



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 February 7, 2023 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 with a hybrid option.

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 Engineer Robert Clerico were present

ROLL CALL:

Present: Mr. Sailer, Mr. Bruno, Mr. Carberry, Mr. Devita, Mr. Smith, Mr. Snider Mr. Viotto,
Absent: Mayor Kovach, Ms. Dineen, Mr. Lubsen

Approval of Minutes:

A Motion was made by Mr. Viotto seconded by Mr. Smith, to approve the January 7, 2023 minutes.

**All Ayes.
Abstain:**

**Motion Carried
Carberry, Devita**

Extension of time request for approvals for Block 6 Lot 27- The Clinton House:

Attorney Michael O'Grodnick and Nick Gialias Owner operator were present. The applicant is here tonight to request a two- year extension of time from the resolution which expires on March 16, 2023 to March 16, 2025.

Mr. Gialias advised the board he has already received a Federal Tax Grant offered by the National Park Service to help fund 20% of the approved project, the application process was lengthy which caused some delays therefore the need for the extension request. In addition, Mr. Gialias just received approval for funding from a new NJ Historic rehab tax credit program, which was not available at the time of the original site plan submission. The new funding will enable Mr. Gialias to reapply for a revised site plan to include a banquet space, hotel space and a roof top deck. Tonight, the applicant is here to request a two-year extension from the terms of the resolution adopted on March 16, 2021 for the original approval which included an addition on the side of the building to expand the dining area and open up the space using a glass wall system to create an open-air space. Mr. O'Grodnick clarified the new proposal is not part of the hearing tonight and a new application will be submitted to the board for their consideration at a later date.

A motion was made by Mr. Carberry, seconded by Mr. Viotto, to approve the two- year extension request to March 16, 2025 for the approved site plan dated March 16, 2021.

Roll Call Vote:

Ayes: Mr. Sailer, Mr. Carberry, Mr. Devita, Mr. Smith, Mr. Snider Mr. Viotto,

Nays:

All Ayes.

Motion carried

Mayor Kovach joined the meeting:

Amended Preliminary & Final Site Plan- Old 22 Urban Renewal Associates LLC- Block 21 Lot 32:

Attorney Katharine Coffey, Sameh Wali, Engineer from Dynamic Engineering, Mr. Michael Donovan from Donovan Architect and Geoff Long, applicant were present and sworn in. The following items were submitted into evidence:

- A1 Amended Preliminary & Final Site Plan Application
- A2 Affidavit of Service & Proof of Publication
- A3 Town of Clinton Clerk's Certified 200-foot list
- A4 Tax Certification dated 2-2-2023
- A5 Preliminary & Final Site plan prepared by Dynamic Engineering dated 8-13-2020-revised 12-13-2022
- A6 Dynamic Engineering letter outlining changes dated 12-13-22
- A7 Architectural plans prepare by Haley Donovan revised 1-25-2023- Revised signage.
- A8 Colored sign rendering prepared by Haley Donovan
- B1 Robert Clerico, Van Cleef Engineering report dated 1-30-2023
- B2 Jim Kyle Planner report dated 2-6-2023

Attorney Coffey advised the board the applicant received site plan approval for the redevelopment on October 13, 2020 and tonight is seeking an amended site plan approval. The plan has been modified in two areas, the first modification per JCP&L is the relocation of the transformer which changes the landscaping and fencing and the second change is the relocation of the backlit sign to a portion of the building that faces Old Highway 22

Mr. Sameh Wali, Engineer explained the site changes, the changes are a result of JCP&L requirements to relocate the transformer to the northwest corner of the site which will include a six-foot-high fence. Mr. Sameh is in agreement with the Jim Kyle's request to install the vinyl fence and the applicant will work with his office directly on the additional landscaping. The transformer size remains the same just a location change, the service will come from a utility pole on lot 34 to the site. Mr. Clerico advised the board this is a straight forward change the applicant is here tonight to document the change for the record.

Mr. Mark Riebling, 108 Center Street inquired if there will be any lighting on the pole and if the fence will shield the view of the transformer; Attorney Coffey responded the fence is taller than the transformer and there has been no light mentioned from JCP&L.

Mr. Michael Donovan, Architect reference exhibit A-8 when describing the revised signage. The wall sign will be relocated from the retaining wall to the overhang on front of the building. The proposed sign will be pin mounted to the top of the porch beam, it will be backlit ,the letters will be made of black aluminum and stand 12” tall . The sign will be in keeping with the architecture of the building. The applicant seeks two variances: section 88-64 (B) (5)- to permit the backlit lighting and section #88-64 (F) (2) (a) to allow the sign to exceed 5% of the building wall on which it is attached.

Attorney Coffey is requesting the board consider the amendment to the preliminary and final site and to permit the changes.

Mr. Clerico stated the applicant has detailed all the changes and would suggest the board deem the application complete with the temporary and permanent waivers outlined in his report and act on the revised site plan.

A Motion was made by Mr. Carberry, seconded by Mr. Viotto, to deem the application complete with the temporary and permanent waivers in Mr. Clericos’ report dated January 30, 2023 and approve the amended Site Plan with the sign variances and conditioned upon approval from Jim Kyle the board Planner on the type and height of the fence and the additional landscaping:

Roll Call:

Ayes: Mr. Sailer, Mr. Bruno, Mr. Carberry, Mr. Devita, Mr. Smith, Mr. Snider, Mr. Viotto,
(Mayor Kovach vote was not counted due to technical issues)

Nays:

7-0 Motion Carried.

Public comment: None

Board Discussion: None

Voucher approval:

A Motion was made by Mr. Carberry, seconded by Mr. Viotto, to approved the vouchers:

All Ayes. Motion Carried.

Adjournment:

There being no further business a Motion was made by Mr. Carberry, seconded by Mr. Viotto, to adjourn the meeting at 8:00pm.

All Ayes. Motion Carried.

Respectfully submitted,

Allison Witt
Land Use Administrator