



TOWN OF CLINTON
INCORPORATED APRIL 5, 1865
43 Leigh St., P.O. Box 5194
Clinton, NJ 08809-5194
TEL: (908) 735-2275 FAX: (908) 735-8082

Land Use Board Minutes

Minutes of the Town of Clinton Land Use Board meeting held on March 16, 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,

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

Approval of Minutes:

A motion was made by Mr. Viotto, seconded by Ms. Healy, to approve the March 2, 2021 minutes

All Ayes. Motion Carried

Resolution or Block 6 Lot 27- The Clinton House 2 West Main Street FAR Variance, Preliminary & Final Site

A motion was made by Mr. Viotto, seconded by Mr. Smith, to approve the Clinton House Resolution:

Roll Call Vote:

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

Nays:

All Ayes. Motion Carried

Continuation of 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.

The following items were submitted into evidence:

- A28 Architect rendering of building height and HVAC location prepared by DeBarbieri Architects 3-11-2021
- A29 Landscape Exhibit A prepared by ELP dated 3-4-2021
- A30 Landscape Exhibit B prepared by ELP dated 3-4-20201

Attorney Kaczynski stated this is a continuation of the Public hearing held on March 2, 2021. The applicant is seeking a Use Variance, Preliminary and Final Site Plan approval for a 109,000 SF family operated storage facility. The proposal is in lieu of two 50,000 SF office buildings that was approved for this site. At the last meeting we heard testimony from the applicant Mr. Puleo, Wayne Ingram the applicant's engineer and the architect Jim DeBarbieri. The meeting was opened and closed for public questions for the applicant and the engineer and tonight we will reopen the meeting for the architect who will testify on a new exhibit and open the meeting for questions for the architect. In addition, we will recall the engineer back who will provide limited testimony on two new landscape exhibits and then the traffic engineer and the planner are scheduled to testify. Attorney Kaczynski summarized the last meeting; we heard testimony on the proposed use; no outdoor storage; building sign would be down-lit not internally illuminated; parking on site; site lighting; height of the building was reduced eliminating the need for a height variance; the request for a 20,000 SF was eliminated; the basin was relocated to provide additional landscaping; and site circulation.

Mr. DeBarbieri, architect from DeBarbieri Architects LLC gave the board an overview on exhibit A87 which shows how the building height was calculated. The height across the front averages 31 feet, the west elevation is 35.6' feet, the east elevation is 36.1 and the rear elevation is 47.5 feet, we took the average which calculates to 38.3 feet this brings us below the 40 foot ordinance requirement. We have three HVAC units on the roof, they will have a metal rectangular box enclosure, there will also be minor exhaust fans for the toilets which will stick up about 2 feet and some plumbing pipes stacks that will be approximately 3 feet above the roof, the HVAC units have been moved approximately 40 feet off the perimeter. Per the Fire Marshals' request we will provide standpoints for the office building at the southwest corner of the building which will be designed in coordination with the Fire Department and we will incorporate their input as part of a condition of any approval.

Mr. Robert Clerico inquired about the access doors and whether they would need sidewalks, Mr. DeBarbieri stated the access doors are a requirement so the fire department has access and we plan to use concrete pad outside the doors.

Mr. Jack Daniels suggested the applicant design a wet system, and inquired about access to the roof, Mr. DeBarbieri responded they will work with the Fire Department and access to the roof is from an interior stairway.

Mr. Jim Smith questioned the blue color on front and suggested changing to an earth tone, Mr. DeBarbieri responded Mr. Puleo had suggested changing the color to a blue- grey earth tone to soften up the look, if the board agrees we can change.

The meeting was open to the public:

Tracie Ivie, 28 Georges Place, Town of Clinton inquired about the size of the sign and if it could be reduced, question was deferred to the Planner.

Harry Deckman, 2 Woods Edge Court, Clinton Township inquired about if a fire arises what measures are in place and if the building would be sprinkled, Mr. DeBarbieri responded previous testimony was provided the exterior walls are concrete, the building is comprised of a structural steel frame this is a non-compostable building which will include an upgraded fast response suppression system and alarm system. At the request of the Fire Department the system complies with the 2018 IFC, the product stored inside has a limit and spacing capacity and the Christmas trees are fire resistant.

Lisa Intrabartola, 19 George Place, Town of Clinton inquired how high the building will be from Route 31 and how visible it will be and the sign lighting, Mr. DeBarbieri testified the building sits 8-10 feet lower than the curb line the sign will be indirectly lit from the top.

Harry Deckman 2 Woods Edge Court, Clinton Township, inquired if the rear of the building will be lit, Mr. DeBarbieri responded the light will not extend near the north property lines.

Closed to Public for questions.

Wayne Ingram was recalled to testify on the new landscape exhibits A29 and A30. Mr. Ingram stated the exhibits were prepared in response to the last meeting, we have pulled back the basin against the retaining wall which will allow us to save the existing trees on the property line. We will also be installing additional shrubs, plantings and trees to create diversity and as my earlier testimony at the last meeting stated we will work with the town planner to meet the zone required opacity requirements. Exhibit A30 shows a cross section looking from the front of the property from Route 31 at the request of the board we will install additional screening such as red oak, variety of evergreens, mixed furs, magnolias and arborvitae to increase coverage in the front and provide additional screening and beautification of the site. We feel we meet the opacity requirements, we will make any modifications the planner would like if necessary.

Mr. Robert Clerico inquired what the distance was from the landscaping to the property line, if the landscaping could accommodate the basin shift, Mr. Ingram stated there was approximately 20-30 feet of distance, and they will make the landscaping and basin shift work.

Ms. Beth McManus commented she liked the changes they made and asked for clarification on the three season opacity requirements, Mr. Ingram responded they plan to stagger rows of evergreen and add a variety of plantings, in the front of the property the standard does not apply because they do not butt up against a residential property, the first 20 feet are essentially invisible. Ms. McManus stated they will be on site to make sure the landscaping is compliant, and wanted to keep in mind we do have residences that have rear yards that face the property and if there is an opportunity for additional evergreens it would be beneficial, Mr. Ingram agreed and will work with the her office to satisfy.

Open to the Public for questions:

Jules Vallay 55 Riverbend, Clinton Township inquired about restricting the signage- Attorney Kaczynski stated previous testimony was provided at the last meeting questions are restricted to testimony offered tonight.

Tracie Ivie 28 Georges Place, Town of Clinton inquired about the growth level of plantings in front, Mr. Ingram stated they will grow to a substantial height, a variety of species are being offered which will provide substantial coverage.

Rebecca Walters 23 Georges Place, Town of Clinton inquired why the light shields were not added into the changes, Mr. Ingram stated if the board feels they are necessary we will add them in the compliance plans.

Dan McTiernan 32 Riverbend Road, Clinton Township inquired about the storm water runoff onto Woods Edge Court, Mr. Ingram responded there are no changes and the applicant will comply with the town's engineer's requirements.

Chris Bettenhauser 4 Woods Edge Court, Clinton Township inquired if there was a berm or fence along the property line, Attorney Kaczynski stated this was addressed at the last meeting.

Bob Zeh 5 Woods Edge, Court Clinton Township inquired about surface water runoff, Mr. Ingram stated we are required not to exceed current conditions on the property, the drainage patterns will meet all town and state requirements.

Damian Ryan 1 Riverbend Road, Clinton Township inquired about the impact to wildlife, Mr. Ingram stated this has been addressed in the Environmental Impact Statement which is on record.

Meeting was closed for Public Questions.

Mr. Gary Dean, Traffic Engineer advised the board he was involved with the prior application and went over the difference in traffic between the two projects. A traffic study that was completed for the prior approval in 2001 estimated 550 trips and roughly 1100 trips per day. A warehouse is an 81% reduction in traffic, it will generate 40 trips by employees and occasional trucks, during off peak season 3-4 trucks are anticipated inbound weekly and during the peak months 3-4 trucks daily outbound. Due to the nature of the use the traffic is lower than what we would typically expect from a typical warehouse facility, this proposal substantially reduces the traffic. The driveway which was previously

constructed received NJ DOT approval for the new use, restricting the driveway onto Moebus will not impact cars entering Moebus, since cars could still exit onto Route 31 and make a right turn onto Moebus so not sure restricting the turn out of the site driveway would accomplish anything. We estimate 18 cars over the course of an hour entering and exiting the site, the impact of the neighborhood will be de minimis versus the office building impact, Mr. Dean stated he does not believe this warrants a restriction of any closure of any streets.

Mr. Jim Smith inquired if the jug handle can accommodate a 53 foot truck and how do the trucks get to the site coming southbound on Route 31. Mr. Dean stated it was designed to accommodate trucks and to get to the site coming southbound they would exit right onto Center Street by the McDonalds make a right at the Shammy Shine left onto Beaver Avenue directly onto Route 31 North to enter the site.

Mr. Ches Snider inquired if any testimony was provided to take into account of a future expansion, Mr. Dean responded the driveway was designed and can accommodate traffic coming off Route 31. Attorney Kaczynski commented that the future expansion has been taken off the table.

Ms. Tamara Healy asked for clarification on the 20 year old traffic study, Mr. Dean responded he did not update the study and if he did it would show even more traffic the volume of employees would have increased today due to how employees utilize office space.

Mr. Neil Viotto, inquired about peak hours, Mr. Dean referred the question to Mr. Puleo.

Mr. Brian Kelly inquired if there were any structural implications exceeding the 6 ton limit, Mr. Dean stated signs are posted half way down Moebus to keep trucks off however, if the board wanted the signs and if approved by the Governing Body and NJ DOT we could add signage on Route 31 to intercept any truck traffic before they made the turn onto Moebus.

Attorney Kaczynski asked Mr. Dean to clarify a question regarding cab sizes from the last meeting. Mr. Dean stated the 40 foot shipping containers are standard C containers that will fit on a 40 foot chassis, Mr. Puleo only uses containers that are 40 feet or less.

Open to the Public.

Bonnie Coredera 16 Riverbend Road, Clinton Township inquired about the EIS statement and speedbumps, Mr. Dean stated he did not prepare the EIS statement and no speed bumps are proposed.

Ryan Schmidt 36 Riverbend Road, Clinton Township inquired if anything was in place to prevent traffic cutting through the neighborhood, Mr. Dean replied that would be up to Clinton Township to restrict and regulate traffic through the neighborhood.

Jules Vallay 55 Riverbend Road, Clinton Township asked if the applicant has taken into account the truck traffic noise when backing up to the bays, Mr. Dean stated he is not a noise expert, this site is subject to noise standards, and if there are noise violations corrective measures are in place.

Martha Lavalette 6 Melody Lane, Clinton Township inquired if any consideration was given to traffic coming through the neighborhood and the assurance of safety to the pedestrians, bikers, and children on River Bend Road, Mr. Dean replied roads are meant to be shared between vehicles, pedestrians and bicycles, the streets are fairly wide, there are no constraints with any sight easements and there are other vehicles on the road that do not come from this site, the same conditions would have applied if the office building was built and this proposal will generate fewer vehicles. The remedy is to ask Clinton Township for sidewalks through the neighborhood if this is a concern, however I do not see it being a problem.

Amy Macissac 24 Riverbend Road, Clinton Township inquired if they have looked at the trucks entering and exiting off Route 31, Mr. Dean responded the access point was chosen and approved by DOT because of the visibility and sight distance the trucks have a better line of sight as they sit higher than a vehicle, the NJ Dot deemed the access appropriate for the change of use.

Dan McTiernan, 32 Riverbend Road, Clinton Township inquired if Mr. Dean had been to the site recently and was concerned with vehicles on Route 31 traveling at high rate of speed and the trucks exiting onto the acceleration lane. Mr. Dean replied he was onsite within the last two weeks, there is 982 feet of distance from the Beavers Ave and the intersection with Route 31, cars entering this area off Beavers Avenue have to yield to traffic on Route 31, the driveway was chosen for its particular location.

Chris Bittenhausen 4 Woods Edge Court, Clinton Township inquired if any conversations had taken place with the Township regarding exiting onto Moebus Place, Mr. Dean stated no discussion with either municipality has taken place if the Township wants to restrict access the applicant will have to comply.

Rebecca Walter 23 Georges Place, Town of Clinton inquired what is the primary and alternate route to Route 78, Mr. Dean responded the trucks would exit onto Route 31 North, take the jug handle to reverse travel onto Route 31 South, exit to Route 78 East on the left, going to Route 78 west the trucks would turn right onto Center Street by the McDonalds, make a left onto Old Highway 22 enter onto Route 78 West. There are no alternate routes to Route 78, trucks are prohibited onto Halstead Street.

Jules Vallay 55 Riverbend Road, Clinton Township inquired if no truck traffic signs could be installed before entering Moebus road to warn trucks ahead of time, Mr. Dean stated if the board feels signage is necessary we can add.

Bob Zeh 5 Woods Edge Court, Clinton Township asked if they had taken into account the Marriot hotel traffic impact and if truckers would use the site to sleep overnight, Mr. Dean stated he was the traffic engineer for the Marriott and is aware of the proximity to the site, he does not foresee any impacts, the truckers are prohibited from parking and sleeping on site. Mr. Dean stated my expertise is the flow of traffic not static traffic and Mr. Puleo has previously testified about the arrival and departure of the truck schedules.

Amy Mciassac 24 Riverbend Road, Clinton Township inquired about the daily trips and whether they would consider making Moebus Place a one way, Mr. Dean stated during peak season there will be approximately 40-50 employees which will be compute to 37 trips during morning peak times and a 47 during evening peak times. In regard to Moebus being a one way this board does not have jurisdiction.

Lisa Intrabartola 19 Georges Place, Town of Clinton asked how much does a normal warehouse truck traffic generate versus a passive warehouse, Mr. Dean responded a normal warehouse will generate approximately 31 trucks a day, this will generate 3 weekly during off season and 3-4 daily during peak season.

Closed to the public.

Due to the time frame the last expert, Mr. John Chadwick the applicants planner will present his planning testimony at the April 6, 2021 meeting. The public meeting will be carried to the April 6, 2021 meeting date at 7:00pm there will be no further notice provided.

Voucher Approval:

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

All Ayes.

Motion Carried.

Adjournment:

There being no further business a Motion was made by Mr. Smith, seconded by Mr. Viotto, to adjourn the meeting at 9:35pm

All Ayes.

Motion Carried

Respectfully submitted,

Allison Witt
Land Use Board Administrator