

MINUTES
PLANNING BOARD MEETING
THURSDAY – FEBRUARY 2, 2017 - 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.

Chairman opens meeting.

1. Roll Call

NAME	PRESENT	ABSENT		
Mayor Sal Bonaccorso		x		
Council Rep. Frank Mazzarella	X			
John Laezza	X			
Mike Kurzawski	X			
Kevin Koch	X			
Robert Tarantino	X			
Matthew Casey	X			
Michael Altmann	X			
Michael Triola	X			
George Olear, Alternate 1	X			
Michael Bonaccorso, Jr., Alternate 2	X			
Kelly Carey, Planning Board Attorney	X			
Rich O'Connor, Township Engineer	X			
Det. Brian Pereira, 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 5, 2017 was made by Mr. Laezza and seconded by Mr. Koch. All Ayes

4. Site Plan Review

A. Clark Terminal Avenue West, 175, 195 & 225 Terminal Avenue, Block 60, Lots 1.01, 1.02, 71, 72 & 73.

Steve Hehl, Esq. presented an overview on installation of additional parking at the above referenced site where Retro Fitness and L'Oreal are located. Parking presently deficient under Township ordinance and as a practical matter to service current businesses. Lighting and landscaping will be added and improved. DRC meeting held and reports given to applicant by both Richard O'Connor and Kevin O'Brian making application more complete as it comes before the Board. No structures will be erected.

Gregory Oman, Site Engineer was sworn in by Planning Board Attorney Kelly Carey. He is a Principal of Menlo Engineering and has been employed by them for 18 years. He is also a licensed Engineer in the State of New Jersey for over 14 years and has testified in front of numerous boards. He was

accepted as an expert by Mr. Koch and seconded by Mr. Tarentino. Mr. Oman presented an overview of the existing conditions and proposed improvements to the site.

Exhibit A-1 - Existing Conditions

Exhibit A-2 – Proposed Changes

Mr. Oman explained that Exhibit A-1 uses an aerial photo to show an overlay of the site. Block 60, Lots 1.01 and 1.02 fall into CI (commercial industrial) zone and Block 60, Lots 71, 72, & 73 fall into the R-B (multi-residential/town home). Site fully developed with fitness center and office/manufacturing L'Oreal building and two two-story one family homes. There are 287 parking stalls, Township ordinance requires 592 parking stalls, 305 parking stalls short. He explained the current driveways in and out movement on the site and the current impervious coverage numbers.

Mr. Oman then presented Exhibit A-2 which showed the proposed changes to the site. He explained that there would be no changes to the buildings, just expanding the parking lot behind the buildings. They will be taking down two of the single family homes and restriping half of the parking lot. Also expanding the thruways and adding 137 parking spaces for a total of 424. Landscaping will be added per recommendations from the DRC meeting. New lighting will be added as well as an underground detention basin with a water quality device to handle TSS removal in compliance with County and State requirements. Impervious coverage will increase and approval will be needed by Union County Planning Board and Somerset Union Soil Conservation District as over 5,000 sq. ft. of soil will be disturbed. Project will improve circulation and safety for L'Oreal employees with added walkways and guardrails.

Questions and Comments on Mr. Oman's presentation:

Mr. Triola asked if the letters issued by Mr. O'Connor were reviewed and if project will be in compliance with all terms and conditions identified. Mr. Oman said they will and added the following recommendations made at the DRC meeting will be complied with as well:

- Extending sidewalk along frontage on Westfield Avenue.
- Minimize spillage onto Westfield Avenue as a result of new light fixtures.

Mr. Koch asked if there will be any increase in people due to the parking lot expansion. Mr. Oman said that over time they may grow slightly as L'Oreal does plan to stay at this location.

Mr. Olear questioned the number of Handicap Accessible spots and Mr. Oman replied that there will be nine ADA spots off Terminal Avenue closest to the buildings.

Ms. Carey asked if the stormwater easement toward the north corner was for benefit of the site or the neighboring property owner and if there was any impact. Mr. Oman replied that there was no changes to that easement.

Mr. Kurzawski asked Mr. O'Connor if he had any further questions or comments and Mr. O'Connor said the applicant had been very cooperative and he had no further questions.

Seeing no more questions from the Board, Mr. Kurzawski asked for a motion to open up the Public Session for questions of Mr. Oman's testimony only. Motion made by Mr. Koch and seconded by Mr. Tarantino. All Ayes.

Mr. Thomas Kowalczyk of 27 Garside Place asked to look at the drawing which he reviewed. He asked if two homes being taken down are currently zoned for Townhouses. Ms. Carey replied the Townhouse zone allows for parking for associated properties so it is also permitted. It is called a Residential Townhouse zoned district and the parking lot is a permitted use. Mr. Kowalczyk then asked if the property around the bend would contain additional townhouses. Ms. Carey replied that yes, they were previously approved. He then asked about a rumor of L'Oreal downsizing and therefore not needing additional parking. Mr. Kurzawski said we had no knowledge of that rumor and it had nothing to do with the application. Mr. Laezza said that L'Oreal was going to build a

research and development plant across the street from the site. He then asked if parking can be used for any other purpose as it was being rezoned. Ms. Carey replied that that it was a permitted use and there was no need for rezoning. Mr. Tarantino added that the parking was for the existing buildings. If anything changed, they would have to come back to the board.

Mr. Jim Fishetti of 1159 Old Raritan Road asked if the Villa's house would be removed. The answer was yes and he then asked if shrubbery would be installed in front of parking lot by Retro Fitness. His concern was getting in and out of his driveway and lights shining on his residence at night. Mr. Oman reiterated landscaping will be installed.

Mr. O'Connor explained to Mr. Oman that all landscaping had to be approved by the Acting Township Shade Tree Director and he described what would most likely be required. Mr. Oman said they would comply with whatever trees and/or shrubbery was recommended.

Motion to close this part of the Public Session moved by Mr. Koch and seconded by Mr. Triola. All Ayes.

Mr. Jay Troutman, Professional Traffic Engineer was sworn in by Ms. Carey. Motion to accept his qualifications made by Mr. Laezza and seconded by Mr. Koch. All Ayes.

Mr. Troutman provided overview of traffic, site circulation and adequacy of additional parking and safety throughout the site. The project will bring the parking associated with the buildings more compliant with code. He also reviewed all the access ways into the parking lot and changes associated with this project. Mr. Hehl asked if Mr. Troutman had reviewed all recommendations identified at the DRC Meeting and he said yes.

Mr. Koch asked if Westfield Avenue exit will be right turn only. Mr. Troutman replied that the exit will be right turn only but the entrance will be left or right turn in. Mr. Troutman said traffic study reveals that most frequent use of that driveway is right turn in.

Motion to open Mr. Troutman's testimony to the public was made by Mr. Altman and seconded by Mr. Triola. All Ayes.

Mr. Tom Kowalczak, 27 Garside Place asked if the exit onto Westfield Avenue by Retro Fitness would be left turn only all the time or only at certain periods during the day. The answer was at all times as recommended by the Township.

Motion to close this part of the Public Session made by Mr. Koch and seconded by Mr. Altman. All Ayes.

Ms. Beth Strom was sworn in by Ms. Carey. She is a Licensed Landscape Architect and Professional Planner employed by Menlo Engineering since 2000 and has testified before this and other boards. Motion to accept Ms. Strom's qualifications was made by Mr. Koch and seconded by Mr. Tarantino.

Ms. Strom provided the planning justification for variances associated with the plan. Variances require modest increases in what is there today for impervious coverage (75% to 88.3%) and open space reduced from 24.7% to 10.1%. Also reducing parking deficit. Worthy to note that impervious coverage and open space requirements were intended for residential use. The current use is not out of line. Variances reviewed and Project does not cause substantial detriment to public good and benefits outweigh any detriment in accordance with Land Use Law. All changes associated with project will improve traffic circulation, safety, lighting, drainage and aesthetics at the site.

Michael Bonaccorso asked if anything else can be done to the site. Ms. Strom replied the addition of Leland Cypress trees would be beneficial and provide a denser wall and could be accomplished. She was then asked how many trees would be removed and installed. She replied that 23 were being removed and 32 proposed. She was asked if drainage would be affected and Ms. Strom said drainage would be improved.

Motion to open this portion up to the public made by Mr. Koch and seconded by Mr. Tarantino. All Ayes.

Mr. Tom Kowalczak, 27 Garside Place questioned the need for 24-hour lighting. Ms. Strom said lighting spillage was addressed and landscaping will grow to help in this area. Mr. O'Connor said 24-hour lighting would be needed for 24 hour operation of L'Oreal.

Motion to close this portion of public session made by Mr. Koch and seconded by Mr. Triola. All Ayes.

Mr. Hehl said there was no further testimony associated with the application. All Professionals were open to any questions, but formal presentation was concluded.

Motion to open Public Session of the meeting made by Mr. Triola and seconded by Mr. Laezza. All Ayes.

Motion to close Public Session made by Mr. Mazarella and seconded by Mr. Triola. All Ayes.

Mr. Koch recommended approval of application which was seconded by Mr. Laezza.

Mr. Koch made a motion to approve the application which was seconded by Mr. Triola and vote was taken. All voted Affirmative by Roll Call. Application Approved.

6. New Business

None

7. Old Business

None

8. Public Session

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

No one from the public appeared and therefore, a motion to close the meeting to the public was made by Mr. Koch and seconded by Mr. Tarantino. All Ayes.

Ms. Carey felt Executive Session required to discuss changes to housing element of the Master Plan since it addresses a settlement of pending litigation. Open Public Meetings Act allows for closed session due to pending litigation and to maintain attorney client confidentiality. Minutes will be released and made public when litigation and all appeals are finished.

Motion to go into Public Session made by Mr. Mazarella and seconded by Mr. Koch. All Ayes.

Public Meeting came back into session and Ms. Carey stated that the Executive Session was held to discuss the status of the affordable housing litigation and the history of Clark relative to the housing settlement and pending plans and requirements were discussed. Should a special meeting be required, all parties will be notified.

9. Next Meeting

March 2

April 6

May 4

10. Adjournment

Motion made by Mr. Koch and seconded by Mr. Triola. All Ayes.