

MINUTES
 PLANNING BOARD REORGANIZATION MEETING
 THURSDAY - JANUARY 9, 2020 - 7:30 PM
 315 WESTFIELD AVENUE, COUNCIL CHAMBERS

In compliance with the Open Public Meetings Act (Chapter 231, P.L. 1975), adequate notice of this meeting has been provided by mailing the Annual Schedule of Meetings to the Star Ledger, Union County Local Source and TAP into Clark, by posting such Annual Meeting Schedule on the bulletin board in Town Hall reserved for such announcements and by the proper filing of said Notice with the Township Clerk. Formal action may be taken at this meeting.

This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the Board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all time.

Reorganization - Secretary opens meeting.

Official record for new members/appointments

Class I Member, Mayor Sal Bonaccorso	1/1/2020 - 12/31/2021
Class II Member, John Laezza	1/1/2020 - 12/31/2021
Class III Member, Frank Mazzarella	1/1/2020 - 12/31/2021
Class IV Member Kevin Koch	1/1/2019 - 12/31/2022
Class IV Member, Robert Tarantino	1/1/2017 - 12/31/2020
Class IV Member Matthew Casey	1/1/2019 - 12/31/2022
Class IV Member, Michael Altmann	1/1/2019 - 12/31/2022
Class IV Member, Michael Triola	1/1/2018 - 12/31/2021
Class IV Member, George Olear	1/1/2020 - 12/31/2022
Class IV Member, Alternate 1, Michael Bonaccorso, Jr.	1/1/2019 - 12/31/2020

1. Roll Call

NAME	PRESENT	ABSENT		
Mayor Sal Bonaccorso		X		
John Laezza	X			
Council Rep Frank Mazzarella	X			
Kevin Koch	X			
Robert Tarantino	X			
Matthew Casey	X			
Michael Altmann	X			
Michael Triola		X		
George Olear	X			
Michael Bonaccorso, Jr., Alternate 1		X		
Vacant, Alternate 2				
Kelly Carey, Planning Board Attorney	X			
Rich O'Connor, Township Engineer	X			
Sgt. Christian Lott, Police Dept. Rep.	X			
Chief Frank Cerasa, Fire Dept. Rep.	X			
Donna Mazzucco, Secretary	X			

2. Pledge of Allegiance

3. Election of Chairman

Secretary requested nominations for Chairman
 Mr. Laezza nominated Mr. Koch for Chairman seconded by Mr. Tarantino.
 Secretary closed nominations

Voting resulted in all Ayes, no Nays. Nomination confirmed.

Chairman takes charge of meeting

Election of Vice Chairman

Chairman requested nominations for Vice Chairman

Mr. Koch nominated Mr. Tarantino for Vice Chairman seconded by Mr. Laezza.

Chairman closed nominations

Voting resulted in all Ayes, no Nays. Nomination confirmed.

Motion to Appoint Donna Mazzucco as Board Secretary

Motion made by Mr. Laezza seconded by Mr. Koch

Voting resulted in all Ayes, no Nays. Appointment confirmed.

4. Professional Appointments: All professional appointments are made pursuant to a fair and open process and submissions have been reviewed by the Township in compliance with N.J.S.A. 19:44A-20.5

Motion to Appoint Kelly Carey as Board Attorney

Motion made by Mr. Laezza, seconded by Mr. Mazzarella.

Voting resulted in all Ayes, no Nays. Appointment confirmed.

Motion to Appoint Rich O'Connor, Township Engineer as Board Engineer

Motion made by Mr. Laezza, seconded by Mr. Triola

Voting resulted in all Ayes, no Nays. Appointment confirmed.

Motion to Appoint Kevin O'Brien, Township Planner as Board Planner

Motion made by Mr. Laezza, seconded by Mr. Mazzarella

Voting resulted in all Ayes, no Nays. Appointment confirmed.

5. Minutes

A motion to approve the minutes of November 7, 2019 was made Mr. Mazzarella and seconded by Mr. Altmann. All Ayes.

6. Correspondence

A motion to dispense with the reading of the correspondence was made by Mr. Mazzarella and seconded by Mr. Tarantino. All Ayes.

7. Request for Extension of Final Major Site Plan Approval

DWW Clark Development, LLC, Block 77, Lots 13-15 & 17 (CVS)

Michael Lario, of the firm Nehman, Perillo, Davis & Goldstein came forward on behalf of the applicant DWW Clark Development LLC to seek a one-year extension of the Final Major Site Plan Approval of Block 77, Lots, 13-15 & 17 (CVS). Mr. Lario stated that there were contractual issues between the owners of the properties that should be resolved in the coming year allowing the project to move forward. Mr. Lario then introduced Rich DiCaprio, one of the partners in the project and stated that both gentlemen will take any questions/comments from the Board.

Mr. Laezza asked for a timeline for obtaining permits and breaking ground. Mr. Lario stated that while he could not guarantee a timeline, they hoped to break ground this year. Discussion ensued. Mr. Richard DiCaprio was then sworn in and provided a scenario of where the partners are as far as negotiations, funding and obtaining approval from DEP. Mr. Mazzarella asked when remediation will be completed and Mr. DiCaprio responded that the plan has been filed with the DEP and Mr. Lario confirmed that an LSRP has been hired.

Mr. Koch stated for the public's information that this is the property on the corner of Brant and Westfield Avenues, the future site of a new CVS. Discussion ensued regarding the delay.

As there were no more questions from the Board, Mr. Laezza motioned to approve the extension seconded by Mr. Mazzarella. Roll call taken. 7 Ayes, No Nays, 3 Absent. Extension approved.

8. Site Plan

Brookside Manor Group, LLC, 1019-1037/468 Westfield Avenue, Block 63, Lots 46, 47, 49, 51

Mr. Robert Renaud, attorney for the applicant provided a brief overview of the project which consists of 42 rental units seeking front and side setback variances, along with building length, height and a free-standing sign variance. The project also helps fulfill the Township's affordable housing obligation.

Edward Dec, of the firm Guarriello & Dec in Kenilworth is the applicant's engineer. Mr. Dec was sworn in and approved by the Board. He then presented the site plan for the project.

Mr. Dec explained that the property currently consists of four lots, 2.68 acres and showed how the property fronts both Raritan Road and Westfield Avenue and a description of the neighboring properties. Mr. Dec then explained the flood zone and existing stream which present environmental concerns. Applicant has been working with NJDEP on addressing all concerns and implementing recommendations into the project design. Applicant expects NJDEP approval to be granted. Mr. Mazzarella asked about the wetland fill areas and Mr. Dec explained that it had to be a zero-sum fill and showed the areas where soil will be displaced and filled to achieve that balance and even surpass it in a positive way. Mr. Olear asked about flora and fauna risk and there is nothing at risk on this property.

Mr. Dec then continued the overview of the project including parking, ingress, egress points, grading, drainage and stormwater management. He also briefly discussed the other variances, height, sign and setbacks, lighting and landscaping. Recommendations made at the DRC meeting by the Board Engineer and Board Planner will be implemented. Mr. Koch then asked if the Board had any questions for Mr. Dec. Mr. Olear asked about the height variance and Mr. Koch asked about the density and front setback. Discussion ensued. Mr. Koch then asked about the Fire Department report which had possible issues with flow and hydrant location. Applicant will comply with all recommendations and install a hydrant near the property.

Mr. Koch then opened Mr. Dec's testimony to the Public for questioning. Seeing no one come forward, Mr. Koch closed the Public Session for Mr. Dec's testimony. All Ayes.

Michael D. Testa, Michael D. Testa Architects, Manalapan, NJ was sworn in and approved by the Board. Mr. Testa provided an overview of the building layout including unit descriptions, floor plans, trash location, parking location underneath, etc. He also stated the reason for the height variance is only to accommodate parapets and gables for a more pleasing aesthetic look architecturally. Mr. Olear asked why the building couldn't be lowered and Mr. O'Connor stated that it couldn't because of flood zone restrictions. Mr. Koch asked about the affordable housing requirements and Mr. Renaud stated that there would be six units dispersed throughout the building. Discussion ensued. Mr. Mazzarella asked about trash removal and discussion ensued.

As the Board had no more questions, Mr. Koch asked for a motion to open to the Public and questions of Mr. Testa's testimony. Seeing no one come forward Mr. Koch asked for a motion to close the public session for Mr. Testa's testimony. All Ayes.

The next witness, Mr. Joseph Staigar, was sworn in and accepted by the Board. Mr. Staigar presented the traffic report including ingress, egress and driving circulation throughout the site. He also discussed parking spaces per unit and peak trip generation in accordance with ITE standards (14 in the morning and 18 in the evening). He stated that as a residential site, the traffic generation was low compared to other past proposed uses for the site. He then discussed layout of spaces and accommodation of emergency vehicles, trash removal trucks, etc. Mr. Staigar then addressed comments in both the Engineer's report and Police Traffic report about signage. Board members asked about speed bumps and residents across the street. Board engineer asked about u-turn ability for parking and issue will be addressed, if necessary.

Mr. Staigar then addressed the Board as a Planner and presented a summary of the C1 Hardship variances requested and justification for granting the variances and approving the application. Mr. Koch questioned the need for several setback variances in order to accommodate allowable density as being a hardship. Mr. Renaud stated that the Fair Share Housing agreement designated six units for that property and 42 units were needed to accommodate the six affordable units. The height variance a C2 variance as the applicant could comply if required but it is more aesthetically pleasing with the variance. Lastly the free-standing sign variance (also C2) which would improve safety for motorists entering the site. Mr. Koch asked about a stand-alone sign

on Westfield Avenue for improved safety. Mr. Staigar stated that they didn't want to incur another variance but would be willing to install a free-standing sign there as well. Application will be amended to include a sign on Westfield Avenue.

Seeing no more questions from the Board, Mr. Koch asked for a motion to open Mr. Staigor's presentation to the public. All Ayes.

Mr. John Walsh, 11 Kenneth Place came up and stated that he disagreed with the traffic impact of the proposed building.

Seeing no one else come forward, Mr. Koch asked for a motion to close the public session for Mr. Staigar's testimony. All Ayes.

Mr. Renaud closed the presentation of this application stating that the applicant believed the variances requested created more benefit to the community than detriment and respectfully requested that the Board grant the application.

Mr. Laezza made a statement about the history of the property, the challenges, the contribution to the Fair Share Housing obligation and his recommendation that the variances be granted. Mr. Mazzarella and Mr. Koch agreed.

Motion made by Mr. Laezza to approve the application seconded by Mr. Mazzarella. Roll call taken. 7 Ayes, No Nays, 3 Absent. Application approved.

9. New Business - None

10. Old Business - None

11. Public Session

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

A motion to close the meeting to the public was made by Tarantino and seconded by Triola. All Ayes.

12. Next Meeting

February 6

March 5

April 2

13. Adjournment

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