

**RESOLUTION
of the
PLANNING BOARD OF THE TOWNSHIP OF WEST ORANGE**

Heard: January 8, 2020
Case Nos.: PB-19-08C
County of Essex/Turtle Back Zoo
Memorialized: February 5, 2020

WHEREAS, pursuant to Municipal Land Use Law §40:55D-31 the Board has heard a proposed capital improvement project by the County of Essex for construction of certain improvements at the Turtle Back Zoo which is located on County owned property at 560 Northfield Avenue, West Orange, NJ, said premises being designated on the municipal tax map as Block 163, Lot 1; and

WHEREAS, the Board having heard the presentation and having performed its review pursuant to MLUL §40:55D-31 hereby makes the following findings of fact and conclusions of law:

1. The Board accepted into evidence the following Exhibits:
 - A-1 Aerial Photograph
 - A-2 Concept Plan prepared by French & Parrello dated November 15, 2019
 - A-3 3-D Rendering
 - A-4 Floor Plan prepared by French & Parrello dated August 1, 2010
 - A-5 Elevations prepared by French & Parrello dated
2. Daniel Salvante, the Director of the Essex County Park System that the zoo has come a long way from 1996 when it was recommended for closure.. The zoo is now accredited by three major zoological associations He stated education is a core value of the zoo.

3. Michael Piga, L.A., of French & Parello was sworn and qualified as a landscape architect. He testified as to the proposed improvements. He also submitted a letter to the Board dated December 4, 2019 describing the improvements which include constructing a 500 seat amphitheatre at the rear of the zoo property behind the existing penguin exhibit. The proposed project would carve out 1.5 acres from the natural woodlands of the South Mountain Reservation and require removing 135 trees. 270 replacement trees would be planted. The amphitheater, referred to as a "Conservation Pavilion" by the Applicant, will consist of audience seating, a stage, an indoor habitat area, an outdoor habitat area, an animal run, a control booth and a stand-alone rest room building. The Conservation Pavilion will have African themed accents on the audience side, the façade consisting of faux natural stone, bamboo and faux wood accents. The stage will be covered by an aluminum shell. The stage will have lighting and LED screens. The stage will be used only for educational purposes with shows designed to educate the public especially school children.
4. Kate Hartwyck the Deputy Director of the Essex County Park System testified that the purpose of the application was to fulfill the zoo's educational mission.
5. Michael Kerr the Director of the Turtle Back Zoo testified that the small animals used on stage for educational programming would be desensitized so they would more easily accept their on stage presence.
6. There was widespread concern by some of the public about the application. Chief among the issues raised by those who opposed the application was the taking of 1.5 acres of woodland from the Olmstead designed public park, the type of

programming which might occur on the stage, the off site impacts of sound, light, and traffic, whether the stage might be rented out for non-Zoo events, the effect the amphitheatre might have on animals within the Reservation, the ever-expanding footprint of the Zoo and whether the amphitheatre was needed for the Zoo to meet educational goals.

WHEREAS, the Board having heard the presentation and having performed its review pursuant to MLUL §40:55D-31 hereby makes the following findings of fact and conclusions of law:

1. The County of Essex proposes construction of renovations to the Zoo by adding a new amphitheatre and pavilion at the rear of the Zoo, taking 1.5 acres from the Reservation and removing 135 trees accordance with drawings by Comito and Associates and French and Parelo Associates.

2. The Board finds that the proposed project and capital improvements are not contrary to the Master Plan of the Township of West Orange. However, the Board notes that the 2019 West Orange Master Plan Reexamination expresses reservations about continued expansion of the Zoo, stating:

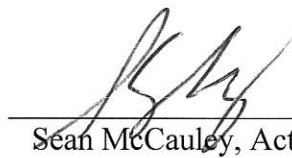
However, there are concerns about the amount of development in the Reservation, and the transformation of formerly open areas into active recreation space and zoo facilities. The Township should continue to work with Essex County to allow for appropriate development without overwhelming what makes the South Mountain Reservation a special place.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of West Orange that it finds that the proposed project and capital improvements are not inconsistent with the West Orange Master Plan. However, the Board makes the following comments and recommendations to the Applicant:

1. Applicant should look to replace the 1.5 acres of woodlands being taken for this project by acquiring 1.5 acres for dedicated open space elsewhere.
2. Increase the number of replacement trees to more than 270 and that they have a greater than 3" dbh.
3. Conduct a study of the stormwater impacts of the Zoo.
4. That the proposed detention basin be a swale or rain garden, and that it also be a learning exhibit.
5. Conduct a study of noise and sound emanating from the Zoo and its impacts upon neighboring property owners. Consider planting evergreen trees to mitigate the noise coming from the Zoo. Consider ways to mitigate sound during construction. Comply with the West Orange Noise Ordinance at all times.
6. Consider installing a "cool roof" on the pavilion.
7. The Board notes that after the hearing but before memorialization of this Resolution the County sent a letter to the Board dated January 10, 2020 (copy attached) outlining the County's response to the Board's recommendations.

Certified to be a true copy of the Resolution adopted on the 5th day of February,

2020.

 Date: 2/6/2020
Sean McCauley, Acting Secretary

Vote on the Action Taken by the Board

Board Member	Motion	Second	Aye	Nay	Abstain	Absent
Bagoff (Vice Chair)			x			
Klein		x	x			
Johnson (1 st Alt)			x			
McCartney			x			
Trenk			x			
Wegner			x			
Wilkes						x
Williams			x			
Weston (Chair)	x		x			

Vote on the Memorializing Resolution

Board Member	Motion	Second	Aye	Nay	Abstain	Absent
Bagoff Vice Chair)	x		x			
Klein			x			
Johnson (1 st Alt)			x			
McCartney			x			
Trenk						x
Wegner			x			
Wilkes						x
Williams		x	x			
Weston (Chair)			x			



OFFICE OF THE COUNTY EXECUTIVE

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Joseph N. DiVincenzo, Jr.
Essex County Executive

January 10, 2020

Ron Weston
Chairman, Planning Board
Township of West Orange
66 Main Street
West Orange, NJ 07052

Dear Chairman Weston:

Thank you for giving us the opportunity to discuss the Conservation Pavilion proposed for Essex County Turtle Back Zoo during your meeting on Wednesday, January 8th. We always appreciate input from the Planning Board; your recommendations provide an alternative view of and fresh look at our plans. We take the Board's recommendations seriously and always try to incorporate them into our projects so that local concerns are addressed.

At the conclusion of the meeting, there was a list of recommendations that were made by the board. We believe these will contribute greatly to the success of the Conservation Pavilion and I have already directed our County staff and contracted professionals to incorporate them into the project.

We are going to increase the ratio of replacing trees by doubling the amount of new trees that we will plant. Instead of planting at a 2-to-1 ratio, we will plant at a 4-to-1 ratio, meaning 540 new trees will be planted in South Mountain Reservation.

Our architects have been including white roof designs in many of our recent projects, including our new Public Works Building in Cedar Grove and the Leopard Exhibit and Education Building at Turtle Back Zoo. We have found that the white roof absorbs less heat which results in less energy being needed to cool the building in the summer. Our architects definitely will incorporate this design feature into the Conservation Pavilion and its support building.

Designing the water retention basin as a rain garden and incorporating it into the exhibit as an educational feature is a great idea. As part of the water management system being designed to control runoff, a 25-by-25 foot area adjacent to the Conservation Pavilion will be

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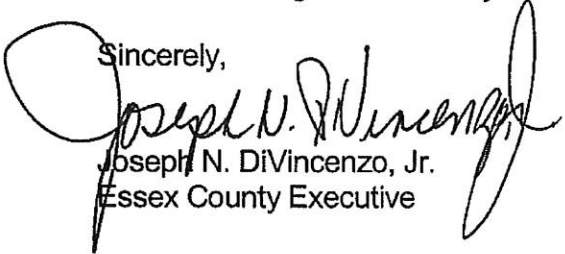
designed as a rain garden and signage, along with possible classroom curriculum, will be created to raise awareness among visitors about the design.

The intrusion of noise and light should not negatively impact our residents' quality of life. Therefore, we are instructing our Essex County Health Officer to study the noise levels generated from the Zoo both during normal events and during times of construction. In addition, we will review the plans with a lighting engineer to ensure lighting used at the Conservation Pavilion will not adversely impact areas beyond the zoo.

Turtle Back Zoo has become an educational and recreation destination, but that should not adversely affect nearby residents and the overall West Orange community. Our commitment to being a good neighbor is evidenced in how we addressed traffic along Northfield Avenue with the addition of a third on-site parking deck. Since its opening in December 2019, our random surveys of Northfield Avenue have indicated a reduction in traffic congestion even during times of peak attendance during our Holiday Lights Spectacular.

Thank you for your thoughtful ideas. We have always enjoyed a great relationship with the Planning Board and look forward to working with you on future projects. Together we will continue *Putting Essex County and West Orange First*.

Sincerely,



Joseph N. DiVincenzo, Jr.
Essex County Executive

Cc: West Orange Planning Board Members
Robert Parisi, Mayor
Township Council Members
Michael Brick, Environmental Commission

Putting Essex County First

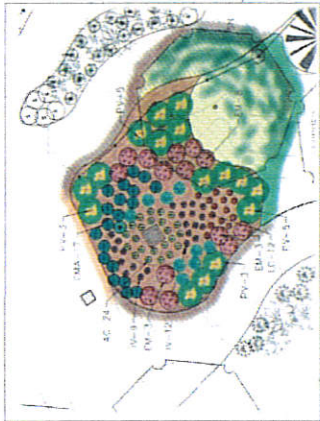
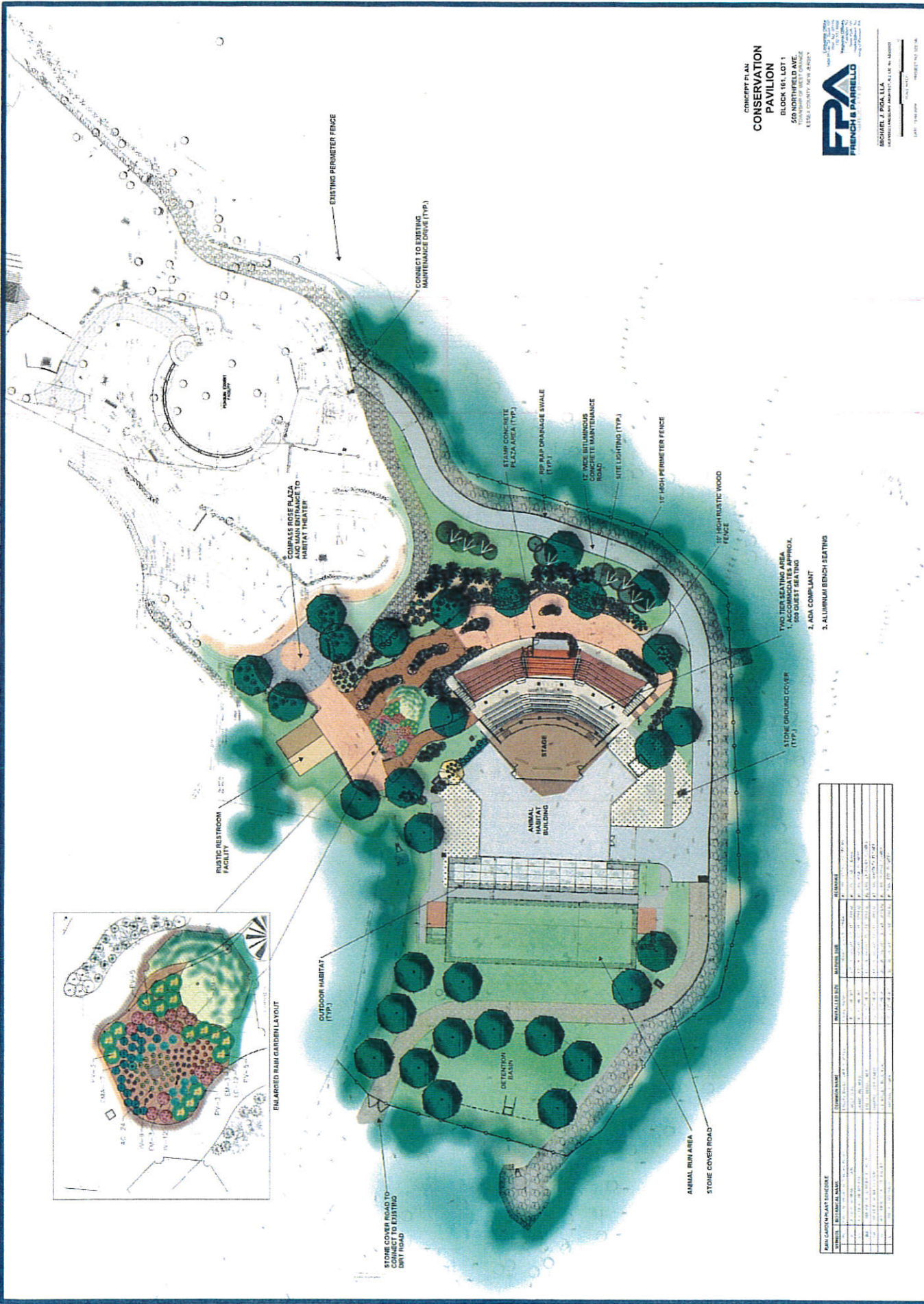
ESSEX COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER

CONCEPT PLAN
CONSERVATION
PAVILION

BLOCK 161, LOT 1
520 NORTHFIELD AVE.
NORTHFIELD, MINN. 55057
ST. LOUIS COUNTY, MO. 63104



ARCHITECT: J. PARRILLO
LANDSCAPE ARCHITECT: J. PARRILLO
DATE: 10/10/07 PROJECT NO: 07-04



RAIN GARDEN PLANT SPECIFICATIONS				
ITEM NO.	PLANT NAME	PLANT SIZE	PLANT QUANTITY	PLANT SPECIFICATIONS
1	AC 24	10' x 10' x 10'	1	10' x 10' x 10'
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