



TOWN OF CLINTON

INCORPORATED APRIL 5, 1865

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PLANNING BOARD

Minutes of the Town of Clinton Planning Board meeting held on June 5, 2007 at 7:30pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Vice Chairman McGuire called the meeting to order at 7:30pm and read the "Administrative Statement" and the "Statement of Adequate Notice":

"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 10:30pm with all items not concluded to be carried over to next month's agenda".

"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".

Attorney William Caldwell, Mr. Robert Clerico, Van Cleef Engineering and Beth McManus from Clarke, Caton & Hintz were present.

Mr. Matt Maher was sworn in as a new member to replace Mr. Wiant.

Roll Call:

Present: Baka, Harrison, Insel, Maher, McGuire, Schaumburg, Tranquilli

Absent: Gallagher, Hendricksen,

Approval of Minutes:

A Motion was made by Mayor Schaumburg, seconded by Mrs. Insel, to approve the minutes of May 2, 2007.

All Ayes. Motion Carried.

Abstain: Maher

Site Plan Review Report:

Vice Chairman McGuire advised the board the Committee will hold a meeting on June 19, 2007 at 7:30pm to review an application submitted by Z&F LLC Development.

Memorilization of Resolution for the 2007 Town of Clinton Master Plan Reexamination Report:

A Motion was made by Mayor Schaumburg, seconded by Mr. Baka, to approve the Resolution for the Town of Clinton Master Plan Reexamination Report:

Roll Call:

Present: Baka, Harrison, Insel, McGuire, Schaumburg, Tranquilli

All Ayes. Motion Carried.

Informal Discussion for H. Craig Stem-Block 4 Lot 2:

Mr. Stem advised the board that he was proposing to construct a three bay quick lube facility on Block 4 Lot 2, half of the property is located in the Town of Clinton and the other half is located in Union Township. Mr. Stem advised the board the property is in the highlands region and he was unsure if this property would be exempt. Mr. Stem is asking for the board's opinion on the use and any other input the board can offer. Attorney Caldwell advised the applicant he must apply and receive all outside agency approvals and in regard to the Highlands perhaps Mr. Stem should consult with his attorney. Attorney Caldwell suggested the first step would be to get zoning clearance and when submitting his application to the Town he should simultaneously submit his application to Union Township.

Preliminary & Final Subdivision Application – Block 23 Lot 6- 58 Leigh Street- Latino:

Attorney Walter Wilson, Mr. James Mantz, PE and Sal Latino, Applicant were present.

The following items were submitted into evidence:

- A1- Application
- A2 Legal Notice
- A3 200- Foot Mailing List
- A4 Certified Mailings
- A5 Tax Certification
- A6 Preliminary Major Subdivision Plan prepared by James Mantz dated 12/15/06 (7 sheets)
- A7 Final Subdivision Map prepared by James Mantz dated 12/15/06 (1 sheet)
- A8 Runoff Calculation Report prepared by James Mantz dated December 2006 (21 pages)
- A9 Stream Encroachment Permit dated 10/20/06
- A10 NJDEP letter dated 3/29/07
- B1 Clarke, Caton & Hintz report dated May 16, 2007
- B2 Report prepared by Robert Clerico, Van Cleef Engineering dated June 1, 2007
- B3 Shade Tree Commission's report dated April 4, 2007
- B4 Environmental Commission's report dated April 13, 2007
- B5 Town of Clinton Fire Official's report dated April 9, 2007
- B6- Town of Clinton Zoning Officer's report dated April 13, 2007
- IP-1-11 Eleven Photographs of proposed lot submitted by David Van Nostrand

Mr. James J Mantz, Professional Engineer/Land Surveyor was sworn in.

Mr. Mantz gave the board a brief overview of the proposed application. The applicant is seeking approval to subdivide Block 23 Lot 6 to create two new lots. Lot 6.04 presently contains an existing two- family dwelling which fronts on Leigh Street and Riverside Drive. The proposed newly created lots 6.02 and 6.03 will front on Riverside Drive and will be developed as up and down duplexes. Mr. Mantz stated that Mr. Latino had received a prior subdivision approval for Lot 6.01 which the board granted a waiver of installing sidewalks, sidewalks are currently present on the south side of Riverside Drive and extend to Leigh Street, the applicant is not proposing to add any new sidewalks with this application. Mr. Mantz testified that both lots will meet all bulk standards for an over and under type duplex, which is shown on Page 1 of exhibit A-6. The applicant is proposing to extend utilities into Riverside Drive in accordance with the town specifications and no streetlights are proposed. Mr. Mantz advised the board that the property is within the floodway of the Beaver Brook. The applicant is proposing to construct the duplexes with no basements and the garage elevation will be 1 foot higher than NJ DEP standards require.

Mr. Mantz stated that the applicant has no problem with making the landscaping modifications that were suggested in Clarke, Caton & Hintz's report under paragraph 3.2. and in regard to Mr. Clerico's report Mr. Mantz indicated the following:

- #3A- Applicant will comply
- #3B&C - Mr. Mantz suggested that it would be in the Town's favor to have the 20- foot easements under the town's control and perhaps a stipulation could be added acknowledging that it is not the town's responsibility to maintain the infrastructure but if necessary the town has the right to. If the board prefers Mr. Clerico's suggestion then the applicant would comply.
- #4- The applicant will supply the details.
- #5- The utility boxes are located near the property line on the south side of Riverside Drive. The applicant will be contacting the utility companies to verify the location of the utilities and then the plan will be revised to show the actual location. Each dwelling will have two connections.
- #6 The installation of sidewalks will be left to the board's discretion.
- #7 The specifications for the pavement details will be provided.

Mr. Baka stated he was concerned with the effect of the construction on the neighboring properties and if the runoff data was based on historical data. Mr. Mantz stated the flood elevation of the property is 190 and the calculations are based on a 24-hour rainfall. Mr. Mantz added that a 100-year storm has a 10% chance of occurring per year. Mr. McGuire questioned when the stream rises, does the drainage system become inoperable and Mr. Mantz stated yes it becomes ineffective. Mr. Tranquilli commented that he would be interested in seeing the architectural plans of the proposed dwellings and Attorney Wilson stated he would have no objections to providing conceptual plans for informational purposes. Mrs. Insel inquired about the developer's fee and Attorney Wilson stated the applicant will pay as required by the Town's Ordinance.

Vice Chairman McGuire asked the public if they had any questions for Mr. Mantz.

Nancy Manhattan, 70 Leigh Street, questioned the 20% net fill. Mr. Mantz stated sheet 3 of page 7 (exhibit A-6) shows the cross sections thru the property, it shows the proposed floor elevations, and the flood elevations. The 20% net fill refers to the area between the existing grade and the proposed grade.

Mr. Skirka, 70 Leigh Street, questioned if the storm sewers were parallel or series. Mr. Mantz responded that the storm sewer will run parallel into an 18" pipe along the north side of Riverside Drive. Mr. Tranquilli questioned if the 18" pipe was adequate and Mr. Mantz responded that the 18" pipe is not adequate to drain the entire site area. Mr. Skirka inquired were the fill is going and Mr. Mantz responded the majority of the fill is for the driveways and the dwellings.

David Van Nostrand, 64 Leigh Street, commented that the proposed dwellings will sit up high and the swales are created to help protect the adjoining properties on Leigh Street from water and questioned if any other methods are in place for protection, Mr. Mantz responded "no". Vice Chairman McGuire inquired how the swales will be maintained, Mr. Mantz stated that property owners would maintain the swales as part of their property maintenance.

David Van Nostrand presented exhibit IP-11 which contained eleven photographs of the site after a flood in 1996 and since that time the area has had three similar floods and questioned the accuracy of the calculations. Mr. Mantz stated he would give his calculations a 10-20% accuracy rate and when DEP establishes flows they use a 25% factor. Vice Chairman McGuire stated that at times can we reasonable expect the proposed dwellings will be surrounded by water and Mr. Mantz responded "yes". The 1 year storm will be maintained within the banks of the Beaver Brook and the five year storm will push the water to the property line of Lot 6.04, the 10-year storm the water will creep around and hit the cul-de-sac on Riverside Drive, the 25-year storm will fill in the low spots on Lot 6.02, from there the next storm will

effect the westerly side of Leigh Street and then the 100 year storm will flood the easterly side of Leigh Street. Vice Chairman McGuire inquired what the estimated increase run off will be after the grass area is covered with impervious coverage, Mr. Mantz responded between 0.1 and 0.2 cubic feet per second.

Eric Van Nostrand, 64 Leigh Steet, inquired if a 100 year flood would inundate both lots and if the lots would become virtual islands, Mr. Mantz responded "yes". Mr. Tranquilli inquired if there were some other measures that could be taken to help increase the problem and if the 18" pipe is not adequate, is there some other remedy? Mr. Mantz stated that it might help alleviate smaller problems if drywells were installed to allow water to seep into the ground.

Mr. Salvatore Latino was sworn in. Mr. Latino stated he is proposing two up and down duplexes, which will be on slab construction, each home will have a single car garage which will not protrude from the front façade. Mr. Latino advised the board that he is looking to construct high-end townhomes.

Vice Chairman McGuire asked the public if they had any questions for Mr. Latino, there being no questions Attorney Wilson advised the board that his testimony had concluded.

Vice Chairman McGuire opened the meeting for comments and testimony to the public.

David Van Nostrand was sworn in. He was concerned with the sensitivity of the piece of land, every 2-3 years Leigh Street is flooded and there have been times that Leigh Street and Riverside Drive have been closed, and he inquired if the Police and Fire had any concerns. Mr. Van Nostrand stated that there are a lot of variables that could have some serious ramifications. Mayor Schaumburg stated she believed the plan should be run by emergency services, Attorney Wilson commented that the plans were provided to the Chief of Police and the Fire Department for comments.

Mr. Skirka, 70 Leigh Street, was sworn in. Mr. Skirka stated he was concerned with taking the dirt off the site. Vice Chairman McGuire commented that he trusts there will be close scrutiny when developing the site.

There being no further comments or testimony Vice Chairman McGuire closed the meeting to the Public.

Mayor Schaumburg stated she would like Emergency services to review the plan and report back to the board.

Mr. Clerico stated in regard to maintaining the easement he felt if it was in the public domain it may become high maintenance, if the Town was to consider maintaining the drainage system he would recommend the drainage system be moved closer to the road. Mr. Clerico felt the applicant needs to speak with the utility company and provide the board with more information. As far as the sidewalks that would be up to the board. Mr. Clerico advised the board that he would like the time to review the report from the Environmental Commission.

Attorney Wilson testified that his client has no objection to installing the sidewalks, or if the board chooses to waive the sidewalks the applicant could provide the town with the costs to put toward a sidewalk maintenance fund.

The board agreed to carry the meeting for Mr. Latino to July 3, 2007, which would give Mr. Latino time to provide the board with the additional information requested.

Sign Ordinance Discussion:

Mr. Baka and Mr. McGuire advised the board that they met to review the Sign Ordinance and forwarded a few comments to the Mayor & Council. Mr. McGuire stated the Mayor and Council has set up there own subcommittee to review the ordinance.

Master Plan Committee Update report:

Next meeting is scheduled for June 19, 2007 at 6:30pm.

Board of Adjustment Report:

No report

Smart Growth Update Report:

Mrs. Insel advised the board that the preliminary meeting on May 30, 2007 looked at different issues in town and they targeted on what they want to work on for the Meeting on June 16, 2007. Mrs. Insel urged everyone to come out and participate on the June 16 so they everyone can plan for the town's future.

Voucher Approval:

A Motion was made by Mayor Schaumburg, seconded by Mrs. Insel, to approve the following vouchers:

Clarke, Caton & Hintz	Planning Board April	\$1,694.85	Master Plan Amendments
Clarke, Caton & Hintz	Latino-April	\$12.00	

All Ayes. Motion Carried.

There being no further business a Motion was made by Mr. Baka, seconded by Mrs. Harrison, to adjourn the meeting at 10:00pm.

Respectfully submitted,

Allison McGinley
Land Use Administrator

