

**MINUTES
TOWNSHIP OF WEST ORANGE
PLANNING BOARD MEETING
March 29, 2023 7:30 P.M.**

The Township of West Orange Planning Board held a special meeting on March 29, 2023 at 7:30 P.M. 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 Planning Board regular meeting will be held **Wednesday April 12, 2023 at 7:30 P.M.**

ROLL CALL

PRESENT: Dr. Robert Bagoff; Mr. William Wilkes; Mr. Jerry Guarino; Mr. Christopher Morgan, Sr.; Mayor Susan McCartney; Mr. Peter Smeraldo; Councilwoman Tammy Williams; Mr. Sal Jensen; Mr. Cardoza; Mr. Lee Klein

ABSENT: Mr. Ken Alper
Paul Grygiel, Town Planner;
Mr. John Hess, Board Engineer;

ALSO PRESENT: Diana P. McGovern, Esq., Planning Board Attorney;
Sarabraj Thapar, Esq., Public Advocate
Jamilet Baquerizo Vite, Planning Board Secretary

SWEARING IN

- The Township Engineer *Zayibeth Carballo* was sworn in.

APPLICATION/COURTESY REVIEW

- **PB-23-03 Essex County (Francis Byrne Golf Course)**

1100 Pleasant Valley Way

Block: 157.01 Lot: 11 Zone: R-2

To add an open-air pavilion by the golf course's clubhouse and to add a small 2,240 square feet storage shed by the existing maintenance building off of Mount Pleasant Avenue.

PRESENTATION

The applicant's attorney, Mr. Mark Fleder, entered on the record and detailed the additions that will be included on the golf course. He stated that the new pavilion will be opened on all sides will have a roof and will be located right near the south of the existing clubhouse. Mr. Fleder also stated that the second addition will be a maintenance storage shed which will be use for equipment that the golf course uses routinely.

Mr. Fleder presented architect Mr. Stephen Kay who was sworn under oath and his credentials were accepted by the Board. Mr. Kay began his testimony by stating that the golf course is proposing to build an open pavilion and a storage shed; he stated that the equipment is currently being stored outside. The pavilion will be placed on a new 16-inch concrete slab, there will be tables and chairs for any event and it will have electricity for lights and fans. The storage shed will have three garage doors and it will sit on a concrete slab. It will have no electricity or plumbing only windows to let some light into the shed. There will also be a small shed to the left of the proposed maintenance shed that will match the siding and color of the pavilion and will only store tables and chairs for use at the pavilion; he also stated that it will not have any plumbing or electricity. The proposed shed is 32 feet by 70 feet and the proposed pavilion dimensions are 37 feet by 74 feet. Lastly, he said that there will be relandscaping around the entire clubhouse to make it look nicer since the existing landscaping it is more than 20 years old.

BOARD QUESTIONS

- Chairman Bagoff asked what if someone needs to go inside the shed during the night. Mr. Kay said that the maintenance personnel usually works until 3:00PM, so there is no need to put any electrical lighting in the shed but there will be solar lighting. Chairman Bagoff also asked if the shed needs any emergency code lighting. Mr. Kay said that he was not sure.
- Mr. Smeraldo asked if there will any items that are flammable or combustible and if so, will there be away to prevent ignition. Mr. Kay stated that gasoline will be stored in their respective gasoline tanks that there is another building where they store the chemicals such as fertilizers. Mr. Kay stated that the proposed shed will only store mowers and tractors.
- Mr. Jensen asked what type of base will the shed sit on. Mr. Kay said that it will sit on a concrete slab.

PROFESSIONAL QUESTIONS

- Township Engineer Zayibeth Carballo asked if the applicant has obtained permits from the NJDEP Division, since the proposed shed and pavilion are in

close proximity to east branch of the Rahway River. Mr. Kay said that the Engineer has applied for the permits needed including the soil erosion control.

- Ms. Carballo asked why the trees that are being removed are not being shown on the plans. Mr. Kay said that there are no trees located where the proposed shed will be placed; he said there are only shrubs, wild roses and poison ivy.
- Ms. Carballo asked if the project will be providing any storm water management for the increase of impervious surfaces. Mr. Kay said that it was handled with the soil erosion control permit because there was an increase of water runoff.

PUBLIC ADVOCATE QUESTIONS

- Mr. Thapar asked at what time does the maintenance personnel start their shift. Mr. Kay said that the personnel starts when the sun is coming up, since they need to mow and do everything else in front of the golfers.

NO PUBLIC QUESTION

NO PUBLIC COMMENT*

CONDITIONS:

- Any permits required by the County or State needs to be sent to the Township Engineer, Zayibeth Carballo, for our records.

Motion: Chairman Bagoff

Second: Mr. Guarino

Alper:	---	Morgan:	Y
Bagoff:	Y	Smeraldo:	Y
Cardoza (Alt.2):	---	Wilkes:	Y
Guarino:	Y	Williams:	Y
Jensen (Alt. 1):	---		
Klein:	Y		
Mayor Susan McCartney:	Y		

ORDINANCE REVIEW

- [3.24.23-Letter to Zoning RE Ordinances Passed on First Reading 3.21.23](#)
- [2718-23 Amending 25-24.7 - Filming Fees \(1\)-Redlined](#)
- [2719-23 Amended Ordinance - Fees 25-27.6 \(2\) - Redlined](#)
- [2720-23 Amended Ordinance 25-56 \(3\) Redlined](#)
- [2721-23 Amended Ordinance - 25-55.1 Redlined](#)
- [2722-23 Amended Ordinance 25-27.11 \(5\) Redlined](#)
- [2723-23 Amended Ordinance 25-40.2 Redlined](#)
- [2724-23 Amended Ordinance 25-12.4 -Redlined](#)
- [2725-23 Amended Ordinance - 25-11.12 Redlined](#)
- [2726-23 Amended Ordinance - 25-24.2\(6\) Redlined](#)
- [2727-23 Amended Ordinance - 25-16.18 -Redlined](#)

- [2728-23 Amended Ordinance - 25-15.5 - Redlined](#)
- [2729-23 Amended Ordinance - 25-15.3\(c\)\(1\)\(c\)\(7\) - Redlined](#)
- [2730-23 Amended Ordinance - 14-20.4 AND 20.7 - Redlined](#)
- [2731-23 Amended Ordinance - 14-19.7 - Redlined](#)
- [2732-23 Amended Ordinance 1-5.1 - redlined](#)
- [2733-23 Amended Ordinance - 14-17.4 Redlined](#)
- [2734-23 Amended Ordinance 25-11.11 - Redlined](#)
- [2735-23 Amended Ordinance 25-11.10 - redlined](#)
- [2736-23 Amended Ordinance 25-9.11 - Redlined](#)
- [2737-23 Amended Ordinance 25-8.4 redlined](#)

PRESENTATION

- Chairman Bagoff stated that the ordinances are in regards to fees from Chapter 25. Based on Mr. Grygiel report from March 28, 2023, it says that the Township Council introduced 20 proposed ordinances at its March 21, 2023 meeting. Each of these ordinances amends a section of the Township Code related to fees, with the only substantive changes to remove specifics regarding the fees from the ordinances and to indicate the fees will be prescribed by resolution. It is noted that sixteen (16) of these ordinances pertain to sections of Chapter 25, the Land Use Regulations Ordinance. The other four amend Chapters 1-14 (General Housing, respectively). The MLUL defines a “development regulation” as a “zoning ordinance, subdivision ordinance, site plan ordinance, official map ordinance or other municipal regulation of the use and development of land, or amendment thereto adopted and filed pursuant to” the MLUL. Therefore, the Planning Board’s review is for the amendments to Chapter 25. It is also stated that Mr. Grygiel has reviewed these ordinances and they are consistent to the Master Plan. The setting of fees is not addressed in the West Orange Master Plan.

NO BOARD QUESTIONS

NO PROFESSIONAL QUESTIONS

NO PUBLIC ADVOCATE QUESTIONS

NO PUBLIC QUESTION

NO PUBLIC COMMENT

Motion: Chairman Bagoff

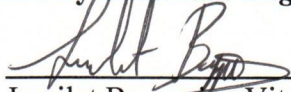
Second: Mr. Smeraldo

Alper:	---	Morgan:	Y
Bagoff:	Y	Smeraldo:	Y
Cardoza (Alt.2):	---	Wilkes:	Y
Guarino:	Y	Williams:	Y
Jensen (Alt. 1):	---		
Klein:	Y		

Mayor Susan McCartney: Y

Meeting adjourned at 8:09PM. By *Mr. Klein*. Second by *Chairman Bagoff*.

ADOPTED: 6/7/23



Jamilet Baquerizo Vite
Acting Planning Board Secretary