



**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 May 18, 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 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,

### **Approval of Minutes:**

A motion was made by Mr. Snider, seconded by Mr. Viotto, to approve the May 4, 2021 minutes

**All Ayes. Motion Carried**

### **Reopening of Public Meeting to hear corrected testimony on off season traffic- Puleo International LLC Block 18 Lot 5- 13 Moebus Place (property fronts Route 31 North) - Use Variance, Preliminary & Final Site Plan Approval.**

Attorney Kaczynski, and Lewis Puleo were present.

Attorney Razin outlined the application to date, the land use board held a public meeting on March 2 and 16<sup>th</sup> the board approved the use on March 16, 2021, a draft resolution was circulated and at that time the board received a request to postpone voting on the resolution and reopen the meeting for some limited testimony, the board agreed and the applicant did notice for tonight’s meeting.

Attorney Kaczynski advised the board after the resolution was drafted another member of the Puleo family Mr. Lewis Puleo brought to light some clarifications and corrections to the prior testimony and we felt it would be a better course of action to clarify what was said.

Mr. Puleo advised the board he was not involved with the original application the project was being handled by Chris Puleo who had just relocated back to the US from Asia. I became involved at the time of the resolution and after reviewing it I became concerned with some of the constraints, mainly the low season truck volume. The prior testimony had two separate off seasons, Jan- May zero to a minimum 40 foot container traffic plus daily Ups and Fed Ex pickups and deliveries; June- October 1-3 containers weekly along with daily Fed Ex and UPS pickup and deliveries; peak season October- December 3-4 daily containers and truck traffic. Mr. Lewis stated he is not proposing any changes to the peak season my concern is the off peak traffic. Mr. Puleo advised the board we sell Christmas trees and we need to build up our inventory during the 9 months of the off season to sell it rapidly in the short season. We need to bring in enough container trucks to fill the warehouse and in order to run our operation we need up to 10 container trucks per week to meet the overall long term goal. Mr. Puleo testified the 10 trucks will not be every week, we do try to spread out the deliveries but sometimes we encounter delays, it is not always possible to keep the schedule, some weeks we will have zero and some weeks we will have 10 trucks depends on the shipping schedule, this year was unusual due to COVID which caused several delays and shortages.

Mr. Puleo advised the board the resolution was very specific on quantity per week we have ebbs and flows some weeks there will be no activity and some weeks there will be more, this is how our company runs. Mr. Puleo advised the board there are no changes to the prior testimony the day and times of the operation will remain the same. Mr. Puleo advised the board occasionally a truck will show up late and if we do not have time to offload they container it will be dropped off to unload in the morning, since this costs us money this rarely happens we do try to avoid this happening. Mr. Puleo stated as a seasonable business we are not churning out product every day we fill up the warehouse over the course of several months and then sell our product in a short period of time, most of it is sold in the month of November. This is a low impact business in terms of a warehouse operation, this facility is nowhere near an amazon type warehouse facility they operate on a much larger scale in which this facility is not suited for.

Attorney Kaczynski clarified there will be one off-season period that will run from January- September and during this time the truck traffic will be between zero to 10 containers a week plus, daily UPS and Fed Ex pickup and deliveries, this will also be conditioned on not more than a 50 % increase.

Mr. Kelly inquired about staffing for off peak season, Mr. Puleo estimated between 35 during off season and 45 during peak season. Mr. Lubsen asked if they went out of business could a large warehouse operate, Mr. Puleo stated that rules and conditions apply to their approval and he does not see another warehouse operation being able to operate under these rules. Mr. Snider commented he appreciated Mr. Puleo coming back to clear things up and asked how much inventory do you fill and empty, Mr. Puleo responded about 80% in the Q-4 period, we also sell summer floral items and have Christmas in July but this is not a big volume this is handled by Fed Ex and UPS pickups, the material received during off season is for peak season sales. Mr. Sailer inquired how long they have been in business, about the facility in South Plainfield and if they were willing to reduce the number of bays, Mr. Puleo responded we have been in business since 1990, we have outgrown the facility in South Plainfield and if the board feels strongly we can reduce the number of bays. Mr. Snider inquired about the completion of the project and where they currently store things, Mr. Puleo stated the lead time will be over a year, the items not stored in the South Plainfield facility are stored with independent warehouse facilities. Ms. Healy inquired about the truck traffic on weekends, Mr. Puleo testified no traffic on weekends. Mr. Lubsen inquired if the UPS and Fed Ex trucks are normal size vans, Mr. Puleo responded most of the year they will be vans sometimes during the peak season we ask for a tractor trailer. Ms. Healy inquired if the Fed Ex and UPS tractor trailer are part of the trailer counts that were provided, Mr. Puleo stated yes the trailers are counted in the numbers during the six week period October- December.

The board opened the meeting to the public for questions:

Mr. Bob Goral, 8 Wildflower Court, Clinton Township asked the following questions: breakdown of outbound vs inbound traffic during peak times; if they run into timing issues will they store the trucks on site; if they have an opportunity to sublease the property and the signage on Moebus Place. Mr. Puleo responded during peak times 80% of the traffic will be outbound, we do not store the tractor trailers on site we have a broker that can arrange storage if needed, and we have no plans to sublease but in the future if we sold the building there are certain rules in place that they will have to abide by,

there are truck restriction signs on Moebus now any additional signage we are willing to work with the Town of Clinton anything outside of the town needs the township's approval.

Mr. Bob Zeh, 5 Woods Edge Court Clinton Township asked if anything was new on the sound barriers and the size of the trucks, Attorney Kaczynski stated the sound issues are not part of the hearing tonight they were already testified to at the prior hearing, Mr. Puleo responded the product gets delivered in forty foot containers which are ½' foot higher than the standard 40 foot containers and the tractor trailers will be between 45- 53 feet and will be operated by the same type of cab that pulls the forty foot container.

There being no further questions the board opened up the meeting for comments, there was no comments from the public, Attorney Kaczynski thanked the board for the opportunity to reappear and for their consideration.

**Board Deliberation:**

Mr. Jim Smith commented he appreciated them coming back, he is still in the mind set this is a low intensity use compared to what the permitted uses are in the zone and the prior office use approval, and he does not see any reason why they should reduce the bay doors.

Mr. Neil Viotto agreed with Mr. Smith this is a lot less intense than the prior approval.

Ms. Tamara Healy also agreed the number of vehicles are still far less than the previous use.

Mr. Brian Kelly stated he tends to disagree the biggest contingency was that this was a family owned seasonable business and now he does not think this is a seasonable business, my previous approval hinged on the family seasonable business impact.

Mr. Ches Snider appreciated the additional information he did not feel this use meets the objectives of the Municipal Land Use Law and is still leaning towards a no vote.

Mr. Bryan Lubsen stated he was on the fence he was glad to have the applicant clarify the testimony he now feels this is not a seasonable business and is concerned once the warehouse is built and if it fail, it will be hard to limit other businesses.

A Motion was made by Mr. Smith, seconded by Mr. Viotto, approve the Use Variance, Preliminary and Final Site Plan with the modified testimony and all prior conditions still in place:

**Roll Call Vote:**

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

Nays: Mr. Snider, Mr. Kelly

**7 - 2**

**Motion Passed**

**Voucher Approval:**

A Motion was made by Ms. Healy, seconded by Mr. Lubsen to approve the vouchers:

**All Ayes**

**Motion carried**

**Board Discussion:**

Chairman Sailer advised the board there will be no meeting on June 1, 2021 next scheduled meeting will be June 15, 2021.

There being no further business a Motion was made by Mr. Viotto, seconded by Mr. Snider, to adjourn the meeting at 8:30pm.

**All Ayes.**

**Motion Carried**

Respectfully submitted,

Allison Witt, Land Use Board Administrator