

**MINUTES
TOWNSHIP OF WEST ORANGE
PLANNING BOARD MEETING
April 6, 2022 7:30 P.M.**

The Township of West Orange Planning Board held its regular meeting on April 6, 2022, 2022 at 7:30PM via virtual ZOOM videoconference.

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.

ANNOUNCEMENTS

- The next Regular Planning Board meeting will be held **Wednesday May, 4, 2022 at 7:30PM.**
- *Chairman Bagoff* announced that the Board will be going into Executive Session at the end of the meeting. They will then adjourn the meeting from Executive Session.

ROLL CALL

PRESENT: Dr. Robert Bagoff; Mr. Jerry Guarino; Mr. John McNair;
Mr. Christopher Morgan, Sr.; Mr. Sal Jensen; Mr. Ken Alper;
Mr. Peter Smeraldo; Mr. William Wilkes (arrival at 7:52PM);
Council President Susan McCartney; Mr. John Cardoza

ABSENT: Mr. Lee Klein;

ALSO PRESENT: Diana P. McGovern, Esq., Planning Board Attorney;
Paul Grygiel, Town Planner;
Mr. John Hess, Town Engineer;
Diana L. Chandler, Acting Planning Board Secretary
Sarabraj Thapar, Esq., Public Advocate;
Jamilet Baquerizo Vite, Planning Board Secretary

MINUTES & RESOLUTION

- **PB-21-10 Altera LLC**

(Approved 4/6/2022)

Motion: Chairman Bagoff

Second: Mr. J. Guarino

Alper:	Y	McNair:	Y
Bagoff:	Y	Morgan:	Y
Cardoza (Alt.2):	-----	Smeraldo:	Y
Guarino:	Y	Wilkes:	-----
Jensen (Alt. 1):	-----	Yes ; Absent	
Klein:	-----		
McCartney:	-----		

Note: Application seeking site plan approval with variance relief and improvements to the property approved March 2, 2022 was adopted at the April 6, 2022 Regular Meeting.

- **PB 3/2/2022 Minutes**

Motion: Chairman Bagoff

Second: Mr. J. Guarino

Alper:	Y	McNair:	Y
Bagoff:	Y	Morgan:	Y
Cardoza (Alt.2):	-----	Smeraldo:	Y
Guarino:	Y	Wilkes:	-----
Jensen (Alt. 1):		Yes ; Absent	
Klein:	-----		
McCartney:	-----		

SWEARING IN

- The Township Professionals, *Mr. John Hess* and *Mr. Paul Grygiel* were sworn in.
- *Mr. John Cardoza*, sworn in as Planning Board Alternate #2 Member.

APPLICATIONS/ORDINANCE REVIEW

- **PRESENTATION BY HISTORIC PRESERVATION COMMISSION:** **Mr. Brian Feeney (Chair), Marty Feitlowitz (Vice Chair)**

- George V. Hecker Carriage House, 36 Ridge Road (Block 80.05/Lot 40.02)
- WO PB 10-6-2021 Adopted Minutes

Motion: Chairman Bagoff

Second: Council President Susan McCartney

Alper:	Y	McNair:	Y
Bagoff:	Y	Morgan:	Y
Cardoza (Alt.2):	Y	Smeraldo:	Y
Guarino:	Y	Wilkes:	-----
Jensen (Alt 1):	Y	Yes ; Absent	
Klein:	-----		
McCartney:	Y		

Note: George V. Hecker Carriage House (36 Ridge Road) which was tabled at the October 6, 2021, was placed back on the active agenda due to this vote of approval.

PRESENTATION

- *Mr. Brian Feeney* and *Mr. Marty Feitlowitz* were sworn under oath.
- *Mr. Feeney* gave a brief recap of previous testimony from the October 6, 2021 Regular Planning Board Meeting. To which *Chairman Bagoff* confirmed that all Board Members have listened to and have signed an affidavit in order to vote on this application. He also confirmed that the reason of this property returning, is because litigation has been completed.
- *Mr. Feeney* said that properties like the George V. Hecker Carriage House are bringing out unique properties of the Township. "It is the duty as residents to preserve property."
- *Mr. Feitlowitz* shared further information about the George V. Hecker Carriage House as that it is the same designer of that as Glenmont in Llewellyn Park.

BOARD QUESTIONS

- *Council President S. McCartney* asked about those who purchase home, how they would go about renovating the property. *Mr. Feeney* answered that the Historic Preservation Commission would offer comments. They are only concerned about the exterior of the property. The Commission and the owner will come to a mutual decision and a certificate would be issued upon completion.

Motion: Chairman Bagoff

Second: Mr. J. Guarino

Alper:	Y	McNair:	
Bagoff:	Y	Morgan:	Y
Cardoza (Alt.2):	Y	Smeraldo:	Y
Guarino:	Y	Wilkes:	-----
Jensen (Alt 1):	Y	Yes ; Absent	
Klein:	-----		
McCartney:	Y		

Note: This application was approved for historical distinction by the Board and is now being brought to the Town Council.

• PB 22-01/Pleasantdale Chateau (757 Eagle Rock Avenue)

Block: 177.12; Lot: 60; Zone: Historic Landmark

Seeking variances in regard to development of a new indoor Conservatory event space and surrounding courtyards to take the place of the outdoor temporary tent previously used.

- *Chairman Bagoff* announced that *Mr. Peter Smeraldo* is recused from this application because of proximity to the application site.

PRESENTATION

- *Mr. Robert Williams, Esq* entered on the record for the applicant. He described the progression of the Pleasantdale Chateau needs.
- *Mr. Donald Fiore, Architect* entered on the record, was sworn under oath, and credentials were accepted by the Board.
 - This application is to create event space under one space for multiple experiences. "Not creating intensity". There will be a breezeway connection with full accessibility for the whole chateau.
 - A-1.1 First Floor Plan of "Inspiration Sheet" (Dated January 24, 2022) was referenced by *Mr. Fiore*. The theme for project arboratorium using seedlings from existing trees to protect and return to original form. For storage it is a one-story building with the intent of the building being mechanical and shielded from the public.

- A-1.3 Roof Plan of "Inspiration Sheet" (Dated January 24, 2022) was to show the connection of the structures.
- A-2.1 East Elevation of Conservatory of "Inspiration Sheet" (Dated January 24, 2022) showed the facing woodlands "Project intent is to restore to the original architecture."
 - In the plans it is referenced to take down the deck and replace the window to the original. It was destroyed in a recent storm and is not there now.
 - Gable entrance to define entrance/exits. Everything taken out will minimize construction debris.
- A-2.3 view of the South Elevation of Conservatory of "Inspiration Sheet" (Dated January 24, 2022) links buildings and ensured that all materials will be repurposed.
- A-2.4 Existing garage of "Inspiration Sheet" (Dated January 24, 2022) following the theme of restoration and no changes are proposed.
- A-2.5 of "Inspiration Sheet" (Dated January 24, 2022)
- A-2.6 Section C of "Inspiration Sheet" (Dated January 24, 2022) showing the relationship of breezeway to not impact visually
- Site Plan second to install generator next to transporter; overhead services. At the end of the conference center to replace condensing units. This application will follow the original emergency response plan which was mentioned in the Site Plan Review Advisory Board Meeting which took place on March 22, 2022.

BOARD QUESTIONS

- *Council President McCartney* asked how the Pleasantdale Chateau is designated a historical building. *Mr. Fiore* said that it is on the local level.
- *Mr. S. Jensen* asked about the property being ADA (Americans with Disabilities Act) compliant. *Mr. Fiore* said that anything new will meet ADA Requirements and has temporary fixes if further accessibility is needed.
- *Mr. J. Cardoza* asked about the structure on the paved and has need been identified if there's potential interference by trees. *Mr. Fiore* said that the trees lost were compromised in some fashion and was split. *Mr. Cardoza* followed up by asking in confirmation that there are no plans to remove trees. In which *Mr. Fiore* said that there are two trees on Sheet A.03 with an "x" on it will come down. There are 100 trees cultivated to reestablish forest. *Mr. Cardoza* asked about the addition of the generator. *Mr. Fiore* said that it is designed to stay with no destruction. *Mr. Cardoza* asked about the loft being there with the only intention being for musicians. *Mr. Fiore* answered in the affirmative and that calling it a "Musician's Loft" is the easiest description. *Mr. Cardoza* asked how many people it can hold. In which *Mr. Fiore* said only a handful. *Mr. Cardoza* asked about the acoustics of the space in which *Mr. Fiore* said that it will have treated wood and used the same wooded treatment as the "Music Room" already on the premises at the Chateau.

PROFESSIONAL QUESTIONS

- No questions from *Mr. Hess*.

- *Mr. Grygiel* initially had no questions. Only asked for confirmation that Electric Charging Stations are going to remain on the premises. To which *Mr. Fiore* answered in confirmation.

PUBLIC ADVOCATE

- *Mr. Thapar* asked if the occupancy will remain the same. To which *Mr. Fiore* answered in the affirmative. *Mr. Thapar* followed up by asking about the timeline of the project. *Mr. Fiore* said it would be approximately one (1) year.

PUBLIC QUESTIONS

- *Ms. Sage Gajarawala (6 Kinzel Lane)* asked about the paving of Oval Road. *Mr. Fiore* referenced that Emergency Medical Services and that would be the only time of access for the Pleasantdale Chateau. *Ms. Gajarawala* asked about the general traffic to access Oval Road. In which *Mr. Fiore* said that Eagle Rock Avenue but anything oversized (i.e. Ambulances/Fire Trucks) would have to utilize Oval Road. *Ms. Gajarawala* asked in confirmation that if there were damages made, would repair be made to Oval Road. To which *Mr. Fiore* answered in the affirmative.
- *Mr. Nish Gajarawala (6 Kinzel Lane)* followed up on *Ms. Gajarawala's* question about repairing damages to Oval Road by asking whose responsibility it would be. *Mr. Williams* confirmed that the applicant would make repairs based on the condition of the road when they start the project.
- *Mr. Richard Baum (Kinzel Lane)* asked about the commitment to the condition of the road and the main entrance. *Mr. Williams* said as a responsible party, the applicant would adhere to have commitment to taking care of the property.

PRESENTATION

- *Mr. Michael Lanza fama*, Engineer & Planner was sworn under oath and credentials were accepted as a professional.
- *Mr. Lanza fama* said that sheet 5 of Draining, grading plans had an error on the sheet that it is well below 25%.
- Ponds have drainage to ditch the Eastern side of development. They would have to get approval from the Hudson Essex _____ for environmental protection.
- *Mr. Lanza fama* referenced *Mr. Hess'* memo and responded that the applicant will provide information that *Mr. Hess* warranted.
 - Number 7 referenced the electric charging stations requirement that they are to provide for in new parking but improvements require 58 additional spaces which will equal 2 stations.
 - There will be no new patrons. The only place that will dictate the spaces being utilized/needed is the ballroom used during functions.
 - *Mr. Williams* confirmed that with this approval, this application will need to apply for the Essex County Planning Board.

BOARD QUESTIONS

- *Chairman Bagoff* asked if the tent was removed. *Mr. Lanzafama* answered in the affirmative. *Chairman* followed up by asking about the size of the tent to which *Mr. Lanzafama* said that it varies as the size of the event.
- *Mr. S. Jensen* asked if the Electric Charging Stations are going to be taking over existing spaces. *Mr. Lanzafama* answered in the negative.
- *Council President S. McCartney* asked the Board if they should find out who owns the Road. To which *Zoning Official, Ms. Gary-Adams* answered that the association will be paving Oval Road. *Council President McCartney* asked about the replacement of trees being taken down. To which *Mr. Lanzafama* said that they are propagating replacement trees on the property.

PROFESSIONAL QUESTIONS

- No questions from *Mr. Grygiel*.
- No questions from *Mr. Hess* were asked as long as the applicant agrees to all contents in the April 1, 2022 letter from his office.

NO PUBLIC ADVOCATE QUESTIONS

NO PUBLIC QUESTIONS

NO PUBLIC COMMENT

CONDITIONS

- Oval Road foliage
- Completion of Oval Road and remedied by Applicant.
- Review with the Township Engineer

Motion: Chairman Bagoff

Second: Mr. J. Guarino

Alper:	Y	McNair:	Y
Bagoff:	Y	Morgan:	Y
Cardoza (Alt.2):	Y	Smeraldo:	-----
Guarino:	Y	Wilkes:	Y
Jensen (Alt 1):	Y	Yes ; Absent	
Klein:	-----		
McCartney:	Y		

Note: This application seeking variances in regard to development of a new indoor Conservatory event space and surrounding courtyards to take the place of the outdoor

temporary tent previously used was approved with conditions at the April 6, 2022 Regular Meeting.

9:33PM Mr. Peter Smeraldo returned to meeting.

- Ordinance Amending Chapter 25 Section 28 Steep Slope and Natural Features Ordinance

PRESENTATION

- *Mr. Grygiel* said that the main aspect of this amendment to the Ordinance is to add features strengthening protections of properties in existing Ordinance. This Amendment is in agreement with the Master Plan.
- *Mr. Grygiel* said that a geotechnical analysis/review must be added.

BOARD QUESTIONS

- *Mr. S. Jensen* asked whose responsibility every two (2) years it is to initiate. *Mr. Hess* said that it is the property owner and in deed restriction recorded against the property.
- *Council President McCartney* if repairs are needed after the review how would one go about that. *Mr. Grygiel* said if there are no approvals required, it would have to have been approved by a Board (Zoning/Planning).
- *Chairman Bagoff* asked who would be notified and how. *Mr. Hess* said that it would be recorded against the property.

PROFESSIONAL QUESTIONS

- *Mr. Hess* said that he worked on it and doesn't feel it is appropriate to make comments on this Amendment to the Ordinance. To which *Council President McCartney* thanked *Mr. Hess* for his work on it since it is based on the top of the slope.

PUBLIC ADVOCATE

- *Mr. Thapar* asked why two (2) years. *Mr. Hess* said the reason is because it is a reasonable amount of time and opined that two (2) years is appropriate. *Mr. Thapar* asked if there was scientific backing and *Mr. Hess* answered in the affirmative.

PUBLIC QUESTIONS

- *Ms. Mel Valdez (Elm Street)* asked how to apply to existing property and other structures. *Mr. Hess* said that this is not retroactive and would not apply. Only new properties would have to abide by this. When *Ms. Valdez* asked why, *Mr. Hess* answered because legally unallowed to do so. She then asked how to revise this Ordinance further, to which she was informed by *Chairman Bagoff* that only Town Council and legal department can be brought as a matter of law.

NO PUBLIC COMMENT

Motion: Chairman Bagoff

Second: Vice Chairman Wilkes

Alper: Y	McNair: Y
Bagoff: Y	Morgan: Y
Cardoza (Alt.2): Y	Smeraldo: Y
Guarino: Y	Wilkes: Y
Jensen (Alt. 1): Y	Yes ; Absent
Klein: -----	
McCartney: Y	

Note: The Board approved a recommendation from the Town Council to agree with the Ordinance amending and supplementing Chapter 25, Land Use Regulations, Section 28, Steep Slope and Natural Features Ordinance of the revised general ordinances of the Township of West Orange

GENERAL DISCUSSION

Chairman Bagoff adjourns to Executive Session at 9:50PM. This was seconded by Vice Chairman Wilkes.

EXECUTIVE SESSION

Meeting adjourned from Executive Session at 10:02 PM by *Chairman Bagoff*. Seconded by *Vice Chairman Wilkes*.

ADOPTED: 5/4/22



Diana L. Chandler
Acting Planning Board Secretary