

**TOWNSHIP OF WEST ORANGE
PLANNING BOARD
MEETING MINUTES
February 3, 2016**

The Township of West Orange Planning Board held a regular meeting on February 3, 2016 at 7:30 P.M. in the Council Chamber, 66 Main Street, West Orange, New Jersey.

Chairman Weston called the meeting to order at approximately 7:41 P.M. It was announced that notification of this meeting was given to the Township Clerk, and posted on the Township Bulletin Board on December 10, 2015 in accordance with the requirements of the "Open Public Meetings Act".

PRESENT: Vice Chairman Robert Bagoff, Jerome Eben, Gerald Gurland, Lee Klein, Councilwoman Susan McCartney, Gary B. Wegner, Chairman Ron Weston

ABSENT: Joanne Carlucci, Tekeste Ghebremicael, Jason Lester, William Wilkes II

ALSO PRESENT: Patrick J. Dwyer, Esq., Board Attorney, Paul Grygiel, AICP, PP, Township Planner, Robin Miller, Board Secretary, Harvey Grossman, Esq., Public Advocate

PLEDGE OF ALLEGIANCE

Chairman Weston requested all persons stand for the Pledge of Allegiance.

ROLL CALL

Vice Chairman Robert Bagoff, Joanne Carlucci, Jerome Eben, Tekeste Ghebremicael, Gerald Gurland, Lee Klein, Jason Lester, Council President Susan McCartney, Gary Wegner, Chairman Ron Weston, William Wilkes II

ANNOUNCEMENTS

The next Planning Board regular meeting will be held on March 2, 2016 in the Council Chamber at 7:30 P.M.

SWEARING IN

Paul Grygiel, AICP, PP, Township Planner.

APPLICATION(S)

PB-15-08HP/Northfield Health and Wellness

Block: 158.03: Lot: 102.02; Zone: R-3

348 Northfield Avenue

Home Professional Office for licensed chiropractor.

DISCUSSION

Carmine D. Campanile, Esq., on behalf of Joseph A. Vena, Esq., attorney for Applicant, presented the Application for a Home Professional Office; he advised the Board the plan submitted as part of the Application conformed to the requirements of Ordinance 25-9.10. The area to be used as the wellness center was less than 50% of the entire area of the house, and it was less 1,000 square feet. He said the plan prepared by Peter T. Ricci, AIA, indicated the wellness center would be 49% of the entire square footage; it would be 438 square feet.

Chairman Weston asked if there would be any other witnesses. Mr. Campanile said the plan spoke to the requirements of the Ordinance; he had no further witnesses unless the Board had questions. He discussed the Township's memo dated September 16, 2015 which stated some items needed to be completed; Mr. Campanile said all items had been completed with the exception of #5; the applicant maintained the slates were not loose, that was the way they were placed, and #7; the Applicant maintained he was not the owner of the fence. Mr. Campanile said all other items had been corrected; however, all items would be subject to inspection by the municipality.

Chairman Weston advised the Board this type of application was heard by the Technical Review Sub-committee prior to changes in the ordinance; since the changes, the applications are heard by the full Board.

Dr. Bagoff asked if there was paved patient parking; Mr. Campanile said the rear lot was paved; there were four spaces for patients.

Chairman Weston asked if the Applicant was aware of the signage requirements; Mr. Campanile said no signage was proposed.

Councilwoman McCartney asked if there was currently, an orange post painted on Northfield Avenue; Mr. Campanile said he was unaware of an orange post but there was a light fixture on the property.

Mr. Grygiel said there was a change in the ordinance that Mr. Campanile had adequately summarized. The Applicant had submitted an application stating all conditions had been met.

Councilwoman McCartney asked if there were any conditions from the Site Plan Review Advisory Board (SPRAB) meeting. Mr. Grygiel advised the Board the Applicant had previously appeared before SPRAB. There were some questions that the Applicant's attorney had addressed including the type of (medical) treatments performed, and whether the doctor lived on premises. SPRAB did not have the authority to place conditions on applications; it was an advisory entity.

Mr. Dwyer said the resolution should reflect as a condition of approval, that the Applicant met all requirements of the ordinance.

Dr. Bagoff asked about the loose slate; was it an issue to address. Mr. Grygiel said the Secretary had written the memo to him; it was information based on her site visit observations; the information had been shared with the Zoning Official, and brought to the Applicant's attention at the SPRAB meeting. No formal action was taken.

Chairman Weston suggested as a condition of approval, all items listed in the September 16, 2015 memo be addressed as applicable, excluding items #5 and #7.

The Public had no questions or comments.

The Board voted on the Application as follows:

Motion: Chairman Weston

Second: Vice Chairman Bagoff

Bagoff:	Yes	Carlucci:	Absent	Eben:	Yes	Ghebremicael:	Absent
Gurland:	Yes	Klein:	Yes	Lester:	Absent	McCartney:	Yes
Wegner:	Yes	Wilkes:	Absent	Weston:	Yes		

PB-16-01C/County of Essex/Turtle Back Zoo/Bison Exhibit Observation Area

PB-16-02C/County of Essex/Turtle Back Zoo/Petting Zoo Improvements

Block(s): 163; Lot(s): 1; Zone: R-1

560 Northfield Avenue

Courtesy Review Application.

EXHIBIT(S)

- A-1:** Enlarged Aerial Photograph of Turtle Back Zoo dated 1/15/2016, prepared by French & Parrello Associates, PA;
- A-2:** Landscape Plan for Bison Exhibit Observation Area, prepared by French & Parrello Associates, PA;
- A-3:** Construction Details for Bison Exhibit Observation Area dated 1/5/15, prepared by French & Parrello Associates, PA.
- A-4:** Conceptual Layout Plan for Petting Zoo Improvements dated 12/28/15; signed by Andrew L. French, PE, French & Parrello Associates

DISCUSSION

Mark L. Fleder, Esq., Connell Foley LLP, special legal counsel to Essex County stated the County was presenting three proposed projects. As requested by the Board at its last hearing, the County had prepared an updated aerial map of the Zoo, (Exhibit A-1), which indicated the proposed projects.

Michael J. Piga, LLA, French & Parrello Associates PA, was sworn in, stated his credentials, and was accepted by the Board to be an expert in landscape architecture. Referring to Exhibits A-2 and A-3, Mr. Piga said the County was proposing modifications to the existing Bison exhibit. Modifications would include a 1,200 square feet patio area located on the north side of the exhibit. The area's design theme would be Wyoming "old west rustic". The patio would be stamped concrete, a peeled timber log trellis and glass curtain wall, a perimeter modular block retaining wall, several informational signs, a bronze Bison statute with timber base, composite Adirondack chairs, a metal bollard barrier system, and an unpeeled cedar log post and rail fence around the perimeter of the area. Visitors would enter the new patio off the existing pathway near the carousel. The main viewing area would be shaded by a peeled log trellis. It would be separated from the Bison area with a glass wall curtain. the Bison would be separated from the glass wall by 6-inch bollards. An informational sign describing the Bison habitat would be in the shape of the State of Wyoming. New lighting would be installed along the pathway. New landscaping in the sloped area around the

observation area would include perennials, shrubs, a new tree and ornamental grasses. The County timetable for the project was approximately 120 days, to start as soon as possible.

Mr. Piga discussed PB-16-02C/Petting Zoo Improvements. Referring to Exhibit A-4, he described the current conditions, which included a PVC fence that went around the barn, and some galvanized steel posts. The plan was to remove the existing fence system and replace it with a galvanized metal fence and gate system. The new system would allow young children to feed and better interact with the animals. The north side fencing would be approximately 4-ft. high for the larger animals. The east side fencing would be 3-ft. high, with openings for visitors to pet and feed the smaller animals. The fence system would be mounted to an 8-ft. concrete curb. The County timetable for the project was approximately 60 days. Mr. Piga concluded his testimony.

Councilwoman McCartney asked for clarification regarding the current barriers at the Bison Exhibit; were there new regulations for barriers or were the improvements just upgrades. Mr. Piga said there were currently wood posts and wire mesh; the improvements were upgrades. He said that by installing the glass, visitors could get closer to the animals.

Mr. Eben said there appeared to be a change in elevation at the retaining wall in the back of the Bison exhibit; Mr. Piga said there was a fence barrier with a 2-in. gap at the fence a rail at the base and top with mesh in-between. In response to inquiry from Mr. Eben; Mr. Piga said planting would start about March 20, 2016. The plants would be fully irrigated.

Chairman Weston asked about the increase to impervious coverage; Mr. Piga said the patio would be 1,200 square feet of new impervious coverage. Regarding the new pathway lighting; Mr. Piga said the fixtures design would be similar to candy cane shape, 12-ft. high, to address the back area of the zoo where there was insufficient lighting for evening events. The lighting would be on timers.

Councilwoman McCartney asked if porous pavement could be used in the patio area; Mr. Piga answered in the negative. He said the disturbance was under 5,000 square feet; there was already a trench drain in place; water would collect in the existing system.

Mr. Grygiel had no questions for Mr. Piga.

The Public had no questions or comments.

Vice Chairman Bagoff said he had a zoo walk-through with Brint Spencer, Executive Director; he opined the proposed glass enclosure was consistent with recent Zoo improvements.

The Board voted on the Applications as follows:

Motion: Vice Chairman Bagoff

Second: Mr. Gurland

Bagoff: Yes	Carlucci: Absent	Eben: Yes	Ghebremicael: Absent
Gurland: Yes	Klein: Yes	Lester: Absent	McCartney: Yes
Wegner: Yes	Wilkes: Absent	Weston: Yes	

PB-16-03C/County of Essex/South Mountain Recreation Complex/Bollard Lighting Installation
Block(s): 162; Lot(s): 2; Zone: R-1
1 Cherry Lane
Courtesy Review Application.

EXHIBIT(S)

A-5: Decorative Bollard Conceptual Plan for Installation of Bollard Lighting at South Mountain Recreational Complex dated 1/26/2016, prepared by French & Parrello Associates, PA

DISCUSSION

Referring to Exhibit A-5, Mr. Piga said new lighting would be installed at two locations. In front of the Clipper Pavilion (paddleboat area) on Cherry Lane to extend the existing nautical themed 42-in. high bollard lighting; and along the perimeter sidewalk at McLoone's Restaurant and the Safari Mini-Golf area along the pathway going up Cherry Lane, continuing to the intersection of Cherry Lane and Northfield Avenue, and further down Northfield Avenue. The installation would increase the area safety for nighttime visitors. Mr. Piga concluded his testimony.

Mr. Eben said he was concerned that during a snowstorm, the lighting would be damaged; Mr. Piga said the County would replace any damaged fixtures. In response to Mr. Eben's question, Mr. Piga said there was currently no electric in the area; drop service was planned; the parking lot would not be disturbed.

In response to questions from Councilwoman McCartney, Mr. Piga said the lighting was not solar. He confirmed the plan was entirely new.

In response to questions from Chairman Weston, Mr. Piga confirmed the lights were 42-in downward focused bollards; no study had been done regarding glare at the intersection of Cherry Lane and Northfield Avenue; the lighting had a louver system, the light would be highly focused downward.

Mr. Gurland asked for clarification regarding the electric cable installation; Mr. Piga said it would be conduit.

Mr. Grygiel said he was concerned about visibility along the roadway; he opined it was hard to address until the actual installation.

The Public had no questions for Mr. Piga.

Comments from the Public:

Robert Rashkes, 35 Oak Crest Road was sworn in. He opined the lighting was good for safety; but was concerned it would encourage additional night events that exceeded the existing parking capacity at the Complex and loud music late at night.

The Board deliberated on the Application; Chairman Weston said the lighting was necessary due to nighttime activity at the Complex; he voiced concerned that the Complex looked like an airport

landing area. Councilwoman McCartney suggested Mr. Rashkes contact the County Sheriff about noise complaints; the Township had a noise ordinance. Chairman Weston concurred, he opined it was a successful venue but the County should manage after-hours noise. Vice Chairman Bagoff said safety should always come first; the County had been looking at ways to better manage traffic flow.

The Board voted on the Application as follows:

Motion: Vice Chairman Bagoff

Second: Chairman Weston

Bagoff: Yes	Carlucci: Absent	Eben: Yes	Ghebremicael: Absent
Gurland: Yes	Klein: Yes	Lester: Absent	McCartney: Yes
Wegner: Yes	Wilkes: Absent	Weston: Yes	

DISCUSSION(S)

Planned 2016 Revisions - Rules and Procedures of the Planning Board

(Continued from the January 6, 2016 meeting.)

DISCUSSION

Mr. Dwyer advised the Board that he and Mr. Grygiel had reviewed the current Rules and Regulations; they had added some details and clarification to the document; much of what was already in the rules was part of the existing MLUL. Mr. Dwyer added a section at the end, "These Rules of Procedure are subject to change and may be amended at any time", and "A failure by the Board to follow these Rules shall not be grounds for an appeal from the decision of the Board." The fee section had been removed; the ten-day submission rule was changed. Mr. Grygiel said the out-of-date and redundant items had been removed.

The Board discussed the revisions.

The Board voted on the approving the January 7, 2016 revisions* as follows:

Motion: Chairman Weston

Second: Vice Chairman Bagoff

Bagoff: Yes	Carlucci: Absent	Eben: Yes	Ghebremicael: Absent
Gurland: Yes	Klein: Yes	Lester: Absent	McCartney: Yes
Wegner: Yes	Wilkes: Absent	Weston: Yes	

*With further proposed revisions from this meeting.

Complete Streets Recommendation

Chairman Weston stated that although the Council had previously considered the Board's resolution on its recommendation to adopt a Complete Streets policy, no ordinance had been adopted. Mr. Dwyer advised the Board a circulation element should be added to the Master Plan. Mr. Grygiel suggested a statement could be added to the Master Plan indicating the Board had adopted a Resolution. Additionally some of the concepts could be included with detailed descriptions. It would be a two-step process; update the Master Plan circulation element; and eventually amend the Ordinance to incorporate the elements. Mr. Grygiel said that some language from the upcoming presentation of the Pedestrian Safety Advisory Board might be incorporated.

Chairman Weston said the Board could look at re-examining the circulation element after the upcoming (Pedestrian Safety) meeting.

MEETING ADJOURNED at approximately 8:47 P.M.

Minutes adopted March 2, 2016.



Robin Miller, Planning Board Secretary
Township of West Orange

**THE NEXT REGULAR MEETING OF THE PLANNING BOARD WILL BE
WEDNESDAY APRIL 6, 2016 AT 7:30 P.M. IN THE COUNCIL CHAMBER.**