

## **PLANNING BOARD REORGANIZATION MINUTES – JANUARY 18, 2023**

### **WORKSHOP PORTION**

Molly Kellett (2022 Chair) called the meeting to order at 6:35 p.m.

#### **ROLL CALL:**

##### **Members Present:**

Ms. Kellett  
Mr. Nordelo  
Ms. Didzbalis  
Deputy Mayor Gareis  
Ms. Pedde  
Commissioner Prunty (as Mayor's Designee and Class I Member)  
Ms. Rappa  
Ms. Sen  
Mr. Taylor

##### **Members Absent:**

None

##### **Alternates Present:**

Mr. Leber  
Mr. Pistol

##### **Alternates Absent:**

None

##### **Also present:**

Jonathan Drill, Esquire, (2022 Legal Counsel), Kathy Lenahan, Board Administrator,

### **1. SWEARING IN OF NEW MEMBERS**

Kathleen Miller Prunty, as the Mayor's Designee and Class I Member, for the balance of the Planning Board Application PB22-002, 750 Walnut Avenue, was sworn in by Jonathan Drill, Esquire.

Jason Gareis, Deputy Mayor/Class III member for a one-year term ending December 31, 2023 was sworn in by Jonathan Drill, Esquire.

Juan Carlos Nordelo, Class II member for a one-year term ending December 31, 2023 was sworn in by Jonathan Drill, Esquire.

Donna Pedde, Class IV member for a four-year term ending December 31, 2026 was sworn in by Jonathan Drill, Esquire.

Molly Hurley Kellett, Class IV member for a four-year term ending December 31, 2026 was sworn in by Jonathan Drill, Esquire.

David Leber, Alternate No. 1 member for a two-year ending December 31, 2024 was sworn in by Jonathan Drill Esquire.

## **2. ELECTION OF OFFICERS**

A motion to nominate Molly Hurley Kellett as Chair, was made by Commissioner Prunty, seconded by Ms. Didzbalis, and passed on roll call vote.

Affirmative: Ms. Kellett, Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis,  
Ms. Pedde, Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor

Opposed: None

A motion to nominate Juan Carlos Nordelo as Vice-Chair, was made by Ms. Rappa, seconded by Ms. Pedde and passed on roll call vote.

Affirmative: Ms. Kellett, Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis,  
Ms. Pedde, Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor

Opposed: None

A motion to nominate Kate Rapp, as Chair Pro Temp was made by Ms. Didzbalis, seconded by Ms. Pedde and passes on roll call vote.

Affirmative: Ms. Kellett, Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis,  
Ms. Pedde, Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor

Opposed: None

## **3. APPOINTMENT OF BOARD ATTORNEY**

A motion to nominate Jonathan Drill, Esq. as Planning Board Attorney, was made by Mr. Nordelo, seconded by Commissioner Prunty and passed on roll call vote.

Affirmative: Ms. Kellett, Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis,  
Ms. Pedde, Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor

Opposed: None

## **4. APPOINTMENT OF ADMINISTRATOR**

A motion to appoint Kathy Lenahan as Board Administrator was made by Mr. Nordelo, seconded by Mr. Taylor, and passed on roll call vote.

Affirmative: Ms. Kellett, Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis,  
Ms. Pedde, Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor

Opposed: None

## **5. APPOINTMENT OF BOARD ENGINEER**

A motion to nominate Colliers Engineering & Design Inc., as Board Engineer for a one-year term ending December 31, 2023 was made by Ms. Pedde, seconded by Mr. Taylor and passed on roll call vote.

Affirmative: Ms. Kellett, Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis,  
Ms. Pedde, Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor

Opposed: None

## **6. APPOINTMENT OF PLANNING CONSULTANT**

A motion to nominate Colliers Engineering & Design, as the primary Board Planner and Topology LLC, as secondary Board Planner, as needed, on applications commensurate with their area of expertise, was made by Commissioner Prunty, seconded by Mr. Nordelo and passed on roll call vote:

Affirmative: Ms. Kellett, Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis,  
Ms. Pedde, Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor

Opposed: None

## **7. DESIGNATION OF OFFICIAL NEWSPAPER**

A motion to designate The Westfield Leader and/or The Star Ledger as the Planning Board official newspaper(s), was made by Ms. Pedde, seconded by Mr. Taylor, and passed on roll call vote:

Affirmative: Ms. Kellett, Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis,  
Ms. Pedde, Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor

Opposed: None

## **8. ADOPTION OF RULES AND REGULATIONS**

A motion to adopted the 2023 Planning Board Rules and Regulations, as amended, was made by Mr. Nordelo, seconded by Ms. Didzbalis, and passed on roll call vote:

Affirmative: Ms. Kellett, Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis,  
Ms. Pedde, Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor

Opposed: None

**9. COMMUNICATIONS**

None

**10. RESOLUTIONS OF MEMORIALIZATION**

None

**11. MINUTES**

None

**12. OLD/NEW BUSINESS**

None

**13. CLOSED SESSION**

A motion to go into closed session where confidentiality is required for the Planning Board attorney to exercise his ethical duties as a lawyer, namely, legal advice regarding the legal standards that the Board members should consider in their deliberations on the Hartz 750 Walnut Avenue application, was made by Mr. Nordelo, seconded by Ms. Pedde, and passed on roll call vote.

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde, Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor

Opposed: None

**14. ADJOURNMENT**

There being no further business, a motion to adjourn the Workshop portion and move into the Official meeting was regularly made, seconded and passed.

A motion to close the Closed Session and return to Open Session was made by Mr. Nordelo, seconded by Ms. Sen and passed on unanimous voice vote;

**PUBLIC HEARING – COUNCIL CHAMBERS**

**1. STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT**

Mr. Nordelo called a public meeting of the Cranford Planning Board to order on January 18, 2023 at 8:02 p.m. in Room 107 of the Municipal Building, 8 Springfield Avenue, Cranford, New Jersey. Mr. Nordelo announced this meeting is in compliance with the "Open Public Meetings Act" as adequate notice of this meeting has been provided by publishing of the Board's annual schedule of meetings in the Westfield Leader and the Star Ledger with the agenda specifying the time, place and matters to be heard having been posted on a bulletin Board in the Town Hall reserved for such announcements and the filing of said agenda with the Township Clerk of Cranford. Formal action may be taken at this meeting.

**2. FLAG SALUTE**

### 3. ROLL CALL

**Members Present:**

Mr. Nordelo  
Ms. Didzbalis  
Deputy Mayor Gareis  
Ms. Pedde  
Commissioner Prunty (as Mayor's Designee and Class I Member)  
Ms. Rappa  
Ms. Sen  
Mr. Taylor

**Members Absent:**

Ms. Kellett - Recused herself for the 750 Walnut application only

**Alternates Present:**

Mr. Leber  
Mr. Pistol

**Alternates Absent:**

None

**Also present:**

Jonathan Drill, Esq., Kathy Lenahan Board Administrator, Jacque Dirmann, Board Engineer, Nick Dickerson, Board Planner, Kevin Nollstadt, Board Stormwater Engineer

### 4. Deliberation & Voting on Application #PB-22-002

Applicant: Hartz Mountain Industries Inc.  
750 Walnut Avenue  
Block: 541 Lot: 2

The applicant in this matter is seeking Preliminary and Final Major Subdivision, Preliminary and Final Major Site Plan – Residential and Preliminary and Final Major Site Plan – Non-Residential

Mr. Drill read from the Jury Charge which he prepared and sent to all the Board members on January 6, 2023. This document was also posted to the Planning Board website. Stated that the Board did go into closed session to get Attorney-Client privileged legal advice. Suggested that the Board Chair (Mr. Nordelo), go through all the pieces of relief requested and ask if any of the Board members had any comments. The Board should then straw poll each question from the Jury Sheets that he also prepared. Mr. Drill also reviewed the suggested conditions that he sent out on January 6, 2023 to the Board members. Reviewed which members could participate in the straw polling, deliberations and voting.

Mr. Nordelo made a motion that the Board use the procedures outline by Mr. Drill, which was seconded by Ms. Pedde and passed on roll call vote:

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde,  
Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor, Mr. Leber

Opposed: None

Mr. Nordelo read each piece of relief from the Jury Charge/Jury Deliberation Sheets  
(which will be attached to these minutes) as follows:

#1 - Members commenting on this relief were: Mr. Nordelo, Ms. Didzbalis, Commissioner  
Prunty, Mr. Leber and Ms. Sen

Straw Poll for #1A from Deliberations Sheets:

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde,  
Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor, Mr. Leber

Opposed: None

Straw Poll for #1B from Deliberation Sheets:

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde,  
Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor, Mr. Leber

Opposed: None

#2 – Members commenting on this relief were: Mr. Nordelo, Commissioner Prunty,  
Ms. Pedde, Ms. Rappa, Deputy Mayor Gareis, Mr. Leber

Straw Poll for #2A from Deliberations Sheets:

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde,  
Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor, Mr. Leber

Opposed: None

Straw Poll for #2B from Deliberation Sheets:

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde,  
Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor, Mr. Leber

Opposed: None

#3 – Members commenting on this relief were: Commissioner Prunty, Ms. Sen,  
Mr. Taylor, Deputy Mayor Gareis, Mr. Leber, Ms. Didzbalis, Ms. Pedde, Mr. Nordelo

Straw Poll for #3A from Deliberations Sheets:

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde,  
Commissioner Prunty, Ms. Rappa, Mr. Taylor, Mr. Leber

Opposed: Ms. Sen

#4 – Members commenting on this relief were: Mr. Taylor, Mr. Nordelo, Ms. Didzbalis

Straw Poll for #4A from Deliberations Sheets:

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde,  
Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor, Mr. Leber

Opposed: None

#5 – Members commenting on this relief were: Mr. Taylor, Commissioner Prunty

Straw Poll for #5A from Deliberations Sheets:

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde,  
Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor, Mr. Leber

Opposed: None

#6 – Member commenting on this relief was: Mr. Nordelo

Straw Poll for #6A from Deliberations Sheets:

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde,  
Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor, Mr. Leber

Opposed: None

#7 – Members commenting on this relief were: Mr. Taylor, Deputy Mayor Gareis,  
Mr. Leber

Straw Poll for #7A from Deliberations Sheets:

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde,  
Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor, Mr. Leber

Opposed: None

#8 – Members commenting on this relief were: Mr. Pistol, Ms. Rappa, Mr. Taylor, Commissioner Prunty, Mr. Leber, Deputy Mayor Gareis, Mr. Nordelo

Straw Poll for #8A from Deliberations Sheets:

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde, Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor, Mr. Leber

Opposed: None

Straw Poll for #8B from Deliberations Sheets:

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde, Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor, Mr. Leber

Opposed: None

#9A Does the plan comply with all provisions of the Redevelopment Plan and the RSIS – answer was “No”

#9B – Members commenting on this relief were: Ms. Sen, Mr. Nordelo, Commissioner Prunty, Ms. Pedde, Mr. Leber, Ms. Didzbalis, Ms. Rappa, Mr. Taylor

Straw Poll for #9B from Deliberations Sheets:

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde, Commissioner Prunty, Ms. Rappa, Mr. Taylor, Mr. Leber

Opposed: Ms. Sen

Mr. Drill reviewed the process regarding the Conditions (which will be attached to these minutes) for the application. Stated the only ones that need to be discussed, are the ones not consented to by the Applicant.

Conditions addressed were:

#8 – The Board is now granting the exception. No longer needs discussion

#11 – Member commenting on this condition: Mr. Taylor.

Straw Poll for #11

Affirmative: Mr. Nordelo, Ms. Didzbalis, Ms. Pedde, Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor, Mr. Leber

Opposed: Deputy Mayor Gareis



#14 - Applicant now consents – no discussion or straw poll.

#15 - Members commenting on this condition were: Mr. Taylor, Mr. Pistol, Mr. Leber, Deputy Mayor Gareis, Ms. Rappa, Commissioner Prunty, Ms. Pedde

Straw Poll for #15

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde, Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor, Mr. Leber

Opposed: None

#19 - Similar to #15 - no discussion

Straw Poll for #19

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Commissioner Prunty, Ms. Rappa, Ms. Sen

Opposed: Ms. Pedde, Mr. Taylor, Mr. Leber

#18 – Members commenting on this condition were: Commissioner Prunty, Mr. Leber, Mr. Pistol, Deputy Mayor Gareis, Ms. Pedde, Mr. Nordelo

Straw Poll for #18 – with additional language

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde, Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor, Mr. Leber

Opposed: None

Board Member requested going back to Condition #19 to add specific language.

A straw poll for #19 was reconducted to include additional language.

Straw Poll for #19 – with additional language

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde, Commissioner Prunty, Ms. Rappa, Mr. Taylor, Mr. Leber

Opposed: Ms. Sen

#28 – Applicant now consents – there was no discussion.

#29 - Members commenting on this condition were: Commissioner Prunty, Mr. Nordelo, Mr. Taylor

Affirmative: None

Opposed: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde, Commissioner Prunty, Ms. Rappa, Ms. Sen, Mr. Taylor, Mr. Leber

Mr. Drill stated a motion should be made to grant all the relief subject to all the conditions that the applicant consented to with the addition of Condition #44 (submission of a revised CIS).

A motion was made by Mr. Nordelo, seconded by Ms. Pedde, to grant all the relief subject to all the conditions that were discussed, straw polled and outlined.

A motion was made by Ms. Sen to amend that motion to include a condition to widen the sidewalks to 8 feet. The motion did not receive a second, the motion failed.

A motion was made by Ms. Sen to amend that motion to include a condition to widen the sidewalks to 6 feet. The motion did not receive a second, the motion failed.

The motion on the floor is the motion by Mr. Nordelo, seconded by Ms. Pedde, to grant all the relief subject to all the conditions that were discussed, straw polled and outlined.

Motion was passed by roll call vote:

Affirmative: Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Ms. Pedde, Commissioner Prunty, Ms. Rappa, Ms. Sen\*, Mr. Taylor, Mr. Leber

Opposed: None

Mr. Kent-Smith thanked the Board for their time and effort.

There was a brief recess.

Ms. Kellett joined the meeting.

Mr. Drill stated that one of the Board members requested to speak.

\*Ms. Sen stated that she was voting "no" on the application, and was confused with the conditions. She is against the plan for reasons she has already put on the record.

5. Application #PB 22-003 – Carried from December 14, 2022  
Applicant: 201 Walnut Ave LLC  
201 Walnut Avenue  
Block: 484 Lot: 19.01 D-T Zone

Applicant is seeking Preliminary and Final Major Site Plan Approval to construct a three (3) story multi-family apartment building, consisting of thirty-four (34) market-rate units, two (2) affordable housing units, and three (3) special needs housing units, for a total of thirty-nine (39) units.

Jason Tuvel, Esq. appeared and stated he represents the applicant. Reviewed the application and the existing conditions. Stated they have addressed a lot of the comments from the Board's engineer and planner. Also stated they have made plan modifications and the adjacent neighbor who was objecting to the application, has since withdrawn their objection and now is in support of the application.

Ms. Kellett asked for clarification on the latest letters.

Mr. Tuvel stated the latest letters are from Mott MacDonald dated 12-12-22, an engineering letter dated 1-13-23 and a planner letter dated 10-3-22.

Mr. Tuvel discussed all the bulk standards the applicant is complying with and the relief that the applicant is seeking.

Nick Dickerson, Board Planner, Jacque Dirmann, Board Engineer, and Kevin Nollstadt, Mott MacDonald Stormwater Engineer all appeared and were sworn in.

Bahram Farzaneh appeared and was sworn in. He presented his qualifications and was accepted as an expert in civil engineering.

Questions from Mr. Tuvel to Mr. Farzaneh ascertained the following:  
Presented Exhibit A-1 Existing Conditions Plan (Sheet 2 of 12) last revised 11/9/22 with property outlined in red. Described the site, the existing conditions and the flood elevation. The current site does not comply with DEP standards. Presented Exhibit A-2 which is the Site Plan for 201 Walnut dated 10-12-22 with color landscaping. Reviewed the stormwater, the drainage and the impervious coverage for the site. Applicant is proposing 87% coverage, where the redevelopment plan allows for 95%. Reviewed the stormwater for the site. The underground detention basin is under the driveway close to Walnut Avenue. The proposed site has to have peak runoff of 50% or less. Reviewed the colors on Exhibit A-2 as: tan is the building, light blue is underground culverts, dark blue is paving system, and green is the landscaping. The detention system is underneath the parking. All the parking is below the second floor of the building. Dash line on the plan is an underground detention basin designed to meet the stormwater rules.

Questions from the Board for this witness ascertain the following:  
Going from .44 acres to .74 acres of impervious coverage and will need to comply with the NJ Stormwater Management Rules. There is parking under the building. The dark blue is the pervious paving system. Some of the parking is exposed to the elements. There is only one proposed detention basin, but there is nothing there now. Water flows from Walnut Avenue to Chestnut Street to High Street.

Mr. Tuvel asked about scheduling for the February 1<sup>st</sup> meeting and requested to continue the hearings until the application is finished.

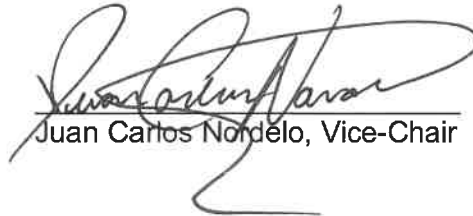
Mr. Drill asked for an extension until March 31<sup>st</sup>.

Discussion ensued.

Mr. Tuvel granted the extension until March 31<sup>st</sup>.

Mr. Drill stated this hearing is being carried to February 1<sup>st</sup> and February 15<sup>th</sup> without the need for further notice.

There being no further business, a motion to adjourn the meeting was regularly made seconded and passed. The meeting concluded at 11:03 p.m.



Juan Carlos Nordelo, Vice-Chair

**“JURY” DELIBERATION SHEETS  
FOR THE 750 WALNUT AVENUE APPLICATION**

**APPLICATION PB-22-002 SUBMITTED BY HARTZ FOR PRELIMINARY AND  
FINAL SUBDIVISION APPROVAL AND SITE PLAN APPROVAL WITH “C”  
VARIANCES AND EXCEPTIONS TO ALLOW CONSTRUCTION OF AN  
INCLUSIONARY RESIDENTIAL DEVELOPMENT CONSISTING OF TWO  
BUILDINGS AS WELL AS A COMMERCIAL DEVELOPMENT CONSISTING  
OF TWO BUILDINGS TO BE USED AS AN OFFICE DISTRIBUTION CENTER  
ON PROPERTY CURRENTLY DESIGNATED AS LOT 2 IN BLOCK 541  
WHICH IS LOCATED AT 750 WALNUT AVENUE**

**PREPARED BY CRANFORD PLANNING BOARD ATTORNEY JONATHAN E. DRILL  
JANUARY 6, 2023**

**1. SHOULD THE BOARD GRANT A “C(2)” VARIANCE (A SO-CALLED “BENEFITS V. DETRIMENTS” VARIANCE) TO ALLOW A FRONT YARD SETBACK DEVIATION FOR ONE OF THE COMMERCIAL BUILDINGS TO BE 63.2-FEET FROM THE PROPOSED PROPERTY LINE SEPARATING THE COMMERCIAL LOT FROM THE RESIDENTIAL LOT WHERE THE REDEVELOPMENT PLAN REQUIRES A MINIMUM 100-FOOT SETBACK TO THE PROPOSED PROPERTY LINE?**

**A. HAS THE APPLICANT MET ITS BURDEN OF PROVING BY A PREPONDERANCE OF THE EVIDENCE THE POSITIVE CRITERIA OF THE “C(2)” VARIANCE (THAT PURPOSES OF THE MLUL WILL BE ADVANCED BY GRANTING THE VARIANCE WHICH ZONING BENEFITS WILL SUBSTANTIALLY OUTWEIGH ANY DETRIMENT)?**  
YES \_\_\_ NO \_\_\_

**B. HAS THE APPLICANT MET ITS BURDEN BY PROVING BY A PREPONDERANCE OF THE EVIDENCE THE NEGATIVE CRITERIA OF THE “C(2)” VARIANCE (THAT THE VARIANCE CAN BE GRANTED WITHOUT SUBSTANTIAL DETRIMENT TO THE PUBLIC GOOD AND WITHOUT SUBSTANTIAL IMPAIRMENT OF THE INTENT AND PURPOSES OF THE MASTER PLAN AND ZONING ORDINANCE)?**  
YES: \_\_\_ NO: \_\_\_

**(ONLY IF QUESTIONS 1.A AND 1.B ARE ANSWERED “YES” SHOULD YOU VOTE “YES” TO GRANT A “C(2)” VARIANCE FROM THE 100-FOOT FRONT YARD SETBACK REQUIREMENT.)**

2. SHOULD THE BOARD GRANT A "C(2)" VARIANCE (A SO-CALLED "BENEFITS V. DETRIMENTS" VARIANCE) TO ALLOW THE APPLICANT TO ELIMINATE THE REQUIRED BASKETBALL COURT?

A. HAS THE APPLICANT MET ITS BURDEN OF PROVING BY A PREPONDERANCE OF THE EVIDENCE THE POSITIVE CRITERIA OF THE "C(2)" VARIANCE (THAT PURPOSES OF THE MLUL WILL BE ADVANCED BY GRANTING THE VARIANCE WHICH ZONING BENEFITS WILL SUBSTANTIALLY OUTWEIGH ANY DETRIMENT)?  
YES \_\_\_ NO \_\_\_

B. HAS THE APPLICANT MET ITS BURDEN BY PROVING BY A PREPONDERANCE OF THE EVIDENCE THE NEGATIVE CRITERIA OF THE "C(2)" VARIANCE (THAT THE VARIANCE CAN BE GRANTED WITHOUT SUBSTANTIAL DETRIMENT TO THE PUBLIC GOOD AND WITHOUT SUBSTANTIAL IMPAIRMENT OF THE INTENT AND PURPOSES OF THE MASTER PLAN AND ZONING ORDINANCE)?  
YES: \_\_\_ NO: \_\_\_

(ONLY IF QUESTIONS 2.A AND 2.B ARE ANSWERED "YES" SHOULD YOU VOTE "YES" TO GRANT THIS "C(2)" VARIANCE) TO ALLOW THE ELIMINATION OF THE REQUIRED BASKETBALL COURT.

- 3. SHOULD THE BOARD GRANT THE EXCEPTION FROM THE 8-FOOT SIDEWALK WIDTH REQUIREMENT TO ALLOW THE SIDEWALK ALONG WALNUT AVENUE TO VARY BETWEEN 4-FEET TO 6-FEET IN WIDTH?**
- A. HAS THE APPLICANT MET ITS BURDEN OF PROVING BY A PREPONDERANCE OF THE EVIDENCE THAT GRANTING THE EXCEPTION IS REASONABLE AND WITHIN THE GENERAL PURPOSE AND INTENT OF THE PROVISIONS FOR SITE PLAN REVIEW AND APPROVAL AND THAT LITERAL ENFORCEMENT OF THE SITE PLAN ORDINANCE REQUIREMENT WILL RESULT IN UNDUE HARDSHIP OR BE IMPRUDENT OR IMPRACTICAL?**  
**YES \_\_\_\_\_ NO \_\_\_\_\_**

**(ONLY IF QUESTION 3.A IS ANSWERED "YES" SHOULD YOU VOTE "YES" TO GRANT THE EXCEPTION FROM THE 8-FOOT SIDEWALK WIDTH REQUIREMENT.)**



**4. SHOULD THE BOARD GRANT THE EXCEPTION FROM THE 1.5 FOOTCANDLE MINIMUM LIGHTING REQUIREMENT IN PARKING AREAS TO ALLOW 0.5 FOOTCANDLES FOR THE PARKING LOT LIGHTING ON THE COMMERCIAL LOT?**

**A. HAS THE APPLICANT MET ITS BURDEN OF PROVING BY A PREPONDERANCE OF THE EVIDENCE THAT GRANTING THE EXCEPTION IS REASONABLE AND WITHIN THE GENERAL PURPOSE AND INTENT OF THE PROVISIONS FOR SITE PLAN REVIEW AND APPROVAL AND THAT LITERAL ENFORCEMENT OF THE SITE PLAN ORDINANCE REQUIREMENT WILL RESULT IN UNDUE HARDSHIP OR BE IMPRUDENT OR IMPRACTICAL?  
YES \_\_\_\_\_ NO \_\_\_\_\_**

**(ONLY IF QUESTIONS 5.A IS ANSWERED "YES" SHOULD YOU VOTE "YES" TO GRANT THE EXCEPTION FROM THE 0.3 FOOTCANDLE MAXIMUM ILLUMINATION FOR SITE LIGHTING ON THE COMMERCIAL SITE.)**

**5. SHOULD THE BOARD GRANT THE EXCEPTION FROM THE 16-FOOT MAXIMUM HEIGHT LIMITATION FOR SITE LIGHTING FIXTURES TO ALLOW SITE LIGHTING FIXTURES AS HIGH AS 25-FEET ON THE COMMERCIAL LOT?**

**A. HAS THE APPLICANT MET ITS BURDEN OF PROVING BY A PREPONDERANCE OF THE EVIDENCE THAT GRANTING THE EXCEPTION IS REASONABLE AND WITHIN THE GENERAL PURPOSE AND INTENT OF THE PROVISIONS FOR SITE PLAN REVIEW AND APPROVAL AND THAT LITERAL ENFORCEMENT OF THE SITE PLAN ORDINANCE REQUIREMENT WILL RESULT IN UNDUE HARDSHIP OR BE IMPRUDENT OR IMPRACTICAL?  
YES \_\_\_\_\_ NO \_\_\_\_\_**

**(ONLY IF QUESTIONS 4.A IS ANSWERED "YES" SHOULD YOU VOTE "YES" TO GRANT THE EXCEPTION FROM THE 16-FOOT-HIGH SITE LIGHTING FIXTURE LIMITATION FOR THE COMMERCIAL SITE.)**

6. **SHOULD THE BOARD GRANT THE EXCEPTION FROM THE 150-FOOT SETBACK REQUIREMENT FOR COMMERCIAL FAÇADE SIGNS FACING RESIDENTIAL ZONES TO ALLOW COMMERCIAL FAÇADE SIGNS ON THE COMMERCIAL BUILDING AS CLOSE AS 100-FEET TO A RESIDENTIAL ZONE AND FACING THE RESIDENTIAL ZONE?**
- A. **HAS THE APPLICANT MET ITS BURDEN OF PROVING BY A PREPONDERANCE OF THE EVIDENCE THAT GRANTING THE EXCEPTION IS REASONABLE AND WITHIN THE GENERAL PURPOSE AND INTENT OF THE PROVISIONS FOR SITE PLAN REVIEW AND APPROVAL AND THAT LITERAL ENFORCEMENT OF THE SITE PLAN ORDINANCE REQUIREMENT WILL RESULT IN UNDUE HARDSHIP OR BE IMPRUDENT OR IMPRACTICAL?**  
YES \_\_\_\_\_ NO \_\_\_\_\_

**(ONLY IF QUESTIONS 6.A IS ANSWERED “YES” SHOULD YOU VOTE “YES” TO GRANT THE EXCEPTION FROM THE 150-FOOT SETBACK REQUIREMENT FOR COMMERCIAL FAÇADE SIGNS FACING RESIDENTIAL AREAS.)**

7. **SHOULD THE BOARD GRANT THE EXCEPTION FROM THE 35% TRANSPARENCY REQUIREMENT FOR THE GROUND LEVEL PRIMARY FAÇADES OF THE RESIDENTIAL BUILDINGS TO ALLOW THE GROUND LEVEL PRIMARY FAÇADES OF THE RESIDENTIAL BUILDINGS TO HAVE 34% TRANSPARENCY?**
- A. **HAS THE APPLICANT MET ITS BURDEN OF PROVING BY A PREPONDERANCE OF THE EVIDENCE THAT GRANTING THE EXCEPTION IS REASONABLE AND WITHIN THE GENERAL PURPOSE AND INTENT OF THE PROVISIONS FOR SITE PLAN REVIEW AND APPROVAL AND THAT LITERAL ENFORCEMENT OF THE SITE PLAN ORDINANCE REQUIREMENT WILL RESULT IN UNDUE HARDSHIP OR BE IMPRUDENT OR IMPRACTICAL?**  
YES \_\_\_\_\_ NO \_\_\_\_\_

**(ONLY IF QUESTIONS 7.A IS ANSWERED “YES” SHOULD YOU VOTE “YES” TO GRANT THE EXCEPTION FROM THE 35% TRANSPARENCY REQUIREMENT FOR THE GROUND LEVEL PRIMARY FAÇADES OF THE RESIDENTIAL BUILDINGS.)**

**8. SHOULD THE BOARD GRANT A DI MINIMIS EXCEPTION FROM THE RSIS REQUIREMENT FOR THE NUMBER OF RESIDENTIAL PARKING SPACES?**

**A. HAS THE APPLICANT MET ITS BURDEN OF PROVING BY A PREPONDERANCE OF THE EVIDENCE THAT GRANTING THE DI MINIMIS EXCEPTION IS REASONABLE AND WITHIN THE GENERAL PURPOSE AND INTENT OF THE RSIS AND THAT LITERAL ENFORCEMENT OF THE REQUIREMENT WILL RESULT IN UNDUE HARDSHIP OR BE IMPRUDENT OR IMPRACTICAL?  
YES \_\_\_\_ NO \_\_\_\_**

**B. IN THIS REGARD, IS THE GRANT OF THE EXCEPTION CONSISTENT WITH THE RSIS, LIMITED IN SCOPE AND NOT UNDULY BURDENSOME, MEETS THE NEEDS OF PUBLIC HEALTH AND SAFETY, AND TAKES INTO ACCOUNT EXISTING INFRASTRUCTURE AND POSSIBLE SURROUNDING FUTURE DEVELOPMENT?  
YES \_\_\_\_ NO \_\_\_\_**

**(ONLY IF QUESTIONS 8.A AND 8.B ARE ANSWERED “YES” SHOULD YOU VOTE “YES” TO GRANT THE DI MINIMIS EXCEPTION FROM THE RSIS REQUIREMENT FOR THE NUMBER OF RESIDENTIAL PARKING SPACES.)**

**9. SHOULD THE BOARD GRANT PRELIMINARY AND FINAL SITE PLAN AND SUBDIVISION APPROVAL?**

**A. DOES THE PROPOSED DEVELOPMENT AND THE SITE AND SUBDIVISION PLANS COMPLY WITH ALL PROVISIONS OF THE REDEVELOPMENT PLAN AND THE RSIS?  
YES \_\_\_\_ NO \_\_\_\_**

**(IF THE ANSWER IS “YES” TO QUESTION #9.A THEN YOU SHOULD VOTE “YES” TO GRANT PRELIMINARY AND FINAL SITE PLAN AND SUBDIVISION APPROVAL.)**

**B. IF THE PROPOSED DEVELOPMENT AND/OR THE SITE AND/OR SUBDIVISION PLANS DO NOT COMPLY WITH ALL PROVISIONS OF THE REDEVELOPMENT PLAN AND THE RSIS BUT THE BOARD GRANTED VARIANCES AND/OR EXCEPTIONS FROM ALL OF THE ORDINANCE / RSIS REQUIREMENTS THAT HAVE NOT BEEN COMPLIED WITH, DOES THE PROPOSED DEVELOPMENT AND/OR SITE AND/OR SUBDIVISION PLANS COMPLY WITH THE REMAINING PROVISIONS OF THE REDEVELOPMENT PLAN AND THE RSIS REQUIREMENTS?**

**(IF THE ANSWER IS “YES” TO QUESTION #9.B THEN YOU SHOULD VOTE “YES” TO GRANT PRELIMINARY AND FINAL SITE PLAN AND SUBDIVISION APPROVAL.)**

**C. IF THE BOARD HAS NOT GRANTED VARIANCES AND/OR EXCEPTIONS FROM ALL OF THE ORDINANCE / RSIS REQUIREMENTS THAT HAVE NOT BEEN COMPLIED WITH, CAN CONDITIONS BE IMPOSED REQUIRING REVISION(S) THAT WILL THEN MAKE THE PROPOSED DEVELOPMENT AND/OR SITE AND/OR SUBDIVISION PLANS COMPLY WITH THE REMAINING PROVISIONS OF THE REDEVELOPMENT PLAN AND THE RSIS REQUIREMENTS?**

**(IF THE ANSWER IS “YES” TO QUESTION #9.C THEN YOU SHOULD VOTE “YES” TO GRANT PRELIMINARY AND FINAL SITE PLAN AND SUBDIVISION APPROVAL.)**

**D. IF THE PROPOSED DEVELOPMENT AND/OR THE SITE AND/OR SUBDIVISION PLANS DO NOT COMPLY WITH ALL PROVISIONS OF THE REDEVELOPMENT PLAN AND THE RSIS, AND VARIANCE AND EXCEPTIONS RELIEF HAVE NOT BEEN GRANTED TO ALLOW THE DEVIATIONS, AND IF NO CONDITIONS CAN BE IMPOSED TO ACHIEVE COMPLIANCE, THEN YOU SHOULD VOTE “NO” AND VOTE TO DENY SITE PLAN AND SUBDIVISION APPROVAL.**

2023-01-05-v4

**CONDITIONS SUGGESTED TO THE CRANFORD PLANNING BOARD  
FOR ANY APPROVAL OF THE 750 WALNUT AVENUE APPLICATION**

**APPLICATION PB-22-002 SUBMITTED BY HARTZ FOR PRELIMINARY AND  
FINAL SUBDIVISION APPROVAL AND SITE PLAN APPROVAL WITH "C"  
VARIANCES AND EXCEPTIONS TO ALLOW CONSTRUCTION OF AN  
INCLUSIONARY RESIDENTIAL DEVELOPMENT CONSISTING OF TWO  
BUILDINGS AS WELL AS A COMMERCIAL DEVELOPMENT CONSISTING  
OF TWO BUILDINGS TO BE USED AS AN OFFICE DISTRIBUTION CENTER  
ON PROPERTY CURRENTLY DESIGNATED AS LOT 2 IN BLOCK 541  
WHICH IS LOCATED AT 750 WALNUT AVENUE**

**PREPARED BY CRANFORD PLANNING BOARD ATTORNEY JONATHAN E. DRILL  
JANUARY 5, 2023**

The following are conditions that I suggest should be imposed on any approval that the Board grants to the applicant, with an indication from my notes of whether the applicant has consented to the condition. I have organized the conditions in chronological order as they appear in my notes but, assuming that the Board approves the application and imposes the conditions, the conditions would be included in any resolution of approval in a different order as I list conditions in resolutions by subject matter and not in chronological order. Finally, some conditions have been superseded by subsequent conditions, such as compliance with Board expert reports, and any approval resolution will reference the subsequent condition in such a case.

Hearing Session #1 - July 20, 2022:

1. The Hartz entities responsible for the maintenance and upkeep of the Residential site and the Commercial site shall enter into an Operation and Maintenance Agreement that will be recorded after review and approval by the Township Attorney. (Applicant consented to this condition.)
2. Phasing plan shall be submitted for review and approval by the Township Attorney and Township Engineer. (Applicant consented to this condition.)
3. All suggestions contained in Township traffic engineer's report shall be made part of any approval. (Applicant consented to this condition.)
4. The applicant shall comply with all requirements of the Walnut Avenue Redevelopment Plan ("WARP") and the Township land development ordinance unless a variance or exception is granted from a requirement. (Applicant consented to this condition.)
5. The applicant shall sign all documents necessary to provide for Title 39 enforcement on both the Residential lot and the Commercial lot. (Applicant consented to this condition.)
6. The applicant shall comply with all suggestions set forth in the Fire Official memorandum dated July 13, 2022. (Applicant consented to this condition.)
7. The applicant shall comply with all comments set forth in the Board engineering expert's report dated July 18, 2022. (Applicant consented to this condition.)
8. The applicant shall contact County of Union to request permission to cut into the slope adjacent to the Walnut Avenue sidewalk to widen the sidewalk in the area of the slope. (My notes reflect that the applicant consented to this condition. Henry Kent-Smith



advises that his notes reflect that the applicant consented to request permission to cut into the slope adjacent to the Walnut Avenue sidewalk only as it relates to widening of the sidewalk areas proposed by the applicant to be widened. In my opinion, the Board can impose the condition as I have drafted it as to any areas in which the Board requires the sidewalk to be widened depending on the Board's determination of the applicant's request for the exception from the 8-foot sidewalk width requirement.)

Hearing Session #2 – August 17, 2022:

9. If Township wishes to pursue, the applicant shall deposit funds with the Township in an escrow account which shall be established to pay for all costs associated with the Township installation of all off-site traffic improvements, including all-way stop signs on nearby roads and striping, markings, and signage associated with same. (Applicant consented to this condition.)
10. If Township wishes to pursue, the applicant shall deposit funds with the Township in an escrow account which shall be established to pay for all costs associated with the Township installation of off-site speed hump(s) and signage and striping associated with same. (Applicant consented to this condition.)
11. If the Township wishes to pursue lowering the speed limit along frontage of the property, the Township shall apply for County approval for same and, in the event that the County lowers the speed limit along the frontage of the property, The applicant shall deposit funds with the Township in an escrow account which shall be established to pay for Township installation of new speed limit signage to be installed by Township. (Applicant consented to this condition.)
12. If Township wishes to pursue having the applicant install striped median/left-turn lanes into Lexington Avenue and Behnert Place down the middle of Walnut Avenue, and subject to County review and approval, The applicant shall deposit funds with the Township in an escrow account which shall be established to pay for Township installation of striped median/left-turn lanes into Lexington Avenue and Behnert Place down the middle of Walnut Avenue in accordance with that reflected on exhibit A-14. (Applicant consented to this condition.)
13. The Board traffic engineering expert shall determine the amount of initial escrow deposits to be made to any escrow account(s) established as set forth above, which deposit(s) shall be based on the Board traffic engineering expert's estimate of the total cost(s) of the traffic improvements at issue. (Applicant consented to this condition.)
14. In the event that The applicant disputes the reasonableness of any of the charges to its escrow account(s) established as set forth above, applicant shall follow the procedures prescribed by N.J.S.A. 40:55D-53.2a and, in the event that the County Construction Board of Appeals declines to accept jurisdiction over any such dispute that is not resolved between the applicant and the governing body of the Township, the dispute shall be subject to an action filed in the Law Division of the Superior Court of New Jersey, Union County vicinage. (This is a condition that was not discussed during the hearing but which

I believe should be imposed to account for possible disputes as to the reasonableness of costs of installing the traffic improvements as Henry Kent-Smith as advised that the applicant should only have to pay for reasonable costs and I agree with his position on this issue.)

15. The applicant shall at its sole cost and expense to install a crosswalk along with a flashing light sign device on Walnut Avenue near Benhart Place in accordance with that reflected on exhibit A-13, subject to review and approval by the County, and subject to review and approval by the Township professionals. (Applicant consented to this condition.)
16. The applicant shall at its sole cost and expense to make and complete the signal-timing change and upgrade the existing vehicle detection installation at Raritan Road/Walnut Avenue, subject to review and approval by the County. (Applicant consented to this condition.)
17. The applicant shall at its sole cost and expense to install signage enforcing the turning-movement restrictions and prohibition of through movements from the on-site driveways to Behmert and Lexington, respectively, prohibiting truck and cut-through vehicular traffic. (Applicant consented to this condition.)

Hearing Session #3 – September 7, 2022:

18. The applicant shall perform and traffic study post approval and analyze the results of the post-approval study with the pre-approval traffic study that was presented to the Board as part of the application and submit the post-approval study and analysis to the Township Engineer and the Township traffic engineering expert. (My notes reflect that the applicant consented to this condition, but Henry Kent-Smith has advised that his notes reflect that the applicant did not consent to this condition. This condition was recommended by the Township traffic engineering expert and, regardless of whether the applicant consents to its imposition, it is my opinion that the condition is a reasonable condition and can lawfully be imposed in the event the Board wants to impose it.)
19. The applicant shall at its sole cost and expense to install a second crosswalk along with a flashing light sign device on Walnut Avenue near Lexington in accordance with that reflected on exhibit A-13, subject to review and approval by the County, and subject to review and approval by the Township professionals. (Applicant consented to this condition.) (Board member Taylor indicated that he was against this condition.)

Hearing Session #4 – September 21, 2022: (no conditions)

20. In the event that the Board grants the “c(2)” variance to allow the applicant to eliminate the basketball court, the applicant shall revise the site plans to incorporate the stormwater management improvements reflected on exhibit A-15. (Applicant consented to this condition.)

Hearing Session #5 – November 30, 2022:

21. The applicant shall comply with all comments set forth in the Board engineering expert's report dated November 21, 2022, subject to the engineer's review and confirmation. (Applicant consented to this condition.)
22. The applicant shall comply with all comments set forth in the Board planning expert's report dated November 4, 2022, subject to the engineer's review and confirmation. (Applicant consented to this condition.) (The Board took a straw poll and approved the design of the bicycle racks and that will be included in any approval resolution.)
23. The applicant shall contact Hyatt Hills Golf Club to discuss repair and/or replacement of the protective netting installed adjacent to the property line between the property and the golf course. (Applicant consented to this condition.)
24. No mechanical equipment shall be visible from any street. (Applicant consented to this condition.)
25. If solar panels are added to the roof, no solar panels and no related equipment shall be visible from any street. (Applicant consented to this condition.)
26. The applicant shall revise the architectural drawings to reflect that one of the stair towers of each of the residential buildings facing the service drive shall provide interior access to the buildings' roofs. (Applicant consented to this condition.)
27. The applicant shall revise the architectural drawings to reflect the color and material of the leaders proposed for the residential buildings, which shall be a dark gray color and aluminum material. (Applicant consented to this condition.)
28. There shall be no rentals of the residential building amenities (rooms, outdoor areas, etc.) to non-residents. (Applicant is supposed to get back to the Board as to whether it consents to this condition.) (This condition was suggested by objector Rita Libretto.)
29. There shall be a limitation on the number of outside guests using the residential building amenities rooms. (Applicant is supposed to get back to the Board as to whether it consents to this condition.) (This condition was suggested by objector Rita Libretto the number of guests limited to using the residential amenities rooms was not suggested.)
30. The applicant shall comply with the plant species recommendations of the Cranford Environmental Commission. (Applicant consented to this condition.)

Hearing Session #6 – December 7, 2022:

31. In addition to the condition that the Hartz entities responsible for the maintenance and upkeep of the Residential site and the Commercial site shall enter into an Operation and Maintenance Agreement that will be recorded after review and approval by the Township Attorney (which the applicant consented to and is set forth above as a condition

referenced in Hearing Session #1), the applicant shall not only include maintenance of the berm and landscaping in the Operation and Maintenance Agreement but a Maintenance Easement shall be recorded over the berm and landscaping areas. (Applicant consented to this condition.)

32. In addition to decreasing the lighting level for the loading area between the commercial buildings from 1.5- footcandles to 0.5-foot candles in accordance with exception relief the applicant agreed to apply for at the suggestion of the Board, the applicant shall install motion detectors for overnight lighting control, subject to the review and approval of Township Engineer. (Applicant consented to this condition.)
33. The applicant shall supplement the landscaping in the northwest corner of the property (the rear of the commercial lot) by replacing dead trees and filling in gaps. (Applicant consented to this condition.)
34. The applicant shall add landscaping along the northern corner of the property along the adjacent to the railroad tracks after the Township vacates its easement in that area if said easement has not already been vacated. (Applicant consented to this condition.)
35. The applicant shall revise the site plans to reflect that the two (2) freestanding signs shall comply with all applicable ordinance provisions as the plans show the signs exceeding the allowable height and size. (Applicant consented to this condition.)
36. The Applicant shall utilize low phosphorous fertilizer and green friendly products on the site. (Applicant consented to this condition.)
37. The Applicant shall select plantings that are deer resistant. (Applicant consented to this condition.)

Hearing Session #7 – December 14, 2022:

38. The applicant shall implement the landscaping represented on exhibits A-30.1, A-30.2 and A-30.3 with the maximum quantities of new plantings being as follows, subject to review and approval by the Board's landscaping expert as to locations and heights at planting: (a) 100 evergreen trees; (b) 30 subcanopy trees; and (c) 200 shrubs. (Applicant consented to this condition.)
39. The applicant shall revise the site plans to reflect that the all signs shall comply with all applicable ordinance provisions (with one exception being the façade signs on one of the commercial buildings which face a residentially zoned area and are 100-feet from the residential zone if the Board grants an exception to allow this deviation). (Applicant consented to this condition.)
40. The applicant shall submit a revised Community Impact Statement ("CIS") which fully complies with the Township ordinance requirements as the existing CIS does not include the PILOT (payment in lieu of taxes) agreement. (Applicant consented to this condition.)

41. Any approval by the Board shall be subject to approval by the Union County Planning Board (but if the County approval contains any condition(s) that require a substantial change to the improvements reflected on the site plan approved by the Board, the applicant shall be required to apply for and obtain an amended approval from the Board). (Applicant consented to this condition.)
42. There shall be no smoking in the residential buildings. Smoking shall be restricted to areas outside the buildings at least 25-feet from the buildings in accordance with the WARP requirements, with such areas to be identified and marked, subject to review and approval by the Board planning expert. (Applicant consented to this condition.)
43. Any Board approval shall also be subject to the Board's standard conditions as set forth in the Board's rules and regulations. (Applicant consented to this condition.)