

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

DATE: June 28, 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 7:03pm.

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.

Prior to Roll Call, Chairman McCaffrey announced that Dave Roberts resigned from the Board earlier today.

MEMBERS IN ATTENDANCE

McCaffrey, McTiernan, Pfeffer, Rohrbach, Stevens, Yager

MEMBERS ABSENT

Lewis

PROFESSIONALS/STAFF IN VIRTUAL 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 – May 10, 2021

A motion was made by Ms. Stevens and seconded by Mr. Pfeffer to adopt the May 10, 2021 Meeting Minutes. The vote record follows.

Roll Call: Meeting Minutes of May 10, 2021						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Lewis					X	X
McCaffrey (Chair)			X			
McTiernan			X			
Pfeffer (Vice Chair)		X	X			
Rohrbach (Alt. 1)			X			
Stevens	X		X			
Yager			X			

RESOLUTIONS

None.

VOUCHERS

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

PUBLIC HEARINGS

1) JOSEPH SERRANI

186 Stanton Mountain Road
 Block 16, Lots 70, 71, 72
 Application No. 2020-05

Applicant is seeking a D(1) Use Variance to permit an existing smaller vacant building, currently classified as an accessory structure, to be used for the housing of equine-related farm employee(s) on the premises.

In response to an email dated June 10, 2021 from John W. Thatcher, (Applicant’s attorney) the Board Chairman granted the request that the application be carried until September 27, 2021, and the applicant must re-notice. The applicant agreed to give the Board until October 31, 2021 to act on this application. The Board agreed to adjourn the application for this evening.

2) ZINN REALTY

Grayrock Road
 Block 74, Lot 19
 Application No. 2012-07

Applicant is seeking an Extension of Time of the prior approvals subject to the protections of the New Jersey Permit Extension Act of 2020, automatically suspending the running of the period of eligible permits and approvals, including local land use boards, during the “COVID-19 Extension Period”.

Michael O’Grodnick, Esq. (Applicant’s attorney) provided a brief background of the application and the reason for the requested Extension of Time.

The Board granted the Extension of Time on all dates to end on December 4, 2021.

A motion was made by Ms. Stevens and seconded by Mr. McTiernan to grant an Extension of Time until December 4, 2021. The vote record follows.

Roll Call: Zinn Realty B74, L19 – Extension of Time						
Member	Motion	2nd	Yes	No	Recused	Absent
Lewis						X
McCaffrey (Chair)					X	
McTiernan		X	X			
Pfeffer (Vice Chair)			X			
Rohrbach (Alt. 1)			X			
Stevens	X		X			
Yager					X	

3) 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.

Application is continued from March 22, 2021 and April 26, 2021.

In an email dated June 28, 2021, Anthony Koester, Esq. (Applicant’s attorney) requested that the application be carried to July 19, 2021 since there were only five (5) confirmed voting Board members to be in attendance at this meeting.

The Board agreed to carry the application to July 19, 2021. If the 200-foot list is more than four (4) months old, the applicant will need to re-notice. The Board requested that the applicant give the Board an extension of time within which to decide the application to August 31, 2021.

- 4) MARILYN RHYNE HERR
186 Stanton Mountain Road
Block 16, Lots 70, 71, 72

Applicant is seeking to Appeal the Zoning Officer's decisions and determinations in connection with the on-site inspection of the Serrani property located at 186 Stanton Mountain Road.

Board members Yager and Rohrbach recused from this application and exited the virtual meeting.

Board Secretary Filardo serves as both the Township's Zoning Officer and the Board Secretary. As such, Ms. Filardo has recused herself as Board Secretary out of an abundance of caution. Chairman McCaffrey served as the Board Secretary for this hearing.

Steven Gruenberg, Esq.

In connection with the Serrani variance application, the Township Zoning Officer performed a site visit at the request of neighboring objector Marilyn Herr (at the request of Ms. Herr's adult children – Julia Herr Smith, Esq. and Daniel Herr, Esq – who are attorneys and were representing Ms. Herr in opposition to the Serrani application), and the Zoning Officer issued a memo to the Board on May 6, 2021, followed by an addendum to that memo on May 10, 2021.

Steve P. Gruenberg, Esq. was retained and represented Ms. Herr during this hearing.

The following individuals were sworn and testified during the hearing:

- 1) Julia Herr Smith;
- 2) Daniel Herr; and
- 3) Lorenzo Forlini

Chairman McCaffrey stated that the Board does not have authority to issue violations or compel the Zoning Officer to take any action. Given the Board's scope of authority the Board can decide on the following:

- 1) Whether the images on and near the Serrani mailbox are permitted;
- 2) Whether the Serrani Farm equine activity permitted;
- 3) Whether the former dwelling is currently being used as a dwelling;
- 4) Whether an office is permitted in the barn.

EXHIBITS

- A-1 Email chain between Julia Herr Smith and Arion Jamerson of the NJ Secretary of State Office;
- A-2 Invoice No. 727113 - Serrani lesson receipt dated 8/9/17; and
- A-3 Serrani CTBOA Variance Application dated 6/10/2020.

Detailed discussion ensued regarding the following:

- The image on the Serrani mailbox and the arrow near the mailbox;
- The equine activity on the Serrani Farm.

There was no one from the public who opted to comment or ask questions regarding signs.

Mr. Herr's testimony included and was not limited to the following:

- Images on and near the Serrani mailbox and location of the Serrani mailbox.
- Equine activities on Serrani property;
- The Round Valley Ranch website; and
- Round Valley Ranch advertisement in New Jersey Travel Guide

Ms. Herr's testimony included and was not limited to the following:

- Equine activities on Serrani property;
- The Round Valley Ranch website; and
- Round Valley Ranch advertisement in New Jersey Travel Guide

Mr. Forlini a neighbor residing at 175 Stanton Mountain Road commented that delivery drivers sometimes stop at his home looking for the Serrani property.

The equine activity discussion was not completed at the time the Board needed to conclude the meeting, so the application was continued to August 23, 2021.

ADJOURNMENT

A motion was made by Mr. Pfeffer and seconded by Mr. McTiernan to adjourn. The meeting was adjourned at 10:33pm.

Respectfully Submitted,

Denise Filardo

Planning and Zoning Board Secretary

These minutes were approved on December 13, 2021.