

**MINUTES OF CLINTON TOWNSHIP BOARD OF ADJUSTMENT
VIRTUAL WEBEX MEETING**

DATE: March 22, 2021

7:00PM

THE CLINTON TOWNSHIP BOARD OF ADJUSTMENT HAS CHANGED THE FORMATS OF ITS REGULAR MEETINGS FOR THE DURATION OF THE COVID-19 PUBLIC HEALTH EMERGENCY TO “VIRTUAL” MEETINGS VIA A WEBEX BRIDGE.

THESE CHANGES HAVE BEEN INSTITUTED TO PROTECT HEALTH, SAFETY AND WELFARE OF RESIDENTS, EMPLOYEES, MUNICIPAL OFFICIALS, APPLICANTS AND CONSULTANTS IN RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY.

Chairman McCaffrey called the meeting to order at 7:01pm.

Chairman McCaffrey led the Flag Salute.

Chairman McCaffrey read the Public Notice.

This is a public meeting of the Zoning Board of the Township of Clinton, County of Hunterdon and State of New Jersey. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act in that an Annual Notice was published in the Hunterdon County Democrat and the notice of and agenda for this meeting was posted on the Township website, on the bulletin board mounted to the front of the Municipal Building, the door of the Public Safety Building and faxed to the Hunterdon County Democrat, the Express Times, the Courier News, the Hunterdon Review, and the Star Ledger, no later than the Friday prior to the meeting. The agenda states that the meeting will be held as a virtual meeting via a Webex video bridge.

MEMBERS IN ATTENDANCE

Lewis, McCaffrey, McTiernan, Pfeffer, Roberts, Rohrbach, Stevens

Dr. Lewis joined the meeting at 7:08pm.

Mr. Pfeffer joined the meeting at 7:22pm.

Mr. McCaffrey exited the meeting at 7:22pm.

MEMBERS ABSENT

Yager

PROFESSIONALS/STAFF IN ATTENDANCE

Jonathan Drill, Esq., Board Attorney

Thomas Behrens, Jr., PP, AICP, Board Planner
 Larry Plevier, PE, CME, Board Engineer
 Jackie Klapp, Board Stenographer
 Denise Filardo, Board Secretary

MEETING MINUTES

1) Meeting Minutes – February 22, 2021

A motion was made by Ms. Stevens and seconded by Mr. McTiernan to adopt the February 22, 2021 Meeting Minutes. The vote record follows.

Roll Call: Meeting Minutes of February 22, 2021						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Lewis						X
McCaffrey (Chair)			X			
McTiernan		X	X			
Pfeffer (Vice Chair)						X
Roberts			X			
Rohrbach (Alt. 1)					X	
Stevens	X		X			
Yager						X

RESOLUTIONS

None.

There was no one from the public in virtual attendance.

The Board reviewed the vouchers and there were no comments or questions.

PUBLIC HEARINGS

1) ENGINEERING AND LAND PLANNING

140 West Main Street

Block 66, Lot 2

Application No. 2021-01

Applicant is seeking Waiver of Site Plan to replace existing outdoor stairs and railings, replace siding and remove roof extension.

The applicant was represented by Anthony Koester, Esq. Mr. Koester provided a brief overview of the relief requested.

The following individuals were sworn and testified during the hearing:

1. Wayne Ingram, PE (Applicant’s Engineering and Planning Expert)
2. Thomas Behrens, Jr. (Board Planning Expert)

It was noted that there was no one from the public in virtual attendance.

Mr. Ingram’s qualifications were accepted by the Board.

Mr. Ingram’s testimony included and was not limited to the following:

- A review of the underlying approvals granted by the Board memorialized in Resolution No. 2014-06 which included Amended Minor Site Plan Approval, “D” Variances to permit Office Use and a Freestanding Sign, “C” Variance for location of storage building and a Design Waiver for Parking Lot Lighting.
- A description of the proposed improvements which include: replacement of rear staircase in existing location; replacement of railing around rear patio; replacement of orange colored board & batten siding with green colored board and batten siding, including decorative stone at the bottom of the façade; and removal of existing roof extension over eaves and installing board and batten siding.
- The proposed improvements are generally consistent with the former Site Plan Approval.

BOARD FINDINGS AND CONCLUSIONS

- The applicant provided signed copies of an Amended Site Plan Approval granted by the Board memorialized in Resolution No. 2014-06.
- The proposed improvements will not impact the use of or the physical attributes of the property.
- The proposed improvements will not affect existing circulation, parking, drainage, building arrangements, landscaping, buffering, lighting and other considerations of site plan review.
- Based upon the foregoing statements, they Board found that it can and should grant Waiver of Site Plan Review and Approval.

RELIEF GRANTED

Waiver of Site Plan Review and Approval subject to the applicant’s compliance with the Board imposed conditions, the Board granted a waiver of site plan review and approval in accordance with Township ordinance sections 165-36.1(A)(3) to allow the proposed improvements as reflected on the plans.

A motion was made by Mr. Roberts and seconded by Ms. Stevens to grant Waiver of Site Plan Review for the proposed improvements. The vote record follows.

<i>Roll Call: Engineering & Land Planning – Waiver of Site Plan</i>						
Member	Motion	2nd	Yes	No	Recused	Absent
Lewis			X			

McCaffrey (Chair)			X			
McTiernan			X			
Pfeffer (Vice Chair)					X	X
Roberts	X		X			
Rohrbach (Alt. 1)			X			
Stevens		X	X			
Yager						X

The applicant requested that the Board request that Secretary Filardo ask the Zoning and Construction Officials to process permits as if the memorializing resolution has been adopted.

Vice Chairman Pfeffer recused from the Engineering and Land Planning application. Vice Chairman Pfeffer joined the virtual meeting at 7:22pm after the Board concluded the public hearing on the application and rendered a decision. He then Chaired the remainder of the meeting.

Chairman Mc Caffrey recused from the Clinton Agricultural Associates application and exited the virtual meeting at 7:20pm

2) CLINTON AGRICULTURAL ASSOCIATES

1015 Route 22 East

Block 14, Lots 6 and 7

Application No. 2020-07

Applicant is seeking approval of a bifurcated D(1) Use Variance to permit a proposed 30,000sf flex-space building, five (5) individual self-storage buildings containing a total of 41,000sf of self-storage area and a 1,000sf office building, two (2) 8,000sf each office/retail buildings. Applicant is also seeking a D(6) height Variance and C(1) and C(2) Variances for minimum lot width at building and side yard setback.

The applicant was represented by Anthony Koester, Esq. Attorney Koester provided an overview of the application and the requested relief. Attorney Koester stated that they would begin with their Engineering testimony tonight and reserve their Planning testimony for the next meeting.

The following individuals were sworn and testified during the hearing:

1. Chris Nusser, (Applicant’s Engineering Expert)
2. Thomas Behrens, Jr. (Board Planning Expert)
3. Larry Plevier, (Board Engineering Expert)
4. Jim Kyle, (Applicant’s Planning Expert)

Mr. Kyle did not provide testimony during this hearing as the application was continued to the April 26, 2021 meeting.

Mr. Nusser’s qualifications were accepted by the Board.

It was noted that there was one member of the public who dialed in to the meeting. When asked if they wanted to identify themselves, the caller did not respond.

Mr. Nusser's testimony included referencing to the Variance Application Plan Set and was not limited to the following:

- An orientation of the subject properties, lots 6 and 7 with respect to neighboring properties and businesses.
- Existing conditions on the subject properties
- Powerline easement and topography
- Proposed Uses for lot 6 to include
- Proposed Uses for lot 7 to include
- Parking

Discussion ensued regarding the applicant's reference to the proposed Flex Space which as described seemed to fit the Township's definition of a Warehouse. Attorney Drill opined that by not calling it warehouse space and calling it something else, poses a risk to the applicant.

ADJOURNMENT

A motion was made by Mr. Pfeffer and seconded by Ms. Stevens to adjourn. The meeting was adjourned at 8:59pm.

Respectfully Submitted,

Denise Filardo

Planning and Zoning Board Secretary

These minutes were approved on April 26, 2021.