the driveway and a letter of no interest from the DOT for the current application, the engineer will address any further questions.

Closed to the Public for questions for Mr. Puleo.

Mr. Wayne Ingram Engineer from Engineer and Land Planning explained to the members this property had prior approvals and currently the site remains vacant. The site has existing site conditions such as the cut in for the driveway, mix of vegetation and trees that will remain. The property to the north is residential, office and business to the west, and the Clinton Township School located to the east. The warehouse will be in the same proximity as the approved office building with the southern side parking adjacent to Route 31. The parking regulations call for 150 parking spaces we proposed to construct 54 spaces and bank the rest this site can accommodate compliant parking. Mr. Ingram went over the site conditions and the truck turning template entering the site from Route 31 (exhibit A-6). The site will have a loop road around the property and we are proposing a secondary access for pedestrian vehicles onto Moebus Road. The site sign located next to the driveway on Route 31 will be setback 30 feet. At the north end of the site the stormwater basin will be located which is consistent with the prior approval and NJ DEP guidelines. We took into account the Town Engineers suggestions and was able to move the basin away from the property line which will leave a 20 foot separation and allows us to save the existing trees in this location. In addition, we also will comply with the Town Planner's recommendations

regarding landscaping and are willing to work with the professionals regarding additional landscaping. The building is sunken down from the street because of the slope, 10 feet will be visible, the height will comply with the 40 foot height ordinance. We do not have any issues with light spillage, we are using pole mounted fixtures along the driveway with downward facing shielded fixtures. At the building the foot candle levels will be between 1-3 in the lot and around the basin, no light spillage will be created over into the northern property lines. Mr. Ingram stated he has no concerns with the site lighting.

Mr. Ingram addressed some items in Mr. Clerico's letter, they do not plan to relocate the water line; they propose to keep the banked parking; they do not plan to extend the sidewalk on Moebus Place; they will provide the cut and fill analysis; they will comply with the Phase 1 Geotechnical and will provide a Phase II if needed; they will work with DEP regarding the sewer line design; all the additional comments the applicant intends to comply with.

Mr. Ingram does not feel there will be any noise related issues, they intend to comply with all state and local noise regulations. There is relatively low truck traffic to the site, the operating hours are within the daytime hours and this project design creates a greater separation from the boundary lines. The trash enclosure will be located in the rear of the property and the timing of pickup will be coordinated as to not disturb the residents.

Board Professional and member questions:

Jim Smith inquired about the control release terminal and stop bars, Mr. Ingram stated the guiderail will be in place as a safety measure, and the stop bars will be painted on the ground.

Tamara Healy inquired about the basin slopes and the top of the wall height, Mr. Ingram replied due to the soil slope the curb, fence and wall will be at the grade of the parking lot.

Jack Daniels inquired if any blasting would take place, Mr. Ingram stated worse case if needed it would only be in the south eastern corner they would certainly like to avoid any blasting.

Ches Snider inquired about the distance from the wall to the residential properties, Mr. Ingram replied approximately 100 to 120 feet.

Mr. Clerico stated he would accept Mr. Ingram testimony regarding the sidewalks and water line and questioned the landscaping on the berm, Mr. Ingram responded they will try to move the landscaping off the slope.

Ms. McManus inquired about adding landscaping along the southern front lines, Mr. Ingram stated we can add additional evergreen trees to benefit the property and we will work with your office.

Meeting open to public for questions for Mr. Ingram:

John Sappington 5 Riverbend Road, Clinton Township- inquired about the traffic leaving the site and how they vehicles will get to 78 West and where the basin overflow of water runs to, Mr. Ingram referred to the traffic question to the traffic engineer and responded the swale heads to the headwall and is consistent with where the water drains today and consistent with the approved office building project.

Dan McTiernan 32 Riverbend Road Clinton Township inquired at the northern property of the site does the foliage meets the ordinance, if they would consider relocating the egress further down and if they would consider installing a no right turn sign off the egress onto Moebus Place, Mr. Ingram stated with the location change of the basin a lot of the existing foliage and vegetation will remain and the extra landscaping has been addressed they will meet the ordinance standards and there is no consideration to relocating or adding restrictive signage to the driveway onto Moebus Place.

Rebecca Walter, 23 Georges Place Town of Clinton, inquired if they would consider adding house shields that can be clipped onto the light fixtures they are fairly inexpensive and would give the residents more security regarding any extra light pollution. Mr. Ingram replied they could look into adding them, they will have a light expert review to determine if it will add any benefit and is so they will add them.

Damian Ryan 1 Riverbend Road Clinton Township inquired about the sounds from the HVAC units, Mr. Ingram will refer to the Architect.

Closed to the Public for questions for Mr. Ingram.

Mr. Jim DeBarbieri Architect from DeBarbieri Architects LLC went over the exterior architectural features with the board (exhibit A24). The structure will be made of concrete exterior walls with a steel structural design, R-21 value insulation will make this an energy efficient building, and the building is designed to meet the NJ Energy Code. We are designing a non-compostable building, the sprinkler system will be upgraded with an automatic fire detection and alarm system. We met with the Fire Chief and per his recommendations will add fire annunciator panels, one in the front office and towards the northwest corner of the building. The secondary access onto Moebus Place is important for the fire department if needed. The office foot print is 5,000 SF and the exterior will have a light blue horizontal metal siding design, the sign will be above the front office entrance. The elevation to the east will be pre-cast concrete panels imprinted with a scoring pattern, the color will be a light beige earthy tone. The front elevation will have clear high windows which will bring light into the buildings to make it more of a green building. The rear of the building will have 15 loading dock doors and a drive in door. Because of the site grade the building raises from the east to the west, the height of the building will start at 33 feet and will slope up to 40 feet. The building has a sloping roof when calculating the building height we take the average height of the roof and the average height of the slope that will get us to 40 feet which will comply with the ordinance.

The wall sign will require a sign variance the ordinance allows 100 SF we are asking for a 150 SF wall sign, looking at the overall elevation the sign will be proportional to the size of the building. The sign will be non-illuminated we intend to indirectly illuminate the sign, the visibility from the residential homes will be minimal since the building is 8-10 feet lower than route 31.

The mechanicals will be a simple rooftop unit, the majority of the equipment is heating units, the warehouse is not cooled. The 3 boxed units across the warehouse will be approximately 4' 6" above the roof line, they will be beige in color and ten feet long. The office showroom will have three boxed units that will provide AC and heat and will be approximately 5 foot wide and five foot high and seven feet long. The sound levels of the units will be at the most 70 decibels from the residential line, which is 300 feet away and 75 decibels from the Route 31 which is a highway and is away from the homes. The units will meet the sound requirements at the property lines. Mr. DeBarbieri stated the interior lights will have occupancy sensors, the interior will have an elevator which will provide ADA accessibility to all floors.

Open to the Board Professionals and Board Members for Questions:

Jack Daniels, inquired about the stand pipes, Mr. DeBarbieri stated he would discuss this with the Fire Department.

Jim Smith, inquired about the wall lighting, Mr. DeBarbieri we may propose a linear wall wash or ground lighting.

Beth McManus- inquired about the equipment and the visibility from the property lines and suggested a more central location, Mr. DeBarbieri replied they could look at pushing them approximately 50 feet from the building and he will take a look at other locations to see if it is possible.

Due to the time frame the meeting will be carried until March 16, 2021, no further notice will be required. The meeting on March 16, 2021 will be open for public questions for Mr. DeBarbieri and then we will move on to other expert testimony.

Voucher Approval:

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

All Ayes.

Motion Carried.

Adjournment:

There being no further business a Motion was made by Mr. Snider, seconded by Mr. Lubsen to adjourn the meeting at 9:55pm.

All Ayes.

Motion Carried.

Respectfully submitted,
Allison Witt, Land Use Board Administrator