

**TOWNSHIP OF WEST ORANGE
PLANNING BOARD
MEETING MINUTES
January 3, 2018**

The Township of West Orange Planning Board held a regular meeting on January 3, 2018 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 7:34 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.

ANNOUNCEMENTS

The next Planning Board regular meeting will be February 7, 2018 in the Council Chamber at 7:30 P.M.

The Applicant, **Forest Hill Properties LLC**, scheduled to be heard at this meeting has requested that Application **PB-17-11/Forest Hill Properties LLC** be adjourned to the February 7, 2018 regular meeting. No further notice will be required.

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

- Andrew Trenk, Mayor's Designee/Class I member, for the term January 1, 2018 through December 31, 2018.
- Captain Michael Keigher, Township Official/Class II member, for the term January 1, 2018 through December 31, 2018.
- Gary B. Wegner, Citizen/Class IV member, for the term January 1, 2018 through December 31, 2021.
- John Cardoza, Citizen/Alternate Member #1, for the term January 1, 2018 through December 31, 2018.

The Township Council has made the following re-appointment:

- Councilwoman Susan McCartney, Governing Body/Class III member, for the term January 1, 2018 through December 31, 2018.

ROLL CALL

PRESENT: Chairman Robert Bagoff, John Cardoza, Vice Chairman Lee Klein, Councilwoman Susan McCartney, Andrew Trenk, Gary Wegner, Ron Weston, William Wilkes II

ABSENT: Tekeste Ghebremicael, Michael Keigher

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

ADOPT MINUTES

The minutes of the December 6, 2017 Planning Board meeting were unanimously adopted.

ANNUAL REORGANIZATION

Elect Chairman: Robert Bagoff

The Board voted on the Appointment as follows:

Motion: Weston

Second: Wilkes

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

Elect Vice-Chairman: Ron Weston

The Board voted on the Appointment as follows:

Motion: Bagoff

Second: McCartney

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

Appoint Board Attorney: Patrick Dwyer, Esq.

The Board voted on the Appointment as follows:

Motion: Bagoff

Second: Klein

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

Appoint Board Secretary: Robin Miller

The Board voted on the Appointment as follows:

Motion: Bagoff

Second: Wegner

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

Appoint Site Plan Review Advisory Board Representative: Mr. Klein

The Board voted on the Appointment as follows:

Motion: Bagoff

Second: Wegner

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

Appoint Site Plan Review Advisory Board Alternate: Vice Chairman Weston

The Board voted on the Appointment as follows:

Motion: Bagoff

Second: Trenk

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

Appoint Board Planner: Paul Grygiel, AICP, PP, Phillips Preiss Grygiel

Motion: Bagoff

Second: Klein

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

Appoint Board Consulting Engineer: Eric Keller, PE, PP, LEED AP, Bowman Consulting

Motion: Bagoff

Second: Cardoza

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

SWEARING IN

Township Professional: Paul Grygiel, AICP, PP, Township Planner

RESOLUTION(S)

PB-17-09C/Essex County/TBZ/Main Entrance Renovation

Block: 163; Lot: 1; Zone: R-1

560 Northfield Avenue

Courtesy Review Application to renovate existing entrance at the Turtle Back Zoo.

Approved 12/6/17

The Board voted on the Resolutions as follows:

Motion: Weston

Second: Bagoff

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

PB-17-10C/Essex County/TBZ/Leopard Exhibit Renovation

Block: 163; Lot: 1; Zone: R-1

560 Northfield Avenue

Courtesy Review Application to renovate existing Leopard Exhibit at the Turtle Back Zoo.

Approved 12/6/17

The Board voted on the Resolutions as follows:

Motion: Weston

Second: Bagoff

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

**Essex Green and Executive Drive Area
Area of Need of Redevelopment Study**

Block 155, Lot 40.02, 100 Executive Drive

Block 155, Lot 40.03, Rooney Circle

Block 155, Lot 41.02, 10 Rooney Circle

Block 155, Lot 42.01, 300 Executive Drive

Block 155, Lot 42.02, 200 Executive Drive

Block 155.21, Lot 40, Prospect Avenue

**Recommend to Township Council that these properties qualify as a Non-
Condemnation Area in Need of Redevelopment pursuant to N.J.S.A. 40A:12A-1
et. seq.**

Approved 12/6/17

The Board voted on the Resolution as follows:

Motion: Weston

Second: Bagoff

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

APPLICATION(S)

PB-17-11/Forest Hill Properties LLC

Block: 34; Lot: 37; Zone: R-6

83 Forest Hill Road

Minor Subdivision with "C" variances.

Adjourned to the February 7, 2018 regular meeting.

EXECUTIVE SESSION

Chairman Bagoff announced the Board would be going in to an Executive Session approximately 7:51 P.M.; he reconvened the Public meeting at approximately 8:09 P.M.

Addendum February 7, 2018: The Executive Session was to discuss pending litigation regarding Application PB-17-08/Crestmont Country Club.

RECOMMENDATION TO COUNCIL

Area in Need of Redevelopment & Area in Need of Rehabilitation

Preliminary Investigation Report – Eagle Rock Commercial Area

H2M Associates, Inc.

Carried from the December 6, 2017 meeting.

DISCUSSION:

Chairman Bagoff stated that a little over a year ago the Board had made the recommendation to Council that within a year the Administration would have the opportunity to gather additional information to present to the Board regarding the Area in Need of Redevelopment and Area in Need of Rehabilitation Preliminary Investigation Report for Eagle Rock Commercial Area, presented by H2M Associates, Inc. He stated there has not been an additional presentation. He made a motion to recommend to Council that the Board's findings were the information provided by H2M Associates did not leave the Board to believe the Area was an Area in Need of Redevelopment and Area in Need of Rehabilitation.

The Board voted on the Recommendation as follows:

Motion: Bagoff

Second: Weston

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

DISCUSSION

Chapter 25.12.1 – General Provisions for Off-Street Parking

Chapter 25-28 – Steep Slope and Natural Features Ordinance

DISCUSSION:

Chairman Bagoff stated the Board would be reviewing at the General Provisions for Off-Street Parking and the Steep Slope and Natural Features Ordinance. He stated the Board should reexamine the definition of “natural feature”. He opined that over the past decade, the Board had struggled with definitions; he cited a case where a mound of dirt had been backhoed thirty-five years ago; subsequently trees had grown on the mound; and objectors had stated the mound was a natural feature. He stated there was a recent case that involved an outcropping of rocks on Prospect Avenue/Mt. Pleasant Avenue that was a true natural feature. He requested the Board begin the discussion and then present its recommendation to the Township Council on what were the Township's natural features. Vice Chairman Weston suggested Mr. Grygiel investigate Municipal Land Use Law and natural features ordinances throughout the State to help guide the Board in its discussion. Council President McCartney stated that consideration should be given to the length of time a man-made feature had existed. The Board discussed elements to consider in defining “natural feature”. Chairman Bagoff requested Mr. Grygiel and Mr. Dwyer review the matter and provide information to the Board for the next meeting.

Harvey Grossman, Esq., Public Advocate, opined the definition of steep slope was objective. Chairman Bagoff stated the discussion was principally focusing on the definition of a "natural feature".

Chairman Bagoff stated the next item he wanted to address was the Complete Streets Ordinance; Mr. Grygiel stated the issue was the section that was cited in (Chapter 25.12.1-General Provisions for Off-Street Parking), Section "o." stated, "All new uses or expansion of existing uses in nonresidential districts..." predated the Complete Street Policy Amendment to the Master Plan. Mr. Grygiel stated it was not in the Complete Street Policy, it was in the Off-Street Parking. There was discussion about including sidewalks in the Master Plan reexamination. Chairman Bagoff stated he would like the Board to review the matter. He requested Mr. Grygiel and Mr. Dwyer review the matter and provide information to help guide the Board in making a recommendation to Council.

Chairman Bagoff announced the Applicant, **Forest Hill Properties LLC**, has been adjourned to the February 7, 2018 regular meeting. No further notice will be required.

MEETING ADJOURNED at approximately 8:50 P.M.

Minutes adopted February 7, 2018.



Robin Miller, Secretary
Township of West Orange Planning Board

**THE NEXT REGULAR MEETING OF THE PLANNING BOARD WILL BE
WEDNESDAY MARCH 7, 2018 AT 7:30 P.M. IN THE COUNCIL CHAMBER.**