



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 21, 2023 at 7:00pm. The meeting of the Town of Clinton Land Use Board has changed the format of its regular meeting 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 was present

ROLL CALL:

Present: Mr. Sailer, Mayor Kovach. Mr. Bruno, Mr. Carberry, Mr. Devita, Mr. Smith, Mr. Snider
Mr. Viotto,

Absent: Ms. Dineen, Mr. Lubsen

Approval of Minutes:

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

All Ayes.

Motion Carried

Chairman Sailer advised the public- The hearing on the application for Clinton Moebus 34- Also known as “Clinton Commons”- Block 14 Lot 32- 65 ½ Center Street, for Preliminary and Final Subdivision and Preliminary Site Plan has been cancelled for this evening, March 21, 2023 and will not be heard.

When Clinton Moebus 34 application is set down for a new date, new public notice of time, date and location of a hearing on this matter will be provided in accordance with the Municipal Land Use Law. The remainder of the agenda items for March 21, 2023 meeting will be heard this evening.

Resolution for Block 21 lot 32 Old 22 Urban Renewal Associates LLC:

A Motion was made by Mr. Carberry, seconded by Mr. Viotto, to adopt the resolution for Old 22 Urban Renewal Associates LLC -Block 21 Lot 32:

Roll Call:

Ayes: Sailer, Bruno, Carberry, Devita, Smith, Snider, Viotto

Nays:

All Ayes.

Motion carried

Resolution for Block 6 Lot 27- The Clinton House:

A Motion was made by Mr. Carberry, seconded by Mr. Viotto, to adopt the resolution for the Clinton House -Block 6 Lot 27:

Roll Call:

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

Nays:

All Ayes.

Motion carried

Application for Clinton Moebus 34- “Clinton Commons”- Block 14 lot 32:

Chairman Sailer reread the cancellation statement into the record- The hearing on the application for Clinton Moebus 34- Also known as “Clinton Commons”- Block 14 Lot 32- 65 ½ Center Street, for Preliminary and Final Subdivision and Preliminary Site Plan **has been cancelled** for this evening, March 21, 2023 and will not be heard.

When Clinton Moebus 34 application is set down for a new date, new public notice of time, date and location of a hearing on this matter will be provided in accordance with the Municipal Land Use Law. The remainder of the agenda items for March 21, 2023 meeting will be heard this evening.

Public Comment:

George Tiboni- 39-41 West Main Street Clinton- inquired about the location of Old 22 Urban Renewal LLC- LUB responded it is the old A&P property

Ryan Holmes- 7 Woods Edge Court Clinton Township inquired about the warehouse application- LUB advised him the application was approved back in 2021

John Bohnel- 76 Center Street Clinton inquired why the meeting was postponed and what the future plans for the venue are- LUB stated it was a mutual agreement between the developer and the Town to assure we had no issues with capacity and once the issue has been resolved notice will be provided to the public with the new date and location.

Robert Nolan- 9 Fairview Avenue Clinton - inquired if the Developer was given any incentives such as a pilot program- LUB stated that issue has not been addressed with this board and the application is not on the agenda tonight so the board is unable to discuss any aspects of the application.

John Bohnel- 76 Center Street Clinton- expressed his concerns with not having a platform to express public opinions- LUB advised the public they will all have the opportunity to ask questions and comments at the public hearing- The Board Attorney went into detail about the board procedures.

Victoria Donath- 9 Cypress Court Clinton- asked the board to confirm that no decisions will be made on this application until a public meeting- LUB responded that board can only act on the application when it comes before the board via a public hearing and any decisions or actions must be made in a public forum at a public hearing.

John Bohnel- 76 Center Street Clinton- inquired if his comments can be heard at the Council Meeting- Mayor Kovach advised the public they can come to council anytime to ask questions, they will answer questions as best as they can with the information they have, however the council is not able to debate the application, The application is before the Land Use Board all questions and comments regarding the application will be heard at the Land Use Board Meeting, the Council cannot influence the Land Use Board.

Robert Nolan- 9 Fairview Avenue Clinton inquired if the documents are available to review before the hearing- LUB stated the documents are posted on the website before the hearing and are also available to review at the Municipal office.

Jen Homes-7 Woods Edge Court- Clinton Township inquired if the plan for the warehouse is available to view- LUB advised her to contact the board secretary.

Kelly Boyd- 93 Center Street Clinton- inquired about the landscaping plans for Clinton Moebus-LUB stated it will be discussed at the hearing.

John Bohnel- 76 Center Street Clinton- inquired about the time to act on the application and stated it is important to hear everyone.

Robert Nolan- 9 Fairview Avenue Clinton- inquired about abatements programs and campaign contributions- Mayor Kovach stated the Town of Clinton has a pay to play program and no official takes campaign contributions from any developer doing business in town.

John Price- 2 Fairview Avenue Clinton- inquired about the building use on the first floor at Old 22 Urban Renewal and if tenants were secured- LUB advised the first floor is commercial use and no tenants have been confirmed at this time.

Voucher approval:

A motion was made by Mr. Carberry, seconded by Mr. Bruno, to approve the voucher list.

All Ayes.

Motion Carried.

Adjournment:

A Motion was made by Mr. Carberry, seconded by Mr. Viotto, to adjourn the meeting at 7:30pm.

All Ayes.

Motion Carried

Respectfully submitted

Allison Witt
Land Use Board Administrator