

**MINUTES
TOWNSHIP OF WEST ORANGE
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
November 19, 2020**

The West Orange Zoning Board of Adjustment held a meeting on November 19, 2020 commencing 8:00 PM utilizing the virtual Zoom platform.

Chairman Neuer called the meeting to order at approximately 8:00 P.M. It was announced that notification of this meeting was given to the Township Clerk, the West Orange Chronicle and the Star Ledger and posted on the Township Bulletin Board in accordance with the "Senator Byron M. Baer Open Public Meetings Act."

Chairman Neuer asked everyone to stand for the Pledge of Allegiance.

PRESENT: J. Eben, D. Gabry, P. Neuer, B. Quentzel, I. Schwarzbaum,
W. Steinhart, M. Straker, A. Weiss

ABSENT: J. Redwine (excused)
M. Sussman (recused)

ALSO PRESENT: Paul Grygiel, Acting Planning Director for the Township
John Hess, Consulting Engineer for the Township
Alice Beirne, Esq., Board Attorney
Rose DeSena, Board Secretary

ANNOUNCEMENTS

Future Meetings: December 17, 2020 (regular meeting)

Chairman Neuer announced that application ZB-20-04/Valley Hill Properties LLC, that was scheduled to be heard at this meeting, has been carried over and adjourned to the Zoning Board regular meeting to be held on 12/17/2020..

MINUTES

October 15, 2020 (regular meeting)

Chairman Neuer stated that the draft minutes from the October 15, 2020 regular meeting were circulated to all of the Board Members.

Chairman Neuer asked if any Board Member had any comments; there were none.

Mr. Steinhart moved to approve said minutes and Mr. Eben seconded the motion.

All in favor.

It was noted for the record that Ms. Weiss was not in attendance for the 10/15/2020 meeting and did not vote on these minutes.

West Orange Zoning Board of Adjustment Regular Meeting Schedule For 2021

Chairman Neuer stated that the Zoning Board's regular meeting schedule for 2021 was circulated to all of the Board Members.

Chairman Neuer asked if any Board Member had any comments; there were none.

Chairman Neuer moved to adopt the Zoning Board of Adjustment's 2021 meeting schedule and Ms. Gabry seconded the motion.

The vote was as follows:

Eben:	Yes	Steinhart:	Yes
Gabry:	Yes	Straker:	Yes
Quentzel:	Yes	Sussman:	-
Redwine:	-	Weiss:	Yes
Schwarzbaum:	Yes	Chairman Neuer:	Yes

SWEARING IN

Paul Grygiel, acting Planning Director for the Township and John Hess, consulting Engineer for the Township were sworn under oath.

RESOLUTION

1. ZB-20-11/Giannetti

Block: 161; Lot: 10; Zone R-5

71 Oak Avenue

Seeking "c" variances to construct an in-ground swimming pool

Approved 10/15/2020

Chairman Neuer stated that this resolution was circulated to all of the Board Members and that this version included comments from himself.

Chairman Neuer asked if any Board Member had any other comments; there were none.

Mr. Schwarzbaum made a motion to adopt the resolution as submitted and Mr. Steinhart seconded the motion

The vote was as follows:

Eben:	Yes	Steinhart:	Yes
Gabry:	Yes	Straker:	-
Quentzel:	Yes	Sussman:	-
Redwine:	-	Weiss:	-
Schwarzbaum:	Yes	Chairman Neuer:	Yes

2. ZB-20-10/Meseha

Approved 10/15/2020

Block: 153.15; Lot: 4; zone: R-6

6 Blackburne Terrace

Seeking "c" variances for fence in front yard on through lot

Chairman Neuer stated that this resolution was circulated to all of the Board Members and that this version included comments from himself.

Chairman Neuer asked if any Board Member had any other comments; there were none.

Mr. Schwarzbaum made a motion to adopt the resolution as submitted and Mr. Steinhart seconded the motion

The vote was as follows:

Eben:	Yes	Steinhart:	Yes
Gabry:	Yes	Straker:	-
Quentzel:	Recused	Sussman:	-
Redwine:	-	Weiss:	-
Schwarzbaum:	Yes	Chairman Neuer:	Yes

APPLICATIONS

1. ZB-19-10/955 Pleasant Valley Way, LLC

Carried from 9/24/202

Block: 172.02; Lots: 8.01 & 8.03; Zone: B-2

955 & 963 Pleasant Valley Way

Seeking "d" use and height variances and "c" variances and preliminary and final major site plan approval to construct a four (4) story self-storage facility

EXHIBITS

A-1 – Aerial view of the site, prepared by Stonefield Engineering, dated 2/20/2020.

A-2 – Concept plan B, prepared by Stonefield Engineering dated 11/15/2020

A-3 - Rendered site plan dated 7/16/2020

A-4 – Section exhibit dated 6/3/2020

A-5 - Areas of Concern Map, prepared by Parsons, dated 02/05/2019

A-6 – Aerial view of proposed building and surrounding area

A-7 - Sheet A-7 of the revised rendered site plan dated 11/17/2020

A-8 – Architectural renderings of the proposed building

Chairman Neuer stated for the record that Ronda Reinstein has been designated as the official court reporter for this meeting.

Chairman Neuer stated that this is the fifth Zoning Board hearing for this application.

Jason Tuval, attorney for the applicant, appeared.

Mr. Tuval stated that since the last time they appeared before the Board, there were substantial changes made to this application. He said that they eliminated the height variance by taking a story off of the building, the parking variance is no longer needed because the building has been reduced in size, changes were made to the driveway due to a concern about cars exiting and a change to the water detention system.

Mr. Tuval called his first witness.

Jeffrey Martell, Civil Engineer for the applicant, was sworn under oath.

Mr. Martell stated that his license is still in effect and was accepted by Chairman Neuer as an expert in the field of engineering.

Mr. Martell presented sheet A-7 of the revised rendered site plan dated 11/17/2020 that was marked as Exhibit A-7 for identification only.

Mr. Martell referred to Exhibit A-7 and detailed all of the revisions made to the proposed building.

Mr. Martell said they eliminated the upper story of the building which reduced the square footage by 27,000 square feet, they reduced the height of the building and changes were made to the front of the building.

Mr. Martell stated that they no longer are seeking a variance for the height of the building.

Chairman Neuer asked Mr. Martell what is the permissible height of a building in that zone; he said thirty five (35) feet.

Mr. Martell stated that they added one parking space to the site; they are now proposing thirteen (13) parking spaces. Mr. Martell said thirteen (13) parking spaces are required by Township ordinance and they are proposing thirteen (13) parking spaces.

Mr. Martell said that they reduced the number of loading spaces from four (4) to three (3) and are in compliance with the Township ordinance.

Mr. Martell said that there is a change in the storm water detention system; he said it is a water tight system now.

Mr. Martell said they changed the egress movements at the northern driveway; he said the northern driveway is to enter the site only and exit at the southern driveway.

Mr. Martell detailed the changes to the signage and said that the monument style sign is in compliance with the Township ordinance.

Mr. Tuval asked Mr. Martell if he reviewed the review memo from John Hess dated 11/12/2020; he said yes and they will comply with all items in the memo.

Mr. Tuval asked Mr. Martell if he reviewed Mr. Grygiel's review memo dated 11/12/2020; he said yes and that agree with Mr. Grygiel.

Mr. Eben stated that, from a visual standpoint, the height of the front of the building appears to still be higher than what is allowed in the Township ordinance.

Ms. Gabry stated that she remains concerned about the slope in the rear of the building; she asked Mr. Martell if they are proposing a retaining wall to prevent erosion; he said that the building will act as a retaining wall.

Chairman Neuer asked Mr. Martell if there is any reason that a retaining wall cannot be built; he said there is no reason why a retaining wall cannot be built but there is a reason why one will not be built. Mr. Martell said that they created a flat stable condition behind the building.

Mr. Martell stated that there is no exposed rock behind the building; there is just soil. He said that they are replanting and regrading it to a flat surface. Mr. Martell said that if the Board requests a retaining wall then they will look into it.

Ms. Gabry stated for the record that she cannot vote for this application unless they consider building a retaining wall behind the building.

Mr. Tuval said that they will consider it.

Chairman Neuer asked Mr. Martell if there is any reason why the roof of the building cannot be a green roof; he said, from an engineering stance, no.

Chairman Neuer asked Mr. Martell to consider installing some type of a green roof so that it appears more attractive to the residents living behind the building looking down at the building.

Chairman Neuer asked Mr. Hess if there was anything in his review memo that requires special consideration; he said no.

Mr. Schwarzbaum asked Mr. Hess if there is a need for a retaining wall in the rear of the building; he said that he does see the potential for erosion on the slope.

Mr. Martell detailed how they are proposing to stabilize the slope. He said that he will continue to think about it and see if anything additional can be done to satisfy the Boards concerns.

Mr. Tuval asked Chairman Neuer if he objects to Mr. Martell meeting with Mr. Hess; he said no and encouraged such a meeting.

Mr. Eben asked Mr. Grygiel for his opinion on the height of the building; he said that he concurs with the applicant on the height.

There were no further questions for Mr. Martell from any of the Board Members or the Board Professionals.

Chairman Neuer asked if any members of the public had any questions for Mr. Martell.

Charles Upshaw stated he lives at 105 Roosevelt Avenue and asked Mr. Martell if there was a geological study to determine if the construction of the building would have any effect on the slope.

Mr. Tuval stated that a GEO technical report was done and their expert testified at the last meeting regarding this.

Chairman Neuer advised Mr. Upshaw to contact the Board Secretary and she will provide him with audio of that meeting so that he can listen to it.

Isabela Freedman stated that she lives on Roosevelt Avenue and asked Mr. Martell if there are any reports to see if anything will happen to the houses at the top of the hill on Roosevelt Avenue during construction of the building.

Chairman Neuer advised Ms. Freedman that she can read all of the reports that have been submitted by the applicant.

There were no further questions for Mr. Martell.

Mr. Tuval presented his next witness.

Paul Devitto, landscape architect for the applicant, was sworn under oath.

Chairman Neuer stated that Mr. Devitto was qualified as the landscape architect at the last meeting.

Mr. Devitto referred to Exhibit A-7 of the site plan and detailed the landscaping plan.

Mr. Devitto addressed the Township Forester, John Linson, memo dated 6/12/2020.

Mr. Devitto said that the buffer has been enhanced to provide greater screening along the western property line; he said the landscape screen is denser.

Mr. Devitto said the evergreen trees they are proposing are eight (8) to ten (10) feet tall; he said by reducing the height of the building and increasing the height of the trees, the modification will screen the building from the neighbors to the west.

Chairman Neuer asked Mr. Devitto if he can design plantings for the roof; he said as long as the building is geared for that, it is possible. Mr. Devitto said it would have to be incorporated into the architectural plan.

Mr. Eben asked Mr. Devitto to detail how they will do the planting; he complied.

There were no further questions for Mr. Devitto from any of the Board Members or the Board Professionals.

Chairman Neuer asked if any members of the public had any questions for Mr. Devitto.

Andrea Goodman stated she lives on Roosevelt Avenue and asked Mr. Devitto if the removal of the trees and their roots will affect her landscaping; he said that they will not be removing any trees in the residential buffer, they are only planting additional trees there.

Chairman Neuer called for a recess at 9:30 pm.

Chairman Neuer resumed the meeting at 9:40 pm.

Mr. Tuval called his next witness.

Matthew Seckler, traffic engineer for the applicant, was sworn under oath.

Mr. Seckler detailed his professional and educational background as a traffic engineer licensed in the State of New Jersey.

Chairman Neuer accepted Mr. Seckler as an expert in traffic engineering.

Mr. Seckler opined on the trip generation due to the reduction of the square footage of the building.

Mr. Seckler said that the northerly driveway will be ingress only and the southerly driveway will be the egress driveway; he said this revision was based on the residents concerned about the exiting vehicles headlights shining into the windows of the homes directly across the street from the driveway.

Mr. Seckler stated that they are proposing thirteen (13) parking spaces on the site; he said the number of parking spaces are compliant with self-storage facilities per the Township's ordinance. Mr. Seckler said that ten (10) of the parking spaces will be for the facility and three (3) for the office employees. He said the number of parking spaces are appropriate for this size of a building.

Chairman Neuer asked Mr. Seckler what the size of the parking spaces are; he said nineteen (19) feet in depth and nine (9) feet wide which is the standard size.

Chairman Neuer asked Mr. Seckler how they will prevent vehicles from not making a left hand turn out of the southerly driveway; he said the regulations will be posted on the site. Mr. Seckler said they will also work with the Essex County Engineer and Mr. Hess and design the driveway to flare out only on one side and not both sides.

Chairman Neuer asked how many self-storage units in the building; Mr. Tuval replied and said there are seven hundred thirty five (735) units in the building and that the architect will provide more detail about that.

Chairman Neuer asked Mr. Seckler if thirteen (13) parking spaces can handle seven hundred thirty five (735) storage units; he said yes.

Chairman Neuer asked Mr. Seckler if all of the parking spaces were taken, where would another vehicle park; he said that he would hope that they would leave and come back.

Chairman Neuer asked Mr. Seckler if a storage facility is a destination; he said yes.

Chairman Neuer asked Mr. Seckler if he agrees that there is nowhere to park on the street if there is an overflow; he said yes.

Mr. Eben said he is a little concerned about the number of parking spaces being proposed for the site and nowhere to park off-site. He said he is also concerned about the onsite truck circulation for a front loading garbage truck.

Mr. Hess stated that the County has not decided if they will allow a left turn into the site; he said there is a concern regarding the cueing of cars during rush hour at the southerly driveway.

There were no further questions for Mr. Seckler from any of the Board Members or the Board Professionals.

Chairman Neuer asked if any members of the public had any questions for Mr. Seckler.

Joyce Rudin stated that she lives on Woodland Avenue. She asked Mr. Seckler how many parking spaces are in the Cube Smart storage facilities in our border towns; he said ten (10) parking spaces outside the gates with the loading docks in the rear at the facility in Roseland. Mr. Seckler said he was not sure about any of the other locations.

Ms. Rudin asked Mr. Seckler how they would handle parking when there is an auction for abandoned lockers; he said the operations person will address that.

Manuel Lim stated that he lives at 938 Pleasant Valley Way. He asked Mr. Seckler if the trees in the front of the site will obstruct the line of site; he said no because the trees are set back.

There were no further questions for Mr. Seckler.

Mr. Tuval called his next witness.

Louis Vandeloeh, architect for the applicant, was sworn under oath.

Mr. Vandeloeh detailed his professional background as a Professional Architect licensed in the State of New Jersey. He said he is practicing as an individual and signed the plans.

Chairman Neuer accepted Mr. Vandeloeh as an expert in architecture.

Mr. Vandeloeh presented sheet A-4 of the revised architectural drawing, dated 11/2/2020.

Ms. Weiss said that she would like to see the drawing of the prior building and the revised proposed building together; Mr. Vandeloeh presented both drawings of the proposed building and detailed the changes that were made.

Mr. Vandeloeh referred to Exhibit A-6 of the original aerial view of the proposed site and the revised aerial view of the proposed site; he said that the revised rendering depicts exactly what is there today and was done by a drone.

Mr. Vandeloeh presented three sheets of the revised architectural rendering of the proposed building that was marked as Exhibit A-8 for identification and detailed the building and what materials will be used on the building.

Mr. Vandeloeh detailed the existing landscaping on the site and what is being proposed.

Chairman Neuer asked Mr. Vandeloeh how many bathrooms are being proposed; he referred to sheet A-2 of the architectural plans and said one bathroom in the office and one on the main floor. Mr. Vandeloeh said the one in the office is for employees but can be used by someone who comes to the office to lease a space.

Chairman Neuer asked Mr. Vandeloeh if he thinks one bathroom is sufficient for the public to use; he said yes. Mr. Vandeloeh said that it was based on how many people are in the building at one time.

Chairman Neuer stated for the record that he thinks one bathroom is not sufficient for a building that is four (4) levels high.

Chairman Neuer asked Mr. Vandeloeh if he has visited the site; he said yes one time only.

Ms. Weiss asked Mr. Vandeloeh if he looked at the storage facility in Roseland and East Hanover; he said no.

Ms. Weiss said the storage facility in Roseland is beautiful and is brick faced and has a less industrial look.

Ms. Weiss asked Mr. Vandeloeh why they cannot design this facility to fit in with the neighborhood and have a less industrial look to it; he said that this is the typical design for the Cube Smart buildings now.

Ms. Weiss asked Mr. Vandeloeh if he considers this a four (4) level building; he said no it is a three (3) level building. Mr. Vandeloeh said one of the stories is completely below grade.

Mr. Schwarzbaum asked Mr. Vandeloeh what someone would see if they looked through the windows; he said a wall that is painted white with shadow boxes. He said they cannot see people walking through the building.

Mr. Schwarzbaum asked Mr. Vandeloeh if every Cube Smart building is being designed with this façade; he said they are the same type but not exactly like this design.

Mr. Tuval stated for the record that he understands that the Board would like the building design to be "softened".

Mr. Eben expressed his concern on record regarding Mr. Vandeloeh not practicing architecture under the laws in the State of New Jersey.

Mr. Eben stated that he thinks that one bathroom on every floor would be good for the customers.

Mr. Eben asked Mr. Grygiel if the shadow boxes in the windows are in violation of the zoning ordinance; he said he will have to get back to him on that.

Chairman Neuer asked Mr. Vandeloeh if there is any writing on any of the doors behind the windows; he said no.

There were no further questions for Mr. Vandeloeh from any of the Board Members or the Board Professionals.

Chairman Neuer asked if any members of the public had any questions for Mr. Vandeloach.

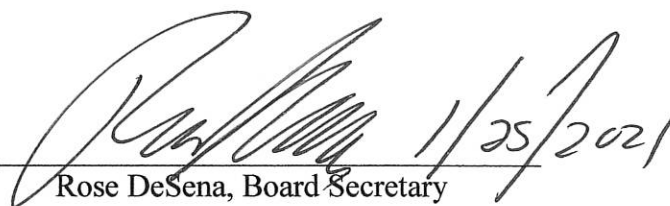
Isabela Freedman stated she lives on Roosevelt Avenue and asked Mr. Vandeloach if they have any energy efficient plans for the building; he said they are not proposing to place solar panels on the roof.

Ms. Freedman asked what pedestrian safety measures they are proposing; Mr. Seckler answered and said that they are rebuilding the sidewalks and will continue along the two driveways. He said there will be less than one (1) percent increase in traffic with this proposed building.

Chairman Neuer noted the time and said that this application will be carried over to the December 17, 2020 regular meeting and that no further notice will be required.

The meeting was adjourned by Chairman Neuer at 11:15 pm.

Adopted: January 21, 2021

 1/25/2021
Rose DeSena, Board Secretary