

**TOWNSHIP OF WEST ORANGE
PLANNING BOARD
DRAFT MEETING MINUTES
March 1, 2017**

The Township of West Orange Planning Board held a regular meeting on March 1, 2017 at 7:30 P.M. in the Council Chamber, 66 Main Street, West Orange, New Jersey.

Chairman Bagoff called the meeting to order at approximately 7:30 P.M. He announced that notification of the meeting was given to the Township Clerk, and posted on the Township Bulletin Board, sent to the West Orange Chronicle and the Star Ledger, and posted on the Township's website calendar. This meeting has been properly noticed to the public in accordance with the Open Public Meetings Act. No new matters will start after 10:30 P.M.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

PRESENT: Chairman Robert Bagoff, John Cardoza (7:33 P.M.), Jerome Eben, Vice Chairman Lee Klein, Captain Michael Keigher, Councilwoman Susan McCartney, Gary Wegner, Ron Weston, William Wilkes II

ABSENT: Tekeste Ghebremicael

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

ANNOUNCEMENTS

The next Planning Board regular meeting will be April 5, 2017 in the Council Chamber at 7:30 P.M.

ADOPT MINUTES

The minutes of the September 7, 2016 regular meeting were unanimously adopted.
The minutes of the November 2, 2016 regular meeting were unanimously adopted.
The minutes of the January 4, 2017 regular meeting were unanimously adopted.
The minutes of the February 1, 2017 regular meeting were unanimously adopted.

SWEARING IN

The Township Professionals.

RESOLUTION(S)

None.

APPLICATIONS

None.

DISCUSSION(S)

Council on Affordable Housing

Presented by: Paul Grygiel, PP, AICP, Township Planner

Mr. Grygiel stated that the April agenda would include a proposed Amendment to the Fair Share Plan of the Township that was part of the Housing Element; a requirement of the Council on Affordable Housing (COAH) compliance. He stated that at this time, a very minor change was proposed. The Township's affordable housing consultant, Shirley Bishop, was preparing the document. He stated the amendment would be presented as any other Amendment to the Master Plan; a Public Hearing, with publication of the Notice of Hearing in local newspapers and certified mailing to neighboring municipalities and interested parties.

Chairman Bagoff asked if the document was pro forma, or would the Board have a chance for modification based on discussion. Mr. Grygiel stated he thought the changes would be very minor; but it would be open to modification if there was an issue. He stated the Board would have to vote either yes or no on the Amendment. It was important to move on the issue.

Councilwoman McCartney suggested Mr. Grygiel bring everyone up to date on COAH.

Mr. Weston asked if the Amendment should be considered together with the Master Plan Reexamination, or separately. Mr. Grygiel stated separately; although it appeared that sometime within this calendar year major changes to the Housing Element of the Master Plan would be necessary.

Mr. Eben requested clarification on the current status of COAH.

Chairman Bagoff and Mr. Grygiel discussed the Public Noticing requirements for the Public Hearing on the Amendment to Adopted Fair Share Plan. Mr. Dwyer would prepare the Public Notice, the Secretary would arrange for newspaper publication and certified mailing to surrounding municipalities and interested parties.

Per the request of Board members, Mr. Grygiel gave a brief recapitulation of COAH. He stated that in its 1983 Mt. Laurel ruling, the NJ Supreme Court determined that each municipality had a constitutional obligation to create its fair share of affordable housing to low-and moderate-income households. He stated that West Orange had always been very pro-active regarding the topic – First Round and Second Round – and the Third Round that began in 2005. However, certain aspects of the Third Round had been dismissed in 2008. The Township then updated its plan for submission for certification. The Township was one of the few municipalities that had actually been approved for Third Round certification. Unfortunately, based on the 2015 Supreme Court decision, West Orange must now reexamine its obligation; it must essentially start over. At this time, there are no definitive numbers. COAH as an entity no longer exists, they no longer furnish numbers; the Council on Affordable Housing was shut down by the Governor several year ago. Numbers were now put forth by the Fair Share Housing Center, a non-profit group that is intervening together with a Special Master. A judge will now have to decide what numbers West Orange is obligated to fulfil.

The Board and Mr. Grygiel discussed past COAH obligations placed on developers, the effect of group homes and new single-family residences on the COAH numbers, and the West Orange Housing Rehabilitation Program.

The Public Advocate and Public had no questions or comments.

There was no further discuss on the matter.

Master Plan Reexamination Update

Introduced by: Chairman Robert Bagoff; Presented by: Paul Grygiel, PP, AICP, Township Planner

Chairman Bagoff address the Chamber. The Reexamination Plan Update was intended to help ensure that future development of the Township be balanced and sustainable. Much growth was occurring in the Township including the South Mountain Recreation Complex, Turtle Back Zoo, and the Central Avenue development partnership with the City of Orange. There were many stakeholders including St. Barnabas Medical Center, the County, the State, PSE&G. and Verizon. West Orange was home to every type of housing stock, houses of worship, and a major interstate highway. It had a great school system, was one of the most socio-economically and culturally diverse towns in New Jersey. The last Master Plan Reexamination Update was done in 2010; the law states the plan must be reexamined within a ten-year period (2020). The plan has several components including its stakeholders – the Town Council, Planning Board, Zoning Board, Fire Department, Police Department, Township businesses, and the Public. He said the Board would be working over the next year to update the Master Plan; he welcomed the input of all stakeholders. He suggested the Public visit the Township website and familiarize themselves with all relative documents.

Mr. Grygiel stated the Township's Master Plan was last updated in 2010. Subsequently many changes had occurred including COAH, the economy, new laws and regulations at the State and Federal level, and new development in surrounding municipalities. He stated it made sense to start the process of what the Township stakeholders want the Township to look like going forward; he emphasized that stakeholder involvement was very important. He stated he was involved in the 2010 Reexamination Report; the gathering of information included meeting with Township officials, employees, the Public, entities such as the West Orange Public Library, the Historic Preservation Commission, etcetera.

Mr. Grygiel stated that an important aspect of the Reexamination effort that he felt needed to be addressed was coordinating efforts among the various Township groups such as the Pedestrian Safety Advisory Board and the Downtown West Orange Alliance. He opined there were many groups that wanted to help the Township, but it was his suggestion that their efforts be done through the Master Plan Reexamination process. In that way there would not be competing efforts, the Planning Board would in essence become a "central clearing house". He stated it was his understanding the Township administration was behind these efforts. The next steps included devising an exact timetable and funding for the project that would include mapping, data gathering, community outreach, meeting with various community groups (i.e. public workshops). He reiterated the project was not a rush, the Township had until 2020 to complete the next update; however; he suggested the Board deal with some of the more pressing issues, such as pedestrian safety; zoo projects, and the Prism project.

The Board briefing discussed the process involved in adopting the Master Plan Update, including holding public hearings on the matter. Mr. Grygiel clarified it was the Board, not the Town Council that voted on the adoption of the Township Master Plan. Mr. Weston asked for clarification regarding the scope of the project; was it going to be an entire re-write of the Township Master Plan or update of the 2010 Reexamination. Mr. Dwyer said the Township was required to compare prior Master Plans when doing a reexamination. Mr. Grygiel stated there was no funding at present to embark on a multi-year, multi-thousand dollar project. Mr. Eben stated that he was on the Downtown Alliance during the reexamination in 2010; he opined that many of the goals discussed then did not happen. He noted that many members of the Public were present in Chamber tonight. He asked if they would have the opportunity to address the Board. Councilwoman McCartney acknowledged the Public were stakeholders and since there were many members present, the meeting should be used as an opportunity for them to be heard and start the discussion.

Public Advocate:

Harvey Grossman, Esq, opined the project was massive; the public must be drawn into the project on a massive scale. He voiced concern about affordable housing – the Township had many older properties that would probably qualify as affordable housing that might give the Township some relief in terms of its COAH obligation. He opined the Township must give a great deal of attention to streets and sidewalks. There have been some dangerous, catastrophic situations in the Township. The transportation aspect must be incorporated from the beginning, and must be tied in with other surrounding communities. He commended the Board for being pro-active on the project.

Public Comment:

Roz Moskovitz Bielski, 11 Wedgewood Drive. She stated she was a member of the Pedestrian Safety Advisory Board and the Pleasant Valley Civic Association. She opined we must continue discussing our relationship with the County; it was a very tenuous relationship. The Board hears Courtesy Review applications, but what does that really mean – how do we leverage our Open Space Trust Fund dollars with getting the things we need, such as sidewalks that connect all of us, especially the JCC area to the reservoir area of the zoo. How are we protecting our most vulnerable pedestrian population? There have been three recent fatalities. Our Complete Streets Plan must be tied in with the County Complete Streets Plan and we must make the County accountable.

Councilman Joe Krakoviak, 20 Grandview Avenue. He requested the Board consider some additional topics when reviewing the Master Plan update. How affordable housing gets tied in to traffic. He said that any time we build additional housing we have to take into account the traffic; he noted the Edison Lofts would create a huge increase in traffic primarily because there is no public transportation in the form of nearby trains. He mentioned that the West Essex Highlands could potentially bring several hundred new living units, all contributing to traffic problems. He hoped that traffic would be a central focus of the reexamination. He noted that St. Mark's Church was undergoing renovation, albeit slowly. He suggested that another item to look at would be the evolution of houses of worship that are suffering from declining membership and may become developable properties in the future. Lastly, trying to make West Orange a livable community for our senior citizens, i.e. walkability, transportation.

Eric Freedman, 716 Northfield Avenue. Mr. Freedman stated he was a new member of the West Orange community. He and his neighbors would like connecting sidewalks from the JCC area to the South Mountain Recreation Complex area.

Robert Rashkes, 35 Oak Crest Road. Mr. Rashkes requested the Board continue to request the County connect the JCC area and the St. Cloud area with sidewalks, and pedestrian access to the South Mountain Recreation Complex from all West Orange neighborhoods.

Kruti Patel, 21 Lapis Circle, West Essex Highlands. Ms. Patel stated that there was only one road in and one road out of her neighborhood. She voiced concern that any new construction would create hazardous conditions in the case of an emergency. She was also concerned about potential flooding should thousands of trees being removed for new construction.

Rachel Klein, 13 Howell Drive, stated she grew up in West Orange. She requested the Board stop new residential development; she voiced concern that wild life would have no place to go.

Lori Kapferer, 65 Fitzrandolph Road. Ms. Kapferer requested that the Board closely examine the Stormwater report for the West Essex Highlands when there is a new application. When reviewing the Master Plan, she encouraged thinking about connectivity, care for our open spaces, walkability and bikability.

Andrew Kapferer, 65 Fitzrandolph Road, stated he enjoyed being able to walk around West Orange but would like to see wider sidewalks on Pleasant Valley Way. He stated he saw cars travelling 40-50 miles per hour when they should only be going 25 miles per hour. He said he would also like to see bike lanes on major roads in West Orange, and bike racks.

Rosary Morelli, Ralph Road, asked why the Township did not have a full-time Planner. She asked if it was within the purview of the Board to make the request to Council. She strongly recommended the Township employ a full time Planner.

Roz Moskovitz Bielski, 11 Wedgewood Drive, asked for clarification regarding the time frame for holding public meetings for stakeholders. Chairman Bagoff stated that meetings had not yet been scheduled.

Chairman Bagoff closed Public Comment.

The Board discussed proceeding with the Master Plan Reexamination. Vice Chairman Klein said our Master Plan included many elements on County roads; he identified Alissa Drive as an area to do traffic counts, coordinating with the County, Board of Education and Township Engineer. Mr. Eben and Mr. Wegner thanked the Public and acknowledged their concerns.

Chairman Bagoff polled the Board. They voted unanimously to proceed with working on updating the Master Plan.

Chairman Bagoff made a recommendation to send a letter to the Council stating they were going to proceed with a reexamination of the Master Plan under the guidance of Mr. Grygiel and request the Council fund the project.

The Board voted on the Recommendation as follows:

Motion: Mr. Weston

Second: Chairman Bagoff

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

MEETING ADJOURNED at approximately 9:12 P.M.

Minutes adopted April 5, 2017.



Robin Miller, Secretary
Township of West Orange Planning Board

**THE NEXT REGULAR MEETING OF THE PLANNING BOARD WILL BE
WEDNESDAY MAY 3, 2017 AT 7:30 P.M. IN THE COUNCIL CHAMBER.**