

MINUTES  
 PLANNING BOARD MEETING  
 TUESDAY –MARCH 19, 2013 - 7:30 PM  
 365 WESTFIELD AVENUE, AUDITORIUM

In accordance with the Open Public Meeting Law, P.L. 1975 c231, notice of this meeting was published and a notice as to the time and place of this meeting was deposited with the Township Clerk and posted on the bulletin board of the Clark Municipal Building at least 48 hours prior to the meeting.

1. Roll Call

NAME	ROLL CALL			
Mayor Sal Bonaccorso	X			
Council Rep. Frank Mazzarella	X			
John Laezza	X			
Michael Kurzawski	X			
John Zamboni	X			
Kevin Koch	X			
Robert Tarantino	X			
Neil Curcio	X			
Matthew Casey	O			
Sean Fresco, Alternate 1	X			
Michael Altmann, Alternate 2	X			
Michael Cresitello, Planning Board Attorney	X			
Rich O'Connor, Township Engineer	X			
Lt. Pollock, Police Dept. Rep.	X			
Chris Buccarelli, Fire Dept. Rep.	X			
Lisa McCabe, Secretary	X			

2. Pledge of Allegiance

3. Minutes

A motion to approve the minutes of March 7, 2013 was made by Mr. Zamboni and seconded by Mr. Koch. All Ayes

Mr. Laezza was not at the previous meeting on March 7, 2013, but listened to the tape of the meeting and had the following comments.

As far as COAH concerns, the Gypsum property was never part of our COAH housing element plan. The township has an excepted COAH plan, a second accepted plan that is still in the works and a third plan that was put aside. No one knows where COAH

is going at this time. If zone is not rezoned, we could get large apartment complexes there. This rezone is in the best interest of the town.

The railroad tracks will be negotiated from Conrail. It is very important to the whole scope of the site.

As far as the cost of the planners, Gypsum has put up escrow money for the town to hire professional planners to see what the best use of this site would be.

Traffic concerns on Raritan Road have always been a strong concern of the administration as well as throughout the entire township of Clark. Traffic concerns are listed in the master plan.

The size of stores will be put in a zoning ordinance. There are wet lands on this site as well as green acres property, so there will not be 500,000 square feet of building.

#### 4. Master Plan and Development Regulations Periodic Reexamination Report

Mr. Kevin O'Brien, planner, reviewed the plan and also the intentions of a master plan reexamination. Once a plan is approved by the planning board, then the council looks at the new zone and proposes ordinances that support the concepts that are raised in the master plan. After this is done, then an application could be submitted for site plan approval. The applicant would have to meet the ordinances and goals of the master plan that have been laid out.

In 2003 a master plan was completed. In 2010 a reexamination report was made which looked at Terminal Avenue and Westfield Avenue area to determine if a rezoning was necessary. In fact, a rezone did follow. It was changed from Industrial to commercial and senior housing.

Over the last 3 years, Gypsum became vacant and it cannot be used as an industrial site due to the lack of demand.

The site is 28 acres and is too large to have an applicant go before the zoning board for a use variance and is inappropriate.

Mr. Zamboni stated that a fiscal and traffic impact statement will be included in any new ordinance. He also stated that an Environmental study will be conducted and any off track improvements will be part of any development that comes before the Board.

A motion to open the meeting up to the public for questions of Mr. O'Brien was made by Mr. Koch and seconded by Mr. Tarantino. All Ayes.

A resident of 7 Winters Court, asked about the pieces of land on Westfield Avenue that are being rezoned. Mr. O'Connor stated that those lots were

actually rezoned in the 2010 reexamination report but were not listed on the property list. It was just a matter of housekeeping.

Mr. Valdivia, 9 Terry Lane, stated that traffic is very bad in this area. Since the property has been vacant, the traffic lessened a little, but is still pretty bad. He asked who handles the sewerage rights. He also asked who says a change in the master plan is what is good for the community.

Rosemary Burk, 61 New York Avenue, stated that the sign for lease or sale is gone. Has the property been purchased? Mr. Laezza stated that Gypsum has a contract purchaser. They have tried for 4 years to try and sell the property as industrial and didn't have any offers. They put money in escrow for the town to hire a planner to see which the best way to zone it is.

Delia Collins, 72 Georgia Street asked what an off track development study is. Mr. O'Brien stated that the township has an ordinance that requires off track improvements as part of any development application. She also asked if an ordinance changes, does it change the application. Mr. O'Brien stated that the ordinance that is in effect when an application is deemed complete is on the one that follows that application.

Mike Gelnovatch, Cranford resident, feels that Cranford residents should be notified since they are very close to the area. Mayor Bonaccorso stated that the township followed all the guidelines that are required. It is a state law to notify all surrounding municipalities as well as resident that are within 200 feet of the property.

Robin Dexter-Meyer, 24 Kathryn Street asked if the results of the survey are posted. Mayor Bonaccorso stated that they were announced at the January Council and they are posted on the Township website.

Nancy Sheridan, 26 Sandalwood Drive, asked what types of business would be allowed in the zone. Mr. O'Brien stated that in the ordinance it will be laid out as to what is allowed in the zone. We are only at the first step of the process. She also asked about the existing zone. Mr. O'Connor went over the existing zone district and the proposed zone district. He stated that 25% of the site can be building coverage.

Mr. Kurzawski stated that if this new master plan is not adopted and the zone stayed the same, a manufacturing plan could come to the site with 1000's of employees and more pollution.

Debra McCleaster, 921 Lake Avenue asked if a developer can come in and ask for site use variance after these changes are made. Mr. Cresitello stated that they can, but they would go to the zoning board.

Maryann Desporta, 955 Lake Avenue, asked if the resident gets notified for an ordinance. Mr. Laezza stated that the ordinance would be advertised in the

Local Source. Individual residents will not be notified. It will also be on the website.

Bill Caruso, 7 School Street, asked why the master plan is being done now and is there a time limit. Mr. O'Brien stated that there is not a time limit. Mr. O'Brien stated that he works for the township.

Gail Sweeney, 38 Alice Lane, asked what about the empty retail space that we already have and also what about the residents that are no longer in a residential area. Mayor Bonaccorso stated that right now it is a large industrial plant. He asked if shopping would hurt the property value more than an industrial plant with a smoke stack. Mr. O'Brien stated that an industrial plant has a more negative impact than retail. She stated that houses start becoming retail once retail becomes in the area. Mayor Bonaccorso stated no other zone changes are taking place. She also asked what a town center is. Mayor Bonaccorso stated that a center is a group of retail, not a strip mall like you would see on Rt. 1 or Rt. 22. She asked how this town center makes Clark more attractive. The only thing that it is going to do is make residents take 20 minutes to get across town. Mr. O'Brien stated that a town center is envisioned as a unified center that you would park once and shop. There could be a fountain or clock center.

Bill Sasse, 61 Haliday Street asked whose vision is this town center if there has not been a developer. Mr. Laezza stated that it is the Mayor's vision. Mayor Bonaccorso stated that if we are going to have shopping, he would like to see a classy place that is pedestrian friendly and to make this big vacant area look better and not allow a strip mall. He cannot understand how a 700-800 employee factory is more appealing. He doesn't want to see a strip mall with nail salons and a china buffet. He would love for it to be a classy hometown place.

Mayor Bonaccorso stated that if Gypsum cannot sell the property and the township is not flexible to work with them, they can go to the County and sue the community. We are trying to do everything correctly and for the best of the township.

Mr. Sasse asked if we would get tax breaks from this. Mr. Laezza stated that presently the township gets \$298,000 from Gypsum. He believes that if it is commercially developed, the township will be about 1.2 million. He feels that this could benefit the entire community.

Ed Burke, 61 New York Avenue, asked for the golf course could be extended to 18 holes. Mayor Bonaccorso stated that the Hyatt Hills Golf Commission is not allowed to borrow money to extend the golf course. The course is doing okay, but the driving range and the miniature golf is not doing well. The new improvements at Galloping Hill are hurting them.

A resident of 24 Sunset Drive feels that there is going to be a large amount of truck traffic making deliveries for all these stores. Mayor Bonaccorso stated that at the time of the application, they would have to take into consideration deliveries and truck routes. Right now there is not an application. She also feels that they are taking away suburbia. Mayor Bonaccorso stated that his vision is not to have a route 22 look. He would like to have walkways, stone buildings, a lot of landscaping and greenery. She also stated that there are deer on the property and what will happen to them. Mr. O'Brien stated that there is wetland back there and the deer would have plenty of space to stay.

Catherine Gelnovatch, 12 Persion Avenue, Cranford, asked if the vision is supposed to look like these other town centers. Mayor Bonaccorso stated that he was in Georgia looking for a place to eat and wound up in a town center and wishes that he could bring it here. That is where his vision comes from. She agrees that they are beautiful but she has never seen one adjacent to a residential neighborhood. Mayor Bonaccorso stated that he also never saw a factory adjacent to a residential neighborhood.

John, 29 Florence Drive, asked what the time frame is from a typical application to opening door. Mr. O'Brien stated that it could take a couple of years.

Marge, 7 Winters Court, asked about the rezoning on Westfield Avenue. Mayor Bonaccorso stated that this is a correction to the previous zone change. It is on the map, but was mistakenly left off the list.

A motion to close the meeting for questions of Mr. O'Brien was made by Mr. Koch and seconded by Mr. Zamboni. All Ayes.

A motion to open the meeting to the public for comments was made by Mayor Bonaccorso and seconded by Mr. Koch.

Bill Sesse, 61 Haliday Street, asked once it is rezoned, is it too late to rezone again if the idea gained interest to maybe add sports field,

Darion Valdivia, 9 Terry Lane, stated that he is very concerned about the traffic. He doesn't see this becoming an athletic field. There are only 3 ways the trucks can come, Valley, Raritan and Walnut. Mayor Bonaccorso stated that there are a lot of sports fields in this town. He would also love to see it. The township is trying to dig out of a deep hole from 12 years ago. To go out and have the town purchase that property would be over 30 million dollars of cost without any revenue coming in. Mayor also stated that traffic is a major concern in our town. No matter what is there, there is going to be traffic. When a developer comes forward, they might have to have the roadways improved by the applicant.

Nancy Sheridan, 26 Sandalwood Drive, stated that there has been an effort to make Westfield Avenue a downtown area. Mayor Bonaccorso stated that they are two different sites. He stated that with A&P and Jack's Tavern being vacant has been a detriment to people wanting to develop that area. There have

been a few new developments. Mayor Bonaccorso said that he spoke to the vacant property owners. The A&P owners are working on finding someone to lease the property; the Jack's property is just giving the run around. Ms. Sheridan is concerned that one development might take away from the other. Mayor Bonaccorso doesn't feel that they will be the same type of developers.

Bill Caruso, 7 School Street, doesn't think the high end stores like Nieman Marcus are going to want to come here. Mayor Bonaccorso stated that he never anticipated high end stores like that. He stated that the town cannot dictate which stores are going there, but they can regulate the size of stores. If its shoe box size store, it will be a pizzeria or nail salon. If you put a decent size store, they have to be stable enough to pay the rent. Mr. Caruso stated that he proposed a solar park which would not cost the town money. Mr. Curcio stated that he joined the board about 3 years ago. His plan was to help the youth of this town. Our children go into Westfield to walk around and shop. He always had a problem with the fact that his children had to leave our town at night to have something to do. With this plan, our children will be able to stay in our town, go to dinner with friends or shop. A solar park is great but does nothing for the youth of our community or the young mothers that just want to stroll around with a baby carriage. Mr. Caruso feels that a solar park would be low impact on the community. The senior housing will bring in more revenue along with L'Oreal. Mayor Bonaccorso stated that the solar park never put an application into this town. It was Mr. Caruso's idea that never materialized. Mr. Caruso stated that originally Gypsum wanted too much money for the property. He feels that the town should put the choice on the ballot in November. Mayor Bonaccorso stated that he sent a survey to everyone's home and 25% of the residents sent it back. This was the choice that the residents decided. Mr. Laezza did call Gypsum to inquire to them about the solar park. They said that they are not interested in being an owner of the property and becoming a utility provider. They wanted to sell. Mayor Bonaccorso stated that it was a good idea with the lowest impact on Clark, but it is not a reality.

Delia Collins, 72 Georgia Street, stated that the smoke stack is on the town seal that was made 50 years ago. She asked if there is any plan to have any age restricted housing. Mayor stated that we have age restricted property being built right now. She feels that we need more culture in the town, meeting rooms, cultural center or community playhouse. Mayor Bonaccorso stated that we have the biggest senior recreation program in the County.

Kevin Ransky, 37 Thomas Drive, stated that he works in commercial real estate. He stated that there were 4 retail offers on the site. His concern is that a developer would push the boundaries of density. He asked if the town considered hiring a formal development director. Gypsum benefits the most from this zone change. He understands that the town doesn't want to be sued or bullied. Mayor Bonaccorso stated that if there were 4 offers on the site, than he feels we are definitely doing the right thing because it must be desirable.

Gail Sweeney, 38 Alice Lane, feels that unless anyone lives on this side of town, you generally do not know what it is like to get across town. She loves the idea of making Clark more attractive. The only question is that there are other areas that are lying dormant.

Carmen Brocato, 11 Sycamore Road, stated that he is a certified appraiser and it is incorrect to say that property value will go down because we are close to the property. The only property that would be affected would be the people directly across from it, but they already have that now. He stated that if you live on a busy road, you have a deduction already.

Mike Gelnovatch, 12 Persion Avenue, Cranford, stated that he has heard a lot of positive things. He would like to state his visions. He would like someone to reach out to Cranford for input. Mayor Bonaccorso stated that when he tried to get a light put in on Raritan Road at Sunset Drive, Cranford knocked it down. He stated that he is having a meeting with the Mayor of Cranford next week. They have never included Clark in any of their decisions. He stated that if the people in the Cranford neighborhood want support from Clark than they need to have their neighborhood back Clark up when they are looking for help. Mr. Gelnovatch stated that his part of Cranford is not even considered part of the town. He gave him his word that he will work with his neighbors as long as the mayor gives him his word to at least convince his town to get them involved or give them notification. Mr. Laezza stated that he did get a call from the zoning officer in Cranford because he did get our notification and he had no interest. Mayor Bonaccorso stated that he will suggest to the Cranford Mayor to keep you informed, but the residents should also look on the Clark website which will have all agendas on there.

A motion to close the meeting to the public for comments was made by Mayor Bonaccorso and seconded by Mr. Koch. All Ayes.

Mr. Zamboni thinks that the planner and Mr. O'Connor have done a great job with the master plan. He also stated that the Board is very concerned about the traffic and will have a traffic planner to protect the residents of the town.

A motion to approve the application was made by Mr. Zamboni and seconded by Mr. Koch. Ayes: Bonaccorso, Mazzarella, Laezza, Kurzawski, Zamboni, Koch, Tarantino, Curcio.

Mr. Koch stated this plan is putting Clark's idea and driving forward what we would like to see in the area instead of a developer coming to us in the future dictating what they are putting there. The reexamination report is a good solid document.

Mayor Bonaccorso stated that this is only the first step in a long process. We are far from being done. When the time comes, we will be asking the developer for a scale of the project.

Mr. Laezza said that since he was involved in the survey and the analysis, the main concerns were the traffic. A positive note that it would generate an increase in local jobs, tax revenue, minimum of municipal services and would have a people friendly environment. We believe that this plan accommodates each of the concerns through the master plan.

5. New Business

6. Old Business

7. Public Session

A motion to open the meeting to the public was made by Mr. Koch and seconded by Mr. Tarantino. All Ayes

A motion to close the meeting to the public was made by Mr. Koch and seconded by Mr. Curcio. All Ayes

8. Next Meeting

April 4  
May 2  
June 6

9. Adjournment

A motion to adjourn the meeting was made by Mr. Koch and seconded by Mr. Tarantino. All Ayes