

**TOWNSHIP OF WEST ORANGE
PLANNING BOARD
MEETING MINUTES
January 4, 2017**

The Township of West Orange Planning Board held a regular meeting on January 4, 2017 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 7:30 P.M. He announced that notification of the meeting had been given to the Township Clerk, and had been posted on the Township Bulletin Board and website calendar, and sent to the West Orange Chronicle and the Star Ledger. The meeting was properly noticed to the public in accordance with the Open Public Meetings Act. No new matters would start after 10:30 P.M.

PRESENT: Vice Chairman Robert Bagoff, John Cardoza, Jerome Eben, Lee Klein, Michael Keigher, Councilwoman Susan McCartney, Gary Wegner, William Wilkes II, Chairman Ron Weston

ABSENT: Tekeste Ghebremicael

ALSO PRESENT: Paul Grygiel, Township Planning Director, Eric Keller, Board Engineer, Alice Bierne, Esq., Acting Board Attorney, 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, John Cardoza, Jerome Eben, Tekeste Ghebremicael, Lee Klein, Captain Michael Keigher, Councilwoman Susan McCartney, Gary Wegner, Chairman Ron Weston, William Wilkes II

ANNOUNCEMENTS

The next Planning Board regular meeting will be February 1, 2017 in the Council Chamber at 7:30 P.M.

Mayor Robert D. Parisi has made the following Board appointments/re-appointments:

- Captain Michael Keigher, Township Official/Class II member, for the term January 1, 2017 through December 31, 2017;
- Lee Klein, Citizen/Class IV member, for the term January 1, 2017 through December 31, 2019;
- William B. Wilkes II, Citizen/Class IV member, for the term January 1, 2017 through December 31, 2020;
- Gary B. Wegner, Citizen/Alternate Member #1, for the term January 1, 2017 through December 31, 2017.
- John Cardoza, Citizen/Alternate Member #2, for the term January 1, 2017 through December 31, 2018.

SWEARING IN

Paul Grygiel, AICP, PP, Township Planner.

Eric L. Keller, PE, PP, Bowman Consulting, Board Engineer.

ANNUAL REORGANIZATION

Elect Chairman: Robert Bagoff

The Board voted on the Appointment as follows:

Motion: Chairman Weston

Second: Councilwoman McCartney

Bagoff: Yes	Cardoza: Yes	Eben: Yes	Ghebremicael: Absent
Klein: Yes	Keigher: Yes	McCartney: Yes	Wegner: Yes
Wilkes: Yes	Weston: Yes		

Elect Vice-Chairman: Lee Klein

The Board voted on the Appointment as follows:

Motion: Chairman Bagoff

Second: Mr. Weston

Cardoza: Yes	Eben: Yes	Ghebremicael: Absent	Klein: Yes
Keigher: Yes	McCartney: Yes	Wegner: Yes	Weston: Yes
Wilkes: Yes	Bagoff: Yes		

Appoint Board Attorney: Patrick Dwyer, Esq.

The Board voted on the Appointment as follows:

Motion: Chairman Bagoff

Second: Mr. Eben

Cardoza: Yes	Eben: Yes	Ghebremicael: Absent	Klein: Yes
Keigher: Yes	McCartney: Yes	Wegner: Yes	Weston: Yes
Wilkes: Yes	Bagoff: Yes		

Appoint Board Secretary: Robin Miller

The Board voted on the Appointment as follows:

Motion: Chairman Bagoff

Second: Vice Chairman Klein

Cardoza: Yes	Eben: Yes	Ghebremicael: Absent	Klein: Yes
Keigher: Yes	McCartney: Yes	Wegner: Yes	Weston: Yes
Wilkes: Yes	Bagoff: Yes		

Appoint Site Plan Review Advisory Board Representative: Mr. Eben

The Board voted on the Appointment as follows:

Motion: Chairman Bagoff

Second: Councilwoman McCartney

Cardoza: Yes	Eben: Yes	Ghebremicael: Absent	Klein: Yes
Keigher: Yes	McCartney: Yes	Wegner: Yes	Weston: Yes
Wilkes: Yes	Bagoff: Yes		

Appoint Site Plan Review Advisory Board Alternate: Mr. Weston

The Board voted on the Appointment as follows:

Motion: Chairman Bagoff

Second: Vice Chairman Klein

Cardoza: Yes	Eben: Yes	Ghebremicael: Absent	Klein: Yes
Keigher: Yes	McCartney: Yes	Wegner: Yes	Weston: Yes
Wilkes: Yes	Bagoff: Yes		

Chairman Bagoff thanked Mr. Weston for his two years of service as Board Chairman.

OATH OF OFFICE

Ms. Bierne administered the Oath of Office to the Board.

RESOLUTION(S)**REDEVELOPMENT PLAN**

Central Avenue Area

Block: 9; Lots: 11.01, 11.02, 11.03, 32, & 36 and Block: 7; Lot: 22

25 Mitchell Street, 27 Mitchell Street, 29 Mitchell Street,

8-10 Central Avenue, 18 Central Avenue & 4 Tompkins Street

Matrix New World Engineering

The Board voted on the Resolution as follows:

Motion: Chairman Bagoff

Second: Mr. Eben

Cardoza: -	Eben: Yes	Ghebremicael: -	Klein: Yes
Keigher: Yes	McCartney: Yes	Wegner: Yes	Weston: Yes
Wilkes: -	Bagoff: Yes		

APPLICATION(S)**PB-16-18/Mark Lance**

Block: 80.01, Lots: 37, 38 & 39, Zone: R-5

25 Highwood Road

Minor Subdivision without variances.

DISCUSSION

Anthony Marucci, PE, LS, PP, Marucci Engineering, appeared before the Board. He stated his office had been engaged to prepare the minor subdivision for the Applicant; because it was such a minor application, he was assisting Mark Lance, Applicant. He said Mr. Lance would explain the Application.

Mr. Lance was sworn in, and stated he resided at 25 Highwood Road. He stated his neighbor at 19 Highwood Road had agreed to convey to him a narrow strip of land from his property that was 8.4 feet wide.

Mr. Weston asked Mr. Lance to confirm the purpose of the application was to realign the property line only, and that no new building construction was proposed. Mr. Weston asked if the purpose

was to create a greater landscape buffer. Mr. Marucci stated his associate, Nick Marucci, would testify to the purpose of the subdivision.

Referring to his memo dated December 22, 2016, Mr. Grygiel asked if the flower planters along the property line were to remain; Mr. Lance answered in the affirmative.

The Public Advocate and Public had no questions for Mr. Lance.

Nick Marucci, PE, Marucci Engineering, was sworn in, stated his credentials and was accepted by the Board to be an expert professional engineer and professional landscaper. Mr. Marucci stated the minor subdivision was for properties located at 19 and 25 Highwood Road, also identified as Block 80.01, Lots 37, 38 and 39. Referring to the proposed Minor Subdivision drawings submitted as part of the application, (Sheet 1 of 1, dated 9/23/2016, revised 11/21/2016), he stated the proposal was for a new lot line, the western side line, to add 8.4 ft. to Lot 37. He stated Lot 37 currently had 75 ft. of width, and was a non-conforming lot, 9,000 sq. ft. where the requirement was 10,000 sq. ft. The lot shift would add 1,008 sq. ft. to existing Lot 37. He stated the existing planters were 2 ft. by 10 ft. and would remain in place.

In response to question from Mr. Wilkes, Mr. Marucci stated that no trees would be removed. The existing landscaping would remain "as is".

Mr. Grygiel asked for clarification regarding the owner of the three lots. Mr. Marucci stated the application was the owner of Lot 37; applicant's neighbor owned Lots 38 and 39. Mr. Marucci confirmed that property formerly owned by the Township had been acquired by the neighbor, and was no longer owned by the Township.

The Public Advocate and Public had no questions for Mr. Marucci.

Mr. (Anthony) Marucci stated that the Applicant's attorney would prepare the new deeds.

There was no further testimony.

The Township professionals, Public Advocate and Public had no comments.

Chairman Bagoff closed the public hearing; the Board deliberated.

Mr. Weston suggested the updated map remove the Township as property owner. Mr. Eben asked for clarification regarding changes to the Tax Map. Mr. (Anthony) Marucci stated that when the new deeds were filed, the Municipal Engineer's office would make changes to the Tax Map.

Conditions:

1. The Tax Map and Township Map be updated by the Township Engineering Department.

The Board voted on the Application as follows:

Motion: Chairman Bagoff

Second: Vice Chairman Klein

Cardoza:	Yes	Eben:	Yes	Ghebremicael:	Absent	Klein:	Yes
Keigher:	Yes	McCartney:	Yes	Wegner:	Yes	Weston:	Yes
Wilkes:	Yes	Bagoff:	Yes				

PB-16-12/The Baptist Home Society of New Jersey d/b/a The Cliffs at Eagle Rock

Block: 177.08, Lot: 20; Zone: R-5

707 Eagle Rock Avenue

Amended Site Plan.

DISCUSSION

Ms. Bierre asked Mr. Grygiel for an opinion regarding jurisdiction; the Applicant had previously appeared before the Zoning Board. Mr. Grygiel stated the current application was minor in nature. It was separate from the application heard by the Zoning Board; it was appropriate for the Planning Board to review the current application.

Gordon D. Meyer, Esq., was sworn in; he stated he was an attorney licensed in the State of New Jersey and was the CEO of The Cliffs at Eagle Rock. He gave a brief recapitulation of the property; The Cliffs at Eagle Rock were completed in 2005; for the past twelve (12) years, the building had adequate space to accommodate all operations; however, residents now needed an additional exercise and rehabilitation area. He stated that when the facility first opened, the exercise space was adjacent to the nursing station. As time went on there was the need to expand the nursing station and the exercise space moved to the existing Activities/Arts & Crafts room. Today, there was a significant need for residents to receive rehabilitation in a private space, away from the shared Activities space. Mr. Meyer stated the proposal would encompass an existing courtyard, and easily accommodate exercise and rehabilitation equipment. Mr. Meyer stated the architect for the original project, David Danton, had designed the new expansion.

The Board had no questions for Mr. Meyer.

In response to questions from Harvey Grossman, Esq., Public Advocate, Mr. Meyer stated the facility was a licensed assisted living residence for a maximum of eighty-five (85) residents. The expansion would not increase the total occupancy or parking spaces. Rehabilitation services were for existing residents only; there would be no outpatient rehabilitation services.

Mary Bowling, 2 Cliff Street, stated the rear of her property was adjacent to the Applicant's facility. She asked to see elevations showing the height of the addition relative to the cliff; the current number of residents; and the timeline for construction. Mr. Meyer stated the addition was one-story; the current occupancy was seventy-eight (78) residents; and construction would start in the spring.

David Danton, AIA, PP, Principal, KDA Architects, was sworn in, stated his credentials, and was accepted by the Board to be an expert in architecture.

Mr. Eben asked if Mr. Danton had a Certificate of Authorization number, he stated the information should have been on the drawings. Mr. Weston stated he had researched the issue; the Certificate of Authorization number was not required for drawings. Chairman Bagoff stated that in order to irrefutably resolve the matter, he requested Mr. Grygiel investigate and offer his expert opinion before the next meeting.

Mr. Danton stated he was the architect for the original structure. The new addition would be a very small adjustment to the site; the proposal was a 330-350 square feet addition, approximately 16 ft. by 22 ft. on the west side of the building. There would be no change to set backs; there would be a slight change to impervious coverage; the existing building coverage was 12.46%, the addition would increase to 12.58%, way below the 35% allowed in the zone. The maximum lot coverage

allowed was 45%, Applicant was currently at 30.50%; project would increase it to 30.62%. The addition would be for the services for residents only; there would be no increase in total bed count capacity, no increase in residents or employees. Referring to the site plan drawings submitted as part of the Application (Petry Engineering, LLC, dated 11/22/16, sheets SP-1 and SP-2), Mr. Danton described the existing conditions, the outline of the existing building footprint, and the proposed 16 ft. by 22 ft. addition. Referring to architectural plans submitted as part of the Application (KDA Architects, 14 pages, revised 8/2/2016), he described the layout of the first floor including the administrative areas, the activity space, and proposed addition. The new area would be closed off while the residents exercised or received rehabilitation. The structure was one-story, approximately 11 ft.-1 ft. to the eave; there was a very shallow slope, the addition would not have major presence on the site. The materials used for construction would be the same as the existing building materials.

In response to question from Mr. Weston, Mr. Danton confirmed the NJ Department of Community Affairs had previously reviewed and approved the project. He said the DCA approval was contingent on the Board approving the project.

Mr. Klein asked for clarification regarding the length of construction and related noise issues. Mr. Danton stated the project would take no more than three to four months to complete; there might be some noise generated from small, motorized equipment to do the trenching for the foundation.

In response to question from Mr. Eben, Mr. Danton stated a temporary chain link fence would provide a safety barrier to prevent residents from access to construction area. The fencing would not provide screening for neighboring properties.

Mr. Wegner asked for clarification regarding the area of construction visible to neighboring properties.

The Township professionals, Public Advocate and Public had no questions for Mr. Danton.

There was no further testimony from the Applicant.

The Township professionals, Public Advocate and Public had no comments.

Chairman Bagoff closed the public hearing; the Board deliberated the Application.

The Board voted on the Application as follows:

Motion: Chairman Bagoff

Second: Mr. Weston

Cardoza: Yes	Eben: Yes	Ghebremicael: Absent	Klein: Yes
Keigher: Yes	McCartney: Yes	Wegner: Yes	Weston: Yes
Wilkes: Yes	Bagoff: Yes		

MEETING ADJOURNED at approximately 8:25 P.M.

Minutes adopted March 1, 2017.



Robin Miller, Secretary
Township of West Orange Planning Board

**THE NEXT REGULAR MEETING OF THE PLANNING BOARD WILL BE
WEDNESDAY APRIL 5, 2017 AT 7:30 P.M. IN THE COUNCIL CHAMBER.**