

MINUTES
 PLANNING BOARD MEETING
 THURSDAY - AUGUST 4, 2022 - 7:30 PM
 315 WESTFIELD AVENUE

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, Union County Hawk 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 times.

1. Roll Call

NAME	PRESENT	ABSENT		
Mayor Sal Bonaccorso	X			
James Ulrich	X			
Council Rep James Minniti		X		
Kevin Koch	X			
Michael Triola		X		
Matthew Casey		X		
Michael Altmann	X			
George Olear	X			
Erik Jacobsen	X			
Lance Steinberg, Alternate 1	X			
Albert Cruz, Planning Board Attorney	X			
Rich O'Connor, Township Engineer	X			
Det. Andrew Medeiros, 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 May 5, 2022, was made by Mr. Altmann and seconded by Mr. Steinberg. All Ayes.

4. Correspondence

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

5. Site Plan Application

Raritan Road Holdings, LLC, 1072 Raritan Road, Block 60, Lots 60.01, 61, 62 and 63

Steve Hehl of the firm Javerbaum, Wurgraft, et al, attorney for the applicant, gave a brief overview and background for the project. He described the current status of the property and the CubeSmart storage facility that the applicant is proposing. He further described the amenities this project would bring to the site (i.e., landscaping, lighting, new sidewalks, asphalt, etc.) and the willingness of the applicant to adhere to all Township requirements.

Mr. Frank Crivello, representing Storage Deluxe, the owner of the property provided some background about his responsibilities and the company in general. Mr. Crivello then described the current common uses of storage facilities today. He stated that there will be two office personnel and one maintenance person on site during office hours (M-F, 9:00 a.m. to 6:00 p.m. S/S 9:00 a.m. - 5:00 p.m.) but that the facility itself is open 24/7. Security is monitored 24/7 as well with access codes restricted to building, floor and unit as appropriate. Mr. Crivello stated that the leases for each unit include rules prohibiting certain items (food, hazardous materials) and prohibiting dumping of unwanted items at the facility all monitored by security cameras. Mr. Crivello described the amenities of the proposed site and maintenance practices and lastly confirmed that all required items in the reports by the Township will be met.

Mr. Koch asked about the apartment on site and Mr. Crivello stated that it is no longer practiced in the industry and about staff hours.

The first witness was Mr. Zachary Chaplin of the firm Stonefield Engineering & Design, Rutherford, NJ. He was sworn in and accepted by the Board. Exhibit A-1 is an aerial view of the site and existing conditions and the goals of improving the site with this project. Exhibit A-2 is a site plan with the landscaping colorized. Mr. Chaplin described the square footage of the building floors, access, landscaping, lighting, parking, office location, drainage, trash placement and loading/unloading process. Exhibit A-3 shows the vehicle maneuvering process including a recessed loading area common with newer storage facilities. Exhibit A-4 shows the monument sign which will require a variance for the height of 10 feet. Mr. Chaplin then presented the traffic report highlighting that storage facilities have among the lowest trip generation numbers compared to other uses.

Mr. Koch asked about consolidating the access with the Acme entrance and Mr. Chaplin stated that because the trip generation of the storage facility was so low, it didn't make sense to consolidate the two access points. Mr. Koch agreed and asked about the accuracy of the trip generation of the old uses. Mr. Chaplin stated that the number was based on ITE criteria, not actual observation.

Mr. Olear asked about the traffic signal timing which would not be changed, the number of parking spaces (9 required, 10 are proposed) truck maneuvering which would not be an issue as the chance of two box trucks being on site at the same time would be rare. Mr. Olear also asked about the green roof maintenance (twice a year) and storm sewers. Mr. Chaplin stated that the porous parking lot would help with drainage and the roof drains lead to the wetlands in the back. All stormwater maintenance would be in a manual that would be followed. Mr. Steinberg asked about vehicle access and entrance to the building.

The next witness was Mr. James Dankovich of BWD Architects, Architect for the applicant. He was sworn in and accepted by the Board. Mr. Dankovich presented Exhibit A-5 (1st and 2nd floors) and A-6 (3rd floor and roof) plans of the building, access to the buildings and floors and security. He described the plantings that will be on the green roof and the maintenance plan for them. Mr. Dankovich presented Exhibit A-7 which shows the front elevation, Exhibit A-8 showing the rear elevation and Exhibit A-9 showing the side of the building facing adjacent property. He then described the design and structure of the building on each side and the signage with the higher monument sign needed for ease of visibility.

Mr. Olear asked if the glazing on the building is translucent, and Mr. Dankovich confirmed that it was and that the upstairs window looks into a replica of the storage units to allow the public to see that it is a storage facility.

Mr. Alex Dougherty, Planner for the project was sworn in and accepted by the Board. Mr. Dougherty presented Exhibit A-10 an outline of the building and drone photographs of the existing site. He described the justification for the two variances required for the project (sign height and glazing percentage) and the overall fit of the project with the Redevelopment Plan. The sign height is needed because cars exiting the Acme and waiting for the light will block visibility of the sign at six feet. The glazing percentage variance is needed because the use as a storage facility does not require many windows.

As there were no further witnesses or questions from the Board, the meeting was opened to the Public for the three witnesses that testified. As no one came forward, Public Session was closed, and Mr. Hehl provided closing remarks.

Mr. Cruz asked that the applicant state each of the required conditions of the Township Professionals and confirm the applicant's agreement to each one including outside agencies, as follows:

Township Planner's Report dated 8.1.22

Items 1 through 4; Snow Removal Plan, Security Lighting Plan, Revised Landscape Plan and Hairpin Striping on parking lot are all agreed to by Applicant.

Engineer's Report dated 7.11.22

Item 2.1 County approval, 2.2. sidewalk replacement, 2.3 - signage for maintenance of porous parking lot, 3.1 Sanitary Sewer and Development Fees, 3.2 and 3.3 Stormwater Maintenance Manual and associated logs and permit fees all agreed to the Applicant. Item 4.4 Electric Vehicle Charging Infrastructure is not required as there are only ten parking spaces. Item 5.1 Changing Arborvitae's to Leland Cypress trees and confirmation of hours of operation (M-F 9:00 a.m. - 6:00 p.m. and S/S 9:00 a.m. - 5:00 p.m.) all agreed to by the Applicant.

Fire Report dated 7.13.22

Items 1-4; Fully Sprinklered Building, FTC Connections on exterior Smoke Detection, Horn/Strobe location and Key Box for access are all agreed to by the Applicant.

The meeting was opened to the Public for any comments on this application and closed as no one came forward.

Motion to approve application made by Mr. Koch and seconded by Mr. Altmann. Roll Call. 7 Ayes, 0 Nays. Application Approved.

6. Presentation and Public Hearing on Redevelopment Study and Preliminary Investigation Report for Block 91, Lots 8.01, 10.01, 36 and 37 with frontage along Westfield Avenue and Washington Street.

Mr. Paul Ricci, new Township Planner came forward to present the Study to the Board and was sworn in by Mr. Cruz.

Mr. Ricci explained that this was a non-condemnation redevelopment study and therefore, none of the properties affected would be condemned by the Township. The Property owners would have to give permission for development. He then proceeded to explain that the purpose of the Study is to determine if the affected site meets the criteria for an Area of Redevelopment. Mr. Ricci described the uses presently on the site. He stated that the area in the Study is in the Downtown Village District of the Township. The DTV area was designated as part of the 2003 Master Plan to encourage development over time to create a downtown area in Clark. Mr. Ricci identified the Redevelopment criteria that apply to the site (a, d, and h). He then described further the condition of the properties in the Study and how the criteria applied to these properties. Mr. Ricci concluded his presentation.

Mr. Koch commented about the criteria and asked for confirmation that the Township would not be responsible for compensating/relocating the current property owners. Mr. Ricci stated that the Redeveloper would be responsible. Mr. Cruz added that since this would be a non-condemnation designation, the selling of property would be strictly voluntary, and all compensation would be negotiated between the Redeveloper and the property owners.

Mr. Jacobsen asked several questions about the rights and possible impacts to the current property owners and Mr. Olear asked about individual property ownership. Discussion ensued and Mayor Bonaccorso stated that the owner of three of the four properties was a Township employee. Mr. Ulrich, the Township Business Administrator, read communication from the Department of Community Affairs stating that there would be no conflict of interest. Mayor Bonaccorso provided comments on his support of this project and his desire for the downtown to be successful.

Mr. Altmann asked for further clarification of the property owners as there are different business names but one common owner for three of the four properties. Mr. Jacobsen asked if the property owners were properly noticed, and Mr. Cruz confirmed that they were.

Seeing no more questions from the Board, the meeting was opened to the Public for any questions and/or comments on the study.

Mr. Katherine Herson, came forward as power of attorney for Jane Bernasky, current resident of one of the homes in the Study. Ms. Herson stated that Ms. Bernasky does not want to participate in this redevelopment and wishes to stay in her home.

Mr. James Bernasky came forward next stating that he was Jane Bernasky son and read a letter from his mother objecting to the redevelopment study and plan. Mayor Bonaccorso assured Mr. Bernasky that the Township would never put anyone out of their home and Mr. Koch asked Mr. Cruz to verify that this is a non-condemnation redevelopment, therefore no current owner would be forced to sell. Mr. Cruz verified the same.

Mr. Koch asked Mr. Cruz if the Study is approved does the Plan have to include all four properties. Mr. Cruz stated that if approved, it goes back to the Council to authorize a Redevelopment Plan which will then come back to the Board once created. These decisions have not been made yet. A lengthy discussion ensued regarding this topic.

Mr. Jacobsen asked about the affect on the other homeowners on Washington Street and Mr. Ricci stated that the DTV designation has been in place since 2003 as part of our Affordable Housing requirements and our Master Plan. Discussion ensued.

Mr. Cruz stated that the resolution would be amended to reflect that there were comments and objections from the property owners in the Study.

Seeing no more comments from the Board, Mr. Steinberg made a motion to approve the Study seconded by Mr. Olear. Roll Call. 6 Ayes, 1 Nay, 3 Absent. Redevelopment Study Approved.

7. Public Session

A motion was made by Mr. Altmann to open the meeting to the Public and seconded by Mr. Steinberg. All Ayes.

Seeing no one else come forward, a motion to close the Public Session was made by Mr. Altmann and seconded by Mr. Steinberg, All Ayes.

9. New Business

Mr. Koch asked about the charging stations at the Acme and if they went before any Boards and Mr. O'Connor stated that they were exempt from site plan requirements.

10. Next Meeting

September 1
October 6
November 3

11. Adjournment

Mr. Koch asked for a motion to adjourn the meeting made by Mr. Altmann and seconded by Mayor Bonaccorso. All Ayes. Meeting Adjourned.