



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 December 7, 2021 at 7:00pm. The meeting of the Town of Clinton Land Use Board has changed the format of its regular meeting 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”.

“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”.

N.J.S.A 10-4-8(b) authorizes municipalities to conduct public meetings through the use of streaming services and other online meetings. 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 the 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 you keep your device muted and your video turned off until called upon by the Chairman, please be advised the board also has the capability of using the mute feature if necessary.

Attorney Katie Razin and Ian Hill, Van Cleef Engineering were present.

ROLL CALL:

Present: Chairman Sailer, Mayor Kovach, Ms. Dineen, Mr. Smith, Mr. Snider, Mr. Lubsen, Ms. Van Weeren

Absent: Mr. Viotto, Mr. Kelly,

Approval of Minutes:

A Motion was made by Mr. Smith, seconded by Ms. Van Weeren, to approve the November 2, 2021 minutes:

All Ayes.

Abstain:

Motion Carried

Kovach, Dineen, Lubsen

Completeness review for Block 11 Lot 11-37 Main Street- Legacy in Tax LLC- Minor Site Plan- Mixed Use Building-retail /residential space:

Attorney Michael Selvaggi & Applicant Steven Ackaway were present. Attorney Selvaggi advised the board the applicant has eliminated the proposed outdoor retail space in the alleyway which eliminates the need for the Use Variance. The Board and applicant went through Mr. Clerico's completeness report, Attorney Selvaggi has already submitted some of the requested items:

The board agreed to grant temporary waiver of items: E, H, I, K, M & 40.

The following waivers were denied: T, X, 1, 4F, 4G, 4i, 6, 10b, 13, 26, 32, 35, 38, 42- these items relate to the survey, flood hazard elevations and the second floor architectural plans.

The board agreed if the applicant can submit the items by December 22, 2021 the board will agree to hold a completeness hearing and public hearing at the January 4, 2022 meeting.

A Motion was made by Mayor Kovach, seconded by Mr. Lubsen, to deem the application incomplete per the denied waivers T, X, 1, 4F, 4G, 4i, 6, 10b, 13, 26, 32, 35, 38, 42:

Roll Call Vote:

Ayes: Sailer, Kovach, Dineen, Smith, Snider, Lubsen, Van Weeren

Nays:

All Ayes. Motion carried.

Mr. Ian Hill was excused.

Sign Variance Application Block 21 Lot 32- Old 22 Urban Renewal Associates LLC- Temporary Marketing banner:

Attorney Nicole Magdziak, from Day Pitney, Mr. Brett Skapinetz, Engineer & Planner from Dynamic Engineering and Mr. Geoff Long Applicant were present.

The following were submitted into evidence:

- A1 Sign Variance application package
- A2 Affidavit of Service & Proof of Publication
- A3 Town of Clinton Clerk's Certified 200-foot list
- A4 Tax Certification dated 12/3/2021
- A6 Colored rendering of proposed sign
- B1 KMA Planner report dated 12-3-2021

Attorney Magdziak advised the board they are requesting approval to install a temporary marketing sign on the construction fence. The sign request is being treated as a wall sign and will need two variance approvals. The permitted size is 50 SF they propose 56 SF and the height of the sign will be less than the required 8 feet.

Mr. Skapinetz was sworn in and described the sign to the board. The marketing sign will be made of a breathable mesh material, it will be 4 feet in height and 14 foot wide, and will be installed on the easterly side of the property. The 56 square foot sign will allow for the rendering of the building to be placed on the sign along with contact information, the sign will not be lit. When looking at the C-2 variance Mr. Skapinetz stated the positives outweigh any negative criteria, the sign will have no detriment to the free flow of traffic and will provide a desirable visual environment. The sign will face the rescue squad and there will be no impact to any residential homes. Mr. Skapinetz stated by granting the sign variance there will be no impairment to the Master Plan.

Chairman Sailer inquired how the sign will be attached, Mr. Skapinetz replied by zip- ties which will be tightly spaced to prevent the sign from flapping around. Ms. Vanweeren inquired if the sign location will

affect the sight line, Mr. Skapinetz stated no the sign will be placed far enough from the road and will not interfere with any sight lines. Mayor Kovach inquired if the sign would be a distraction to drivers, Mr. Skapinetz stated only a small percentage of the frontage will be covered with the sign and the sign is not made of reflective material there will be no distraction to drivers passing by.

The board opened the meeting to the public:

Mr. Randall Dahmer owner of the laundromat across the street asked for clarification on where the sign will be installed, Mr. Skapinetz stated the sign will closer to the Napa building, west of the driveway on the easterly side across from the rescue squad.

No further questions the board closed the meeting to the public.

Mr. Geoff Long advised the board the sign should be up until early 2023, when the site opens and the fence comes down the sign will be removed.

A Motion was made by Mayor Kovach, seconded by Mr. Smith, to approve the Temporary Sign Variance:

Roll Call Vote:

Ayes: Sailer, Kovach, Dineen, Smith, Snider, Lubsen, Van Weeren

Nays:

All Ayes. Motion carried.

Board Discussion:

The board discussed meeting in person, via zoom or hybrid. The Board Secretary will send out an email to the board members to get the input.

Voucher Approval:

A Motion was made by Mayor Kovach, seconded by Mr. Snider, to approve the vouchers:

All Ayes. Motion Carried.

Adjournment:

There being no further business a Motion was made by Mayor Kovach, seconded by Ms. Dineen, to adjourn the meeting at 8:25pm.

Respectfully submitted,

Allison Witt
Land Use Administrator