

MINUTES
TOWNSHIP OF WEST ORANGE
ZONING BOARD OF ADJUSTMENT REGULAR MEETING
November 21, 2024
8:00 P.M.

The West Orange Zoning Board of Adjustment held a special meeting on November 21, 2024, commencing at 8:00 PM utilizing the virtual Zoom platform.

Chairperson Phillip D. Neuer called the meeting to order at approximately 8:00 PM. 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."

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

Alexander Fisher, Esq., Board Attorney read the opening statement.

ROLL CALL

Present: Michael Dannemiller, Jerome Eben,
Philip D. Neuer, Irv Schwarzbaum,
Brent D. Scott, Mark Sussman, Alice Weiss

Absent: William Michael Barbee, Peter Ricci

Also Present: George Wheatle Williams, Consulting Planner for the Township
Alexander Fisher, Esq. (proxy for Steven K. Warner, Esq.,) Board Attorney
Diana L. Chandler, Board Secretary

- Mr. Fisher and Chairperson Neuer confirmed the presence of a quorum of Board Members.

ANNOUNCEMENTS

- Future Meetings (Virtual): December 19, 2024 (Regular Meeting)

MINUTES

- September 19, 2024 Special Meeting Minutes

Motion to Approve: Chairperson Neuer

Second: M. Dannemiller

Barbee:	-	Scott:	Y
Dannemiller (Alt. 1)	Y	Weiss:	-
Eben:	Y	Chairperson Neuer:	Y
Ricci:	-		
Sussman (Alt. 2)	Y		
Schwarzbaum:	Y		

- October 17, 2024, Special Meeting Minutes

Motion to Approve: Chairperson Neuer

Second: M. Sussman

Barbee:	-	Scott:	Y
Dannemiller (Alt. 1)	Y	Weiss:	-
Eben:	Y	Chairperson Neuer:	Y
Ricci:	-		
Sussman (Alt. 2)	Y		
Schwarzbaum:	Y		

RESOLUTIONS

- Adopt 2025 Meeting Schedule

Motion to Approve: Chairperson Neuer

Second: M. Sussman

Barbee:	-	Scott:	Y
Dannemiller (Alt. 1)	Y	Weiss:	Y
Eben:	Y	Chairperson Neuer:	Y
Ricci:	-		
Sussman (Alt. 2)	Y		
Schwarzbaum:	Y		

- ZB-24-07 Crestmont Country Club** (Approved 10/10/2024)
Block: 174; Lot: 1.01; Zone: R-2
750 Eagle Rock Avenue
 Application seeking installation of accessory dwelling with Variances and Site Plan Approval was approved with conditions at the October 10, 2024, Regular Meeting.
[Cover-letter-for-Sustainability-checklist](#)
[Sustainability-Checklist](#)
Motion to Approve: Chairperson Neuer
Second: M. Dannemiller

Barbee:	-	Scott:	-
Dannemiller (Alt. 1)	Y	Weiss:	Y
Eben:	Y	Chairperson Neuer:	Y
Ricci:	-		
Sussman (Alt. 2)	Y		
Schwarzbaum:	Y		

SWEARING IN

- Township Professionals Mr. George Wheatle Williams (Consulting Township Planner) and Ms. Zayibeth Carballo (Municipal Engineer) were sworn under oath.

APPLICATIONS

- ZB-24-02/Nwaiwu Properties, LLC** (Carried from 10/10/2024)
Block: 177.08; Lot: 21; Zone: R-6
691 Eagle Rock Avenue
 Seeking “c” variance for construction of new house

PRESENTATION

- Mr. Robert Taylor, Esq. entered the record on behalf of the applicant and gave brief synopsis of testimony of the application’s last few appearances.
- Mr. Matthew Evans AIA, was sworn under oath and Ms. Carballo confirmed receipt of revised plans. She then confirmed that the only outstanding issue was the Sight Triangle, where she asked for confirmation of no obstruction from higher than 30 inches.

NO BOARD QUESTIONS

NO PROFESSIONALS’ QUESTIONS

PUBLIC QUESTIONS

- Raminder Ahlawat (15 Shrump Place) asked about the turning issue in the driveway and if it has been addressed. Mr. Evans said the plans were updated to coordinate with the standard driveway turning plans.

PRESENTATION

- Mr. Matthew Evans, Planner, was previously sworn in as an Architect, qualifications were accepted as a Professional Planner. During his testimony,

NO BOARD QUESTIONS

PROFESSIONALS' QUESTIONS

- Mr. Wheatle Williams asked for confirmation that this application is asking for C1 and not C2 variances. Mr. Evans confirmed that they are asking for C1 Variances.
- No questions from Ms. Carballo

NO PUBLIC QUESTIONS

PUBLIC COMMENT

- Raminder Ahlawat (15 Shrump Place) was sworn under oath and urged the Board to deny the application.
- Ishida Warren (15 Shrump Place) was sworn under oath and urged the Board to deny the application as it would in their opinion greatly effect her family's quality of life.

BOARD DISCUSSION

- Chairperson Neuer said that he was originally against this application but they have made changes but kept the number of rooms with revisions of parking. Even with these revisions, he opined that he cannot see himself voting for or against this application.
- A. Weiss said that she agrees with Chairperson Neuer and opined that the residents at 15 Shrump Place got a raw deal saying that the owners of 691 Eagle Rock Avenue created the hardship.
- B.D. Scott said that his only issue is with the safety of the driveway.
- M. Dannemiller said that he is leaning in favor of this application due to the responsiveness of the applicant
- I. Schwarzbaum said that he is finding himself torn in regards to this application due to the size of the lot and its fitting in with the adjacent home, but feels inclined to vote against this application.

EXHIBITS:

CONDITIONS:

Motion to Deny: A. Weiss

Second: M. Sussman

Barbee:	-	Scott:	N
Dannemiller (Alt. 1)	N	Weiss:	Y
Eben:	Y	Chairperson Neuer:	Y
Ricci:	-		
Sussman (Alt. 2)	Y		
Schwarzbaum:	Y		

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2.) ZB-24-10 Jenkins (15 North Edgewood)

15 Edgewood Avenue North

Block: 45.06; Lot: 3

Application for C Variance

PRESENTATION

- Mr. William Brown III, AIA entered the record with Ms. Celeste Jenkins, Applicant, and Ms. Kiersten Osterkorn, Surveyor. All were sworn under oath.
- Ms. Jenkins gave a brief overview of the application and the importance of it being approved.
- Mr. Brown III provided his credentials and was accepted as an expert in the field of Architecture. He said that the main components for this application are the deck and the surrounding area around it for lot size and being in the R-4 Zone.

NO BOARD QUESTIONS FOR MS. JENKINS

BOARD QUESTIONS FOR MS. OSTERKORN

- Mr. I. Schwarzbaum asked for a display of the plans. Ms. Osterkorn did as such.
- Chairperson Neuer

PROFESSIONALS' QUESTIONS FOR MR. BROWN

- Mr. Williams asked to be shown the existing encroachment. Mr. Brown did as such on the plans.
- Ms. Carballo had no questions for Mr. Brown.

PROFESSIONAL QUESTIONS FOR MS. OSTERKORN

- Mr. Williams asked for clarification on variances. Ms. Osterkorn did as such.

NO PUBLIC QUESTIONS

NO PUBLIC COMMENT

CONDITIONS:

Motion to Approve: Chairperson Neuer

Second: A. Weiss

Barbee:	-	Scott:	Y
Dannemiller (Alt. 1)	Y	Weiss:	Y
Eben:	Y	Chairperson Neuer:	Y
Ricci:	-		
Sussman (Alt. 2)	Y		
Schwarzbaum:	Y		

Break: 9:45PM-9:55PM

Upon completion of the break, Chairperson Neuer confirmed a quorum of Board Members returning.

3.) ZB-24-12 – LS SB Canterbury/Zinnia Health

33 Mount Pleasant Avenue

Block: 88; Lot: 26

Application for Appeal of Action of Zoning Office and D Variance

PRESENTATION

- Mr. William Sullivan, Esq. entered the record on behalf of the applicant.
- Mr. Matthew Dolan, Esq, also entered the record on behalf of the objector (Llewellyn Park – Committee of Managers).
- Mr. Harrison Katien, Co-Foudner of Zinnia Health entered the record and was sworn under oath.

BOARD QUESTIONS

- Mr. B.D. Scott asked if surgery will be performed on the premises. Mr. Katien said no.

PROFESSIONALS' QUESTIONS

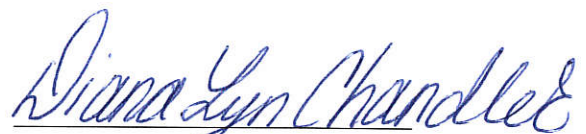
PUBLIC QUESTIONS

- Traci Stein (17 Lynwood Way) asked if any patients have left before the three (3) day hold is up. Mr. Katien said yes.
- Mushira Curry (6 Park Place) asked if security with a background check will be used. Mr. Katien said that a sex offender and clinical listing with self reporting method will be used for
- Ernest Curry (6 & 12 Park Place) asked for proof of not effecting his property value. Mr. Katien said that he is not hiring a real estate appraiser.
- Marc Watkins (55 Glen Avenue - Committee of Managers for Llewellyn Park) wanted to ask questions but was precluded from questioning due to being a part of the Committee of Managers.
- Rikke Cumberbatch (11 Wildwood) believes this is a liability if unsupervised and in a neighboring property.

Chairperson Neuer announced that application ZB-24-12 Zinnia Health/ LS Canterbury is carried to the January 16, 2025, Regular Meeting with preservation of notice.

Chairperson Neuer adjourned the meeting at 11:35 PM.

Adopted: 1/16/25


Diana L. Chandler, Secretary