

**TOWNSHIP OF WEST ORANGE
PLANNING BOARD MEETING
MEETING MINUTES
June 2, 2021**

**The Township of West Orange Planning Board held its' regular meeting June 2, 2021 at 7:30PM
via virtual ZOOM videoconference.**

Chairman Bagoff called the meeting to order at approximately 7:30 PM. 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 held **Wednesday July 7, 2021 at 7:30 P.M.**

ROLL CALL

Present: Dr. Robert Bagoff; Mr. Jerry Guarino; Mr. Lee Klein, Councilwoman Susan McCartney; Mr. John McNair; Mr. Peter Smeraldo, Jr;

Absent: Mr. Everett Johnson, Mr. Andrew Trenk; Mr. William Wilkes

Also Present: Kenneth D. McPherson III, Esq., Attorney; Diana Chandler, Acting Planning Board Secretary ; Paul Grygiel, Acting Town Planner

SWEARING IN:

RESOLUTIONS

1)RULES AND REGULATIONS (Pro Forma Site Plan) (Approved 5/5/2021)

Resolution Township of West Orange Planning Board Decided on May 5, 2021
Memorialized on June 2, 2021 Revision of Planning Board Rules and Regulations

Motion: Chairman R. Bagoff

Second: Councilwoman S. McCartney

ADOPTED

Bagoff:	Y	Smeraldo:	Y
Guarino:	Y	Trenk:	Absent
Johnson:	Absent	Wilkes:	Absent
Klein:	Y		
McCartney:	Y	6 yes; 3 absent; 0 unable to vote	
McNair:	Y		

DISCUSSION:

- *Mr. Lee Klein* Sir, mentioned that #4 under 5.11 talks about things like conditions of approval and ability to continue to enforce them? Because June 1st is passed in Aaron's, was supposed to put in their trash enclosure that was supposed to be put in 1992. None of that I believe has been done. So what are we doing as far as making resolution with conditions and

getting them enforced? Enforcement and Mr. Klein enforcement is always, unfortunately, the function of the Zoning Official. *Chairman Bagoff* said for right now it's the legislature.

-*Councilwoman McCartney* expressed her frustration along with *Mr. Klein* about enforcement in the Township.

-*Ms. Gary Adams*, Zoning Official, explained that there are five summonses open for this facility to have been for the last two years and have appeared in court every single month. As soon as Aron's did not make the February 5, 2021 deadline, they were summoned the next day there are services written by Tom Tracy from prior to 2020 for the permit that they never got for the sign and for not meeting the conditions in 1998. It will be adjudicated in court. Thank you. Advise we leave it at that. *Mr. McPherson* explained that the court system moves at its own pace.

- *Chairman Bagoff* informed Board that *Ms. Gary Adams* and he are speaking weekly about each one of the applications that have come before us that has not lived up to the conditions of approval that require citations are done almost immediately. She is on top of everything and she keeps me apprised of each summons and are unreported to the board because is not an enforcement body. The goal of the board is to provide the land use law and resolutions to applications. *Mr. McPherson* informed questioning Board Members that it's up to the Municipal Court's and it is public information.

2)PB -21-04/ Tompkins Street Apartments Urban Renewal LLC (Approved 5/5/2021)

Block: 6; Lot 36.01; Zone R-M

20 Tompkins Street

Seeking a C1 and C2 Variance

Resolution Township of West Orange Planning Board In the Matter of Tompkins Street Apartments Urban Renewal, LLC Tompkins Street; Block 6, Lot: 36.01; R-M Zone Application #PB-21-04 Decided on May 5, 2021 Memorialized on June 2, 2021 Preliminary and Final Major Site Plan and Variance Approval

Motion: Chairman Bagoff

Second: Mr. Guarino

ADOPTED

Bagoff:	Y	Smeraldo:	Y
Guarino:	Y	Trenk:	Absent
Johnson:	Absent	Wilkes:	Absent
Klein:	Y		
McCartney:	Y	6 yes; 3 absent; 0 unable to vote	
McNair:	Y		

APPLICATIONS

PB -21-02 /Eagle Rock Co-Op (Goldberg Realty/23 Wilfred Street)

Block: 140.02; Lot: 2; Zone R-G

23 Wilfred Street

Seeking a C1 and C2 Variance

PRESENTATION:

-*Mr. Lawrence Calli, Esq.* entered on the record for the applicant as a small leasing office space in one of the garage bays at a quarter of a garage base. We have two man doors getting you in

there. Very small but 200 square feet, give or take. The applicant is looking to slightly and modestly increased by naturally breaking into the room next door, which is currently a garage mate for a second small modest room for the leasing office space for the applicant to facilitate the daily needs of the residents.

- *Mr. John Buchholz* was sworn in by *Mr. McPherson* and was accepted as a licensed architect by *Chairman Bagoff*. Eagle Rock Apartments is looking to take these are older multi-family units. *Mr. Buchholz* showed plans of taking an adjacent garage that you can see to the left of this existing and when our plan is to take the garage door out, provide a masonry block with brick to match the rest of the garages and put two windows in there that will be windows that can ventilate. They will be matching the windows on the building so they will be double hung. Windows will do infilling of brick. Put it put in there so it looks like it was part of the building since day one and probably one of the biggest improvements for the people that will be using this space. It will have a new ADA bathroom. So that when the management is using the space, it will better serve the people that are on working with the tenants that are in this space. So one of the one of the things that we're being told by management is that COVID has changed things.

-*Mr. Buchholz* explained that the reason appearing before the Board is slight and only one reason. The site is currently under parked under the code, so the code requires. 338 spaces. There's 271 today and the applicant is proposing one more to be removed, so technically they are in a variance position going down to a proposed 270. The space looking to utilize is currently a garage bay for a vehicle which hasn't been utilized for a vehicle in many years. In fact, there are about a dozen garage spaces available that residents declined to take for purposes of cost because it's an added cost for enclosed garage space. In their opinion it is better suited as a leasing office space for limited staff as opposed to just sitting dormant.

BOARD QUESTIONS:

-*Mr. Guarino* asked if parking surplus at different times of the day is an issue. *Mr. Lawrence Calli* said that it varies year to year but there is always surplus during different times of the day.

-*Mr. Klein* asked for the dimensions of the garage next to unit. *Mr. Calli* said it is 10 feet wide and there is no diminishment of the frame.

-*Mr. Klein* asked where the office was originally. *Mr. Buchholz* responded that at times an apartment has been used.

-*Councilwoman McCartney* asked if there is additional storage space to accommodate the space needed. *Mr. Buchholz* responded that there is plenty of room.

- *Mr. Smeraldo* asked the number of spaces for people in the office. *Mr. Buchholz* said that there will be three spaces for office personnel.

Mr. Smeraldo asked the possible condition of the parking spaces and if there is a way to accommodate the Fire Lane as there is a curve. As explained by *Mr. Buchholz* no one should need to use the Fire Lanes as based on study, there is adequate parking at all times.

-*Chairman Bagoff* asked how applicants are going to be handling recycling and trash. *Mr. Calli* said they will be using one dumpster for each (recycling and trash)

PROFESSIONALS QUESTIONS:

-*Mr. Paul Grygiel* said he spoke to the manager and wanted confirmation on the record about trash enclosure. *Mr. Calli* said that if there is increased need, they will increase the pick-ups.

NO PUBLIC QUESTIONS/COMMENTS:

Motion: Chairman Bagoff

Second: Mr. Klein

APPROVED

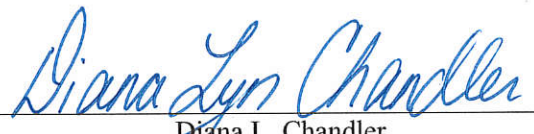
Bagoff: Y	Smeraldo: Y
Guarino: Y	Trenk: Absent
Johnson: Absent	Wilkes: Absent
Klein: Y	
McCartney: Y	6 yes; 2 absent; 0 unable to vote
McNair: Y	

MEETING ADJOURNED at approximately 8:15PM.

Called by **Mr. Guarino**

Seconded by: **Mr. Klein**

Adopted: 9/11/21



Diana L. Chandler
Township of West Orange Planning Board