

MINUTES
 PLANNING BOARD MEETING
 THURSDAY - FEBRUARY 6, 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.

Chairman opened meeting.

1. Roll Call

| NAME | PRESENT | ABSENT | | |
|---|---------|--------|--|--|
| Mayor Sal Bonaccorso | X | | | |
| Council Rep. Frank Mazzarella | x | | | |
| John Laezza | 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 | | |
| Kelly Carey, Planning Board Attorney | X | | | |
| Rich O'Connor, Township Engineer | x | | | |
| Det. Sgt. Christian Lott, Police Dept. Rep. | x | | | |
| Chief Frank Cerasa, Fire Dept. Rep. | | X | | |
| Donna Mazzucco, Secretary | X | | | |

2. Pledge of Allegiance

3. Minutes

A motion to approve the minutes of January 9, 2020 meeting was made by Mr. Laezza and seconded by Mr. Triola. All Ayes.

4. Correspondence

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

5. A motion to approve a Resolution for a one-year extension for DWW Clark Development, LLC, Block 77, Lots 13-5 & 17 (CVS) was made by Mr. Laezza and seconded by Mr. Triola. Roll call taken. 8 Ayes, 2 Absent. Resolution approved.

6. A motion to approve a Resolution for the Site Plan Approval for Brookside Manor Group, LLC, 1019-1037/468 Westfield Avenue, Block 63, Lots 46, 47, 49, 51 was made by Mayor Bonaccorso and seconded by Mr. Altmann. Roll call taken. 8 Ayes, 2 Absent. Resolution approved.
7. Site Plan Application - Clark Walnut Developers, LLC, 35 Walnut Avenue and 92 Valley Road, Block 155, Lots 7 & 10.

Before the witnesses for the applicant testified, Mayor Bonaccorso gave a quick review and background of the Affordable Housing laws in the State of New Jersey. For a complete presentation on Affordable Housing and its impact on Clark Township, please go to <https://clarktv36.viebit.com/player.php?hash=WZRJnIHADbxC>. Mayor Bonaccorso stated that this project is the result of a Redevelopment Agreement that has been negotiated with the Developer and approved by the State as part of our COAH obligations. Rejection of this application by the Board could result in severe implications for the Township including a "Builder's Remedy" lawsuit. Mayor Bonaccorso also explained the PILOT Program that will be in place of regular taxes on this project and the benefits to the Township.

Mr. Peter Flannery of the firm Bisgaier Hoff, LLC, attorney for the applicant, was sworn in and approved by the Board. Mr. Flannery gave a quick overview of the project and introduced the first witness, Mr. Avelino Martinez of the firm, Blackbird Group Architects.

Mr. Martinez was sworn in and approved by the Board. He stated that the project consisted of 177 dwelling units. There are two buildings, one with 93 units and one with 84 units. He then went over the general building arrangements including number of stories, parking, elevator, stair and trash locations, unit descriptions, etc. He also described the exterior and interior aesthetics of the buildings and units. He reviewed trash removal procedures and confirmed handicap accessible areas are in compliance. He then briefly discussed the outside areas including the community center, pool and gazebo. Mr. Martinez concluded his testimony. Mr. Koch asked about the clustering of the affordable units and discussion ensued.

Seeing no more questions from the Board, Mr. Koch asked for a motion to open to the public the testimony of Mr. Martinez. Ms. Kathy Switek, 490 Parkway Drive came forward and asked about the impact on the town. She was told to ask her question during the general public session for this application as this session was only for the testimony just heard.

Seeing no one else come forward, public session on Mr. Martinez testimony was closed.

The next witness to testify was Mr. Michael Junghans of Kimberly-Horn and Associates, applicant's engineer. Mr. Junghans was sworn in and approved by the Board. Mr. Junghans described the current state of the site and previous uses. He discussed parking for residents which will be on the ground floor of each building and visitor parking throughout the site. He stated that the impervious coverage will be reduced and water treatment provided for excess water in the parking areas. He discussed Fire Department access, traffic circulation throughout the site, trash removal and landscaping and snow removal. He described the monument sign for the complex and exterior of the site (i.e., pool, gazebo, sidewalks, etc.) The Board had some questions about the residential parking, possibility of a playground and details about the stormwater treatment. Mr. Junghans stated that residents will have assigned parking and provided details of the stormwater treatment.

The Township Planner, Mr. Kevin O'Brien came up and asked about the sign at the entrance to the complex and discussion ensued about the need for a variance for the sign. Applicant agreed to ask for a variance for the sign and agreed to the other items in the Planner's report that had not been addressed.

Seeing the Board had no more questions of this witness, the public session was opened. Mr. Harold Donovan, 500 Parkway Drive came up and questioned the removal of a septic tank and the subsequent sink hole created. Mr. Tony DiGiovanni of Clark Walnut Developers, the

applicant, came up was duly sworn. He explained that the history of the site includes a rail spur and industrial uses. Therefore, a \$2 Million total environmental cleanup is ongoing in accordance with a documented plan approved by the State DEP. Licensed Site Remediation Professionals (LSRP's) and Supervisors are on site throughout the process (including tank removals) to ensure compliance and complete required documentation.

Mr. DiGiovanni then again questioned the need for a sign variance and it was determined that it was in the best interest of the applicant to ask for the variance for the sign to avoid having to come before the Board at a later date.

The next witness was Mr. Adam Gibson of the firm Kimberly-Horn, traffic engineer for the applicant. Mr. Gibson was sworn in and approved by the Board. Mr. Gibson reviewed the present use of the site versus the proposed use and the traffic generation difference. At the expense of the applicant, intersections will be modified to enhance the flow of traffic in a safer and more efficient manner. He also reviewed the entrances and exits for the site. There were some questions from the Board about the trip generation and discussion ensued. Mr. Mazzarella asked about a separate entrance for trash haulers and Mr. DiGiovanni stated that compactors will be moved to the end of the driveway on pickup day and the haulers will come during designated hours to insure quick and efficient pick up. The Township Engineer, Mr. Richard O'Connor stated that a smaller sign at the Valley Road entrance would be a good idea and applicant agreed. Mr. Triola had a question about the entrance and exit rules and Mr. DiGiovanni responded.

Mr. Jay Troutman, traffic engineer for the Township discussed the traffic signal improvements on both Walnut and Valley Road intersections and the addition of a third lane on Valley Road along with road widening. Mr. Troutman asked about parcel delivery and Mr. DiGiovanni described where the mailboxes were in each building and the accommodation for parcel delivery.

Seeing no more questions from the Board, public session was opened for this witness and as no one came forward, public session was closed.

As there were no more witnesses for the applicant, general public session for this application was opened.

Ms. Kathy Switek, 490 Parkway Drive came forward and asked how this development might impact the Fire Department and the schools. Mayor Bonaccorso responded by saying that our Fire Department was sufficient for now and that with mutual aid including Cranford right down the road, it would not be an issue. In response to the school impact, Mayor Bonaccorso stated that most apartment dwellers might have small children but would most likely move to a house before they went to school, so it should not be an issue. Discussion ensued. She then asked about traffic and further discussion ensued.

Ms. Renee Wanko-Finan, 93 Valley Road came forward and asked about the changes to the Valley Road intersection and was satisfied to confirm the road will be widened on the applicant's side to accommodate the improvements.

Seeing no one else come forward, public session for this application was closed.

Mr. Flannery came forward to close out the presentation.

Mr. Laezza made a motion to approve the application to include the sign variance and the flag pole installation agreed to by the applicant. Motion seconded by Mr. Tarantino. Roll call taken. 8 Ayes, 2 Absent. Application approved.

8. New Business

None

9. Old Business

None

10. Public Session

Motion made by Mr. Tarantino to open the session to the public for general questions, seconded by Mr. Altman. All Ayes.

Seeing no one come forward, motion made by Mr. Laezza to close the public session seconded by Mr. Triola. All Ayes.

10. Next Meetings

March 5

April 2

May 7

11. Adjournment

A motion to adjourn the meeting was made by Mr. Laezza and seconded by Mr. Altman. All Ayes.