



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 June 2, 2015 at 7:00pm in the Municipal Building at 43 Leigh Street Clinton, New Jersey 08809

Chairman Sailer called the meeting to order at 7:00pm and read the “Administrative Statement” and the “Statement of Adequate Notice”:

“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 next month’s agenda”.

Attorney William Caldwell, Mr. Robert Clerico and Mr. David Maski were present.

ROLL CALL:

Present: Sailer, Feldmann, Hetzel, Maher, Mellick, Perez, Schaumburg
Absent: Mayor Kovach, Carberry, Blanco

Approval of Minutes:

A Motion was made by Mr. Smith, seconded by Mr. Hetzel, to approve the May 19, 2015 minutes:

All Ayes. Motion Carried
Abstain: Feldmann, Schaumburg

Preliminary & Final Site Plan Approval for Eastern Hill LLC- Block 16 Lot 22.02

Attorney Howard Apgar, Mr. Craig Stires, Civil Engineer, Mr. Dennis Loh GeoTech Engineer, Mr. Victor Barr Architect and applicant Mr. Kenneth Pizzo, Jr. were present.

The following items were submitted into evidence:

- A1 Application
- A2 Affidavit of Service & Proof of publication
- A3 Town of Clinton Clerk’s 200-Foot List
- A4 Certified Mailings
- A5 Tax Certification dated May 26, 2015
- A6 Preliminary Site Plan prepared by Stires Associates, P.A. dated September 11, 2012 revised June 19, 2014
- A7 Architectural Floor Plans & elevations prepared by Vlbjr+ Architects Inc. dated May 28, 2013 (11 Sheets)
- A7-2 Architect rendering of Height compliant building
- A7-3 Architect rendering of non- conforming height building

- A8 Drainage report prepared by Stires Associates, dated December 2007, revision dates February 2008 & June 2014.
- A9 Response Letter to J. Daniels dated August 27, 2014
- A10 Geo Technical Engineering report dated February 2015
- A11 Colored rendering of Lighting & Landscaping Plan
- A12 1st Floor Colored rendering
- A13 South Elevation Rendering

- B1 David Maski Van Cleef Engineering Report dated 4/28/2015
- B2 Robert Clerico Van Cleef Engineering report dated 4/30/2015
- B3 J. Daniel's Fire Official report dated 8/1/14
- B4 Chief Police Matheis report dated 6/5/15

Attorney Apgar advised the board he is filling in for Attorney Wilson and reminded the board the applicant has received prior approval for the Use Variance and FAR approval and is here tonight to seek site plan approval.

Mr. Craig Stires, PE was sworn in. Mr. Stires recapped with the board the background of the site, the site which is north of the library received site plan approval for a 24,000 square foot two-story office building with 106 parking spaces, the site coverage was 64.1%, the storm water management system was installed, the storm water sewer lines were installed and the footing & foundation work was started for the office building. The applicant would like to utilize the approved site work including the 2008 landscaping and lighting plan and incorporate into the new plan. The new application will reduce the parking spaces to 70 the building will be extended 45 feet which will add approximately 3,900 square feet of additional building footprint. Mr. Stires added that with the removal of the parking spaces an enhanced 35 to 40 foot landscape buffer area will be added between the library and the proposed site.

Mr. Smith inquired about the fire lane access, Mr. Stires responded access to the structure is from the easterly and northerly sides which he believes is adequate, but if the board wants more than they will have to remove some landscaping we will leave it up to the board to decide.

Mr. Maher inquired about pedestrian access to Halstead Street, Mr. Stires responded per Mr. Clerico's suggestion they will install a walkway out of the driveway to connect to Halstead Street.

Mr. Perez inquired about the square footage of the new building, Mr. Stires stated the original square footage was 24,000 for the 2 story building and the proposed square footage is 46,000 for a three story building. Attorney Apgar added the FAR Variance was already approved by the Board of Adjustment.

Mr. Smith stated in one of the reports there was reference to the slope in the back of the property as being an attractive nuisance and inquired if anything has been done to address this, Mr. Stires stated we have added trees along this area, Mr. Clerico's review letter suggests a fence, which we will look into and advise the board.

Mr. Jack Daniels, Town of Clinton Fire Marshall inquired about the fire access lanes and inquired if access could be installed along the southerly side of the structure, Mr. Stires responded based on the present design fire trucks cannot access the south side, Mr. Pizzo stated they could provide access with the elimination of the landscaping if the board would prefer. Mr. Daniels expressed concern that the proposed hydrants would not provide adequate coverage, Mr. Pizzo stated if the board wishes they will provide 2 hydrants on the north and south side of the building. The applicant suggested that Mr. Daniels put his standards in writing and the applicant's Engineer and Mr. Daniels get together to discuss working out the details.

Mr. Dennis Loh, Geotechnical Engineer from GTA Associates was sworn in. Mr. Loh advised the board a Geotechnical exploration report was prepared and submitted to the board, they worked with Mr. Clerico to address the Town's Phase 1 Limestone Ordinance. GTA incorporated a two phase approach to explore the subsurface conditions within the proposed building area, the results are outlined in his report dated

February 2015 (exhibit A 10). Mr. Loh stated they focused on the area shown on L 3 on the graph which extends through the northerly proposed addition area, the survey found rock surface at 12 feet below the ground surface and the low resistivity materials were at a depth between 48 ½ feet to 49.3 feet, the study included test borings, which extended approximately 10 feet into the rock surface, the location of the borings took place in the existing footing area, the proposed foundation area, and to the north of the building, the findings found the general subsurface was favorable for construction, no voids were detected. Mr. Loh advised the board there had been test borings done previously on site by others and during the initial site work in 2008 a small sinkhole was found in the southwest corner of the site, the sink hole was dug out. Mr. Loh stated the rock is close to the surface which suggests any potential of sink holes would be small and they would be able to plug them up.

Mr. Clerico stated the footing was designed for a two story building and inquired if any changes were necessary for a three story building, Mr. Loh responded it will be the exact same design for a three story residential building. Mr. Clerico stated the notes on the plan call for blasting and had concerns with blasting due to the proximity of the reservoir and inquired if blasting was the only method, Mr. Loh stated they could pre drill and chip away in place of blasting; Mr. Schaumburg stated he would like to see a study indicating blasting will not increase the risk of sink holes or damage to the foundation, Attorney Apgar testified that Mr. Pizzo has agreed not to do any blasting on site.

Mr. Feldmann asked Mr. Loh what kind of recovery he got, Mr. Loh stated boring # 101 got a 70% recovery for the first five feet then 100% below that, boring 102 got a 77% recovery for the first five feet then 83% below that, boring # 103 got a 62% recovery then 87% below that and boring # 104 got a 67% recovery and then 100% below that.

Mr. Schaumburg inquired if there were any basements proposed, Mr. Loh stated what is exposed is the basement elevation which is five foot below grade, the addition will not have any basements just a crawl space. Mr. Clerico thought it would be helpful if the board has a plan showing the elevation. Mr. Schaumburg stated with the change of foundation the report should be updated to provide specific detailed information on the actual construction we need to look at the site to make sure it reflects the actual conditions. Mr. Clerico agreed it is important to determine if you can use what exists and feels it is important to have updated material to support the proposal.

Attorney Apgar stated rather than going through Mr. Clerico's and Mr. Maski's report tonight he suggested the board Engineer and Planner and the applicant's professionals meet to go over the outstanding issues then report back at the next meeting. The board agreed.

Mr. Victor R. Barr, Architect from Vibjr Associates was sworn in. Mr. Barr stated the board is in possession of two architect renderings one showing a 40' height compliant building (exhibit A7-2) and a 44' non-compliant height building (exhibit A7-3) which will require a D Variance approval. The 44 foot high building shows a pitched roof and is more aesthetically pleasing. Mr. Feldmann stated it would be helpful to see the building in comparison to the adjacent library elevation, Mr. Barr stated the highest part of the library is the same as the conforming height building. Mr. Perez stated he would like to see a rendering of the proposed building, the library and the area residential homes. Mr. Stires stated they can provide.

Mr. Barr went through the breakdown of units which is reflected on the architectural plans, the proposal contains 28 market units and 7 COAH units for a total of 35 units, the breakdown is as follows:

Market Units: 2 -one bedrooms, 6- one bedrooms with a den; and 20-two bedrooms.

COAH Units: 1- One Bedroom; 4- two bedrooms, and 2- three bedrooms.

Mr. Perez inquired about parking, Mr. Stires stated the ordinance requires we have 68 spaces, we will have 70 spaces.

Mr. Maski stated the original proposal called for 37 units, which included eight affordable units, the new proposal consists of 35 units of which 20% are COAH units, Mr. Maski questioned if the COAH units were based on the FAR Variance or 20%.

The board opened the meeting to the public:

Mr. Sean Rogan, Rachel Court, inquired if the units were rentals and how many children are projected, Mr. Barr stated they were rentals and deferred the rental question to Mr. Pizzo. Mr. Pizzo who was sworn in responded they originally relied on the Bloustein/ Rutgers study from 2005 which results found children where in homes not rental apartments, however based on today Mr. Pizzo stated he did not feel that study was valid anymore. Mr. Pizzo stated we have a lot of apartments in our port- folio and typically the two bedroom units are rented to empty nesters, young professionals and divorcees that have children on weekends, the three bedroom COAH units generally produce rentals with children it is not typical in a one or two bedroom rental.

Mr. Sean Rogan inquired if there was anything that could be done to the building to make it more historically aesthetic to fit in with the town, Mr. Barr responded they tried to create a scale in character which would be designed to work with the residential scale of the area. Mr. Maher and Mr. Smith asked Mr. Barr to describe the components that match the residential area, Mr. Barr stated the design includes a gable roof, dormers, mix of vinyl cedar shake impressions, details on the fascia board, vents in the gables, Mr. Barr stated they tried to create a residential scale detailed building rather than a block. Mr. Smith inquired if the vinyl in the center of the building could be a darker color to give the illusion of a smaller building.

The board agreed with Attorney Apgar that the professional's meet to resolve some of the outstanding issue in their review reports and report back to the board at the next meeting.

A Motion was made by Mr. Hetzel, seconded by Mr. Feldmann, to carry the meeting to July 7, 2015:

All Ayes. Motion carried.

Voucher Approval:

No Vouchers on the list

Board Discussion:

The board discussed procedures of filing an amended site plan.

There being no further business, A Motion was made by Mr. Maher, seconded by Mr. Smith, to adjourn the meeting at 9:30pm.

All Ayes. Motion carried.

Respectfully submitted,

Allison Witt
Land Use Administrator