

**MINUTES  
TOWNSHIP OF WEST ORANGE  
PLANNING BOARD MEETING  
September 4, 2024 7:30 P.M.**

The Township of West Orange Planning Board held its regular meeting on September 4, 2024 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.

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**PLEDGE OF ALLEGIANCE**

- *Chairman Bagoff* requested all persons stand for the Pledge of Allegiance.

**ANNOUNCEMENTS**

- The next Planning Board special meeting will be held **Wednesday, September 11, 2024 at 6:30 P.M in person.**
- The next Planning Board regular meeting will be held **Wednesday October 9, 2024 at 7:30 P.M via Zoom.**

**ROLL CALL**

**PRESENT:** Dr. Robert Bagoff; Mr. Jerry Guarino; Mr. Ken Alper; Mr. John Cardoza; Mr. Lee Klein; Mayor Susan McCartney; Council president Bill Rutherford; Ms. Lori Kapferer

**ABSENT:** Mr. Christopher Morgan, Sr.; Mr. Peter Smeraldo; Mr. William Wilkes;

**ALSO PRESENT:** Diana P. McGovern, Esq., Planning Board Attorney;  
Gerry Haizel, Consulting Town Planner;  
Mr. Zachary Jordan, Board Engineer;  
Jamillet Baquerizo Vite, Planning Board Secretary

**MINUTES & RESOLUTIONS**

7/10/24 PB Draft Minutes

**Motion:** Chairman Bagoff

**Second:** Mr. Cardoza

|               |          |                |             |
|---------------|----------|----------------|-------------|
| <b>Alper:</b> | <b>Y</b> | <b>Morgan:</b> | <b>----</b> |
|---------------|----------|----------------|-------------|

|                           |                       |
|---------------------------|-----------------------|
| <b>Bagoff:</b> Y          | <b>Rutherford:</b> Y  |
| <b>Cardoza (Alt.2):</b> Y | <b>Smeraldo:</b> ---- |
| <b>Guarino:</b> Y         | <b>Wilkes:</b> ----   |
| <b>Kapferer:</b> Y        |                       |
| <b>Klein:</b> -----       |                       |
| <b>Mayor McCartney:</b> Y |                       |

### **SWEARING IN**

- The Township Professional(s) sworn in.

### **APPLICATIONS**

- **PB-24-06 410 Main St Holding LLC**  
Block: 113 Lot: 262, 264 & 308  
410 Main Street  
Applicant is proposing a 3-story mixed use development with 12 residential dwelling units above, ground floor parking and commercial space.

### **PRESENTATION**

- The architect, Yogesh Mistry, entered on the record, he was sworn under oath and his credential were accepted by the board. He testified to the following:
- There are 6 revisions. The first one is they added 2 areas of 800 square feet each for a total of 1,600 square feet. This would be green roof trays where essentially there are plastic trays that get filled with vegetation, help absorb rain water, and slowing down the rate of runoff of the roof and additionally help to cool the roof.
- The second one is to reconfigure the trash and lobby area. Before they had the trash on the right side and the lobby, stairs, and elevator on the left side, but they were reversed. The commercial space stayed the same.
- By flipping the elevators, stairs, and entrance lobby, the upper core on the upper level shifted. Several bedrooms shifted and they lost a one bedroom and den due to the reconfiguration. The total is still 12 units, it just one bedroom plus den became one bedroom.
- The fourth change was there was a handicapped bathroom added to the commercial space.
- There were light fixtures added along the rear walk due to the request for additional illumination. They are low intensity lights facing downward.
- The last change was the addition of warning lights at the exit of the parking garage. To the right of the overhead doors. It is adjustable in volume and as well being able to control it during certain hours.
- Service to the green roof would be through the roof hatch; there is no need for a bulk head to be added.

- They were able to add one more parking space due to the flip of trash room with the residential entrance.

### **BOARD QUESTIONS**

- Mr. Bagoff asked is the green roof something you fabricated or is this a pre fabricated roof garden. Mr. Mistry said different vendors sell these tray systems as well as the seedlings that go inside them.
- Mayor McCartney referred to the shift in the stairwell where one bedroom plus den becomes a one bedroom and asked will that affect the variance of the parking since an additional one was added. Mr. Mistry said it doesn't impact the variance because of the way it's calculated, whether it's a one bedroom and den or one bedroom, the ratio is still the same.
- Mayor McCartney asked if the warning light is activated through a sensor. Mr. Mistry said there is some kind of mechanism or sensor that detects when cars are going in or out.
- Mr. Alper asked if the green roof changes the calculations for the building coverage. Mr. Mistry said he doesn't believe it changes anything
- Mr. Alper asked if there is a drainage system built in. Mr. Mistry said there are small holes at the bottom of the tray, so it will eventually filter down onto to the roof surface itself and then the roof has drains.
- Council President Rutherford asked if the addition of the green roof was included in the new storm water management report. Mr. Mistry said he does not believe so.

### **NO PROFESSIONALS QUESTIONS**

### **PUBLIC QUESTIONS**

- Ms. Adams at Park Drive South asked how far out of the building does the proposed alarm stick out. Mr. Mistry said it only comes out 7 inches.
- Ms. Adams asked if the alarm is designed to warn pedestrians. Mr. Mistry said it's just for pedestrians that may be crossing the sidewalk in the area of the overhead door.
- Ms. Adams asked how long does the audio component of the alarm continue after its activated. Mr. Mistry said it lasts 10 seconds.
- Ms. Adams asked was a light study conducted, how the building will impact adjacent properties in terms of sunlight. Mr. Mistry said he is not sure if the engineer conducted one.
- Ms. Adams asked if there was an air circulation study. Mr. Mistry said he has not heard of this type of study.

### **PRESENTATION**

- The traffic engineer, Harold Maltz, entered on the record, he was sworn under oath and his credential were accepted by the board. He testified to the following:
- A trip generation analysis and a site parking analysis was conducted for this project.
- The Park Drive Loop is a one way on a counter clockwise flow, there is no parking on the left side or the inside of the loop and there is parking on the outside of that section.
- Main Street is 46 feet wide and has a 25 mile an hour speed limit.
- Main Street is 2 lanes each way but operates as a one lane each way due to parking and the presence of bus stops.
- There is permitted parking on the roadway in the area which is 2-hour parking, 8am-8pm Monday through Saturday. There is no parking overnight from 2am-5am.

- There is also a bus stop on the main street frontage of the site as well as directly across the street. About 600 feet further to the North is the Mississippi Bus Loop Station.
- In terms of traffic congestion of the site, the calculations for the peak weekday peak hour trip generation for the project is broken up into the multifamily housing.
- Since it is unknown what the commercial space will be used for, either retail or office, based on his reports of traffic projections, there are calculations for each of those types of commercial uses separately.
- In calculating the trip generation, the source that is used by traffic engineers is the Institute of Transportation Engineers (ITE), trip generation eleventh edition publication.
- The 12 units of residential properties will produce 5 am peak hour trips, that's 1 in and 4 out. For the pm peak hours, it's 6, 4 in and 2 out.
- Breaking down the retail and office space, they are identical in the morning but the retail is larger in the evening. For retail, there are 2 trips in the morning and 6 trips in the evening, split evenly in and out.
- The total site generation for this project is 7 trips in the morning, apartments plus retail, 2 in and 5 out. 12 trips in the evening, 7 in and 5 out.
- On an average basis, there are about 1 vehicle every 5-9 minutes during peak hours.
- The total trip generation is too small to have any traffic impact at any location on Main Street or Park Drive
- In the morning there will 4 outbound vehicles in the hour, this is averaging 1 car every 15 minutes. In the evening during pm peak hours, there are only 2 outbound vehicles, that is 1 car every 30 minutes. This will have no traffic impact.
- For the residential site improvement standards, the 12-unit apartments would require 23 parking spaces.
- The municipal ordinance, whether its office or retail, requires 1 space per 250 square feet, and with 900 square feet proposed for the commercial space it rounds up to 4 spaces.
- With both residential and commercial space parking, there are 27 parking spaces. Due to two EV spaces being proposed in the garage, they count as 2 spaces each according to the state guidelines, consequently there is a 2-space credit, therefore the maximum required is 25. There are 14 spaces proposed and that means they are short of 11 spaces.
- According to Section 5:21-4.14C of the Residential Site Improvement Standards (RSIS), the number of parking spaces is based on the number, size, and type of dwelling. Factors that may affect parking include the following: household characteristics, access to mass transit, geographic location, and off-site parking resources. The proposed site is located in close proximity to New Jersey bus stops on each side on Main Street, as well as the Mississippi Bus Loop further to the North.
- The New Jersey Transit Publication Planning for Transit Friendly Land Use, identifies parking reductions to standards for residential, commercial, and office uses. For sites within a quarter of a mile, they are noted as a transit carter which has 5-10% reduction in the required parking.
- Referring to the original 27 required spaces, taking 10% is 3, consequently the parking requirement starting at 27 reduced 2 for EV credits, 3 for mass transit, reduces to 22 spaces. The deficit is now 8 spaces.
- There is off site parking available. On Main Street, there is a 2-hour parking permit. There is also a Municipal lot located to the north off of Main Street. The lot has 74 spaces. 46 spaces are 3-hour meter spaces, Monday- Saturday 8 am to 6pm, no parking 2am – 5 am, free on Sundays and holidays, and are 25 cents an hour. 28 parking spaces are 24-hour permit spaces, limited to one year for \$140.
- There are currently 12 permits issued to the lot so there are 16 spaces available.

- There is adequate parking nearby in the parking lot for a second vehicle as well as on street, particularly on Main Street.
- There was a concern about a vehicle making a right turn into the garage and into the first space on the right and it being somewhat difficult to do. It is recommended that the space is restricted to a compact space, like a sedan. The shorter and narrower the vehicle is, the easier it is to maneuver for backing in and leaving.
- Mr. Maltz, noted that the bus stop location from the Park Drive North curve line is 137 feet. The municipal ordinance states that the bus stop location extends 105 feet from Park Drive North curve along the curve line of Main Street. This is a 32 feet difference and if the bus stop was properly posted, these 32 feet could provide additional parking along the side frontage.

### **BOARD QUESTIONS**

- Mr. Bagoff asked if the bus stop is an end of the street bus stop or mid street bus stop. Mr. Maltz said it is at the end. It starts at the Park Drive North south curve line and then it extends 137 feet.
- Mr. Bagoff refers to the RSIS requirements of 23 spaces, 4 spaces given as credit, and of the 14 remaining spaces, Mr. Bagoff asked if one of them is a handicap able space. Mr. Maltz said yes, there is one handicap combined with an EV, and then one space EV by itself.
- Mr. Bagoff asked if the one EV handicap able space has to be used by a handicap able car. Mr. Maltz said yes, but if there is no handicap vehicle in the building then somebody could possibly use it.
- Mr. Bagoff asked when you visited the site, did you see cars parked along the outer rim all the way around Park Drive North and Park Drive South. Mr. Maltz said he saw cars parked on the legal parking area of the street.
- Mr. Bagoff referred to the RSIS requirement of 24 feet wide driveway and asked why is it 24 feet. Mr. Maltz said that is the standard he has always seen.
- Mr. Guarino asked what was the time of day that you visited the site and the surrounding neighborhood and what type of activities were going on. Mr. Maltz said he made numerous trips generally during late morning or late afternoon. He also visited during peak hours. He would drive up the street and down, take pictures, and made sketches.
- Mr. Guarino asked, during your time there, did you see an increase number of school aged children traversing the area. Mr. Maltz said he saw some children walking along Main Street.
- Mr. Guarino asked if he thought the warning lights were sufficient enough for school children. Mr. Maltz said it would be sufficient because it will light up when someone is there and there is an audio and it can draw a child's attention.
- Mayor McCartney asked are you saying you don't see students walking along Main Street. Mr. Maltz said no he did not say that, his notes from the field observation says that he saw some school children present but it didn't strike him as a lot.
- Mayor McCartney asked what about in the afternoon when school gets out. Mr. Maltz said he was there during rush hour, which was from 4pm to 5pm, which is a couple hours after school ends.
- Mayor McCartney is there going to be a lease agreement, hypothetically with the church, for additional parking. Mr. Wine said the applicant has had excellent conversations with the church across the street and it would be mutually beneficial agreement if something can get drawn up. It would be a benefit to the church with an extra income and the applicant to provide alternative options for parking.

- Mayor McCartney asked would the applicant or the residents pay for the additional parking. Mr. Wine said it would not cause the residents any extra money for the space.
- Mayor McCartney asked does every unit get 1 parking permit regardless the number of bedrooms in the unit. Mr. Wine said yes.
- Mr. Alper asked does municipal lot allow for overnight parking. Mr. Maltz said yes, they are 24 hours.
- Mr. Alper asked would the church also allow for overnight parking. Mr. Wine said that would be the plan.
- Mr. Alper asked what prevents the residents from parking on Park Drive. Mr. Wine said in the lease it says that residents are to park in their designated space and residents would prefer to use their free and available parking space.
- Mr. Alper asked what about employees or people going into the retail space that would take up parking closer to the property and even generating traffic by circling the loop. Mr. Maltz said you can't stop people parking on Park Drive North. If it's an employee, they can apply for a permit so they can park at Lot #1. Others can take on street parking on Main Street or they can park in the 3-hour meter area in Lot #1, which is 25 cents per hour.
- Mr. Cardoza asked would there be any signage inside the driveway as cars are exiting to remind drivers to slow down or watch out for pedestrians or oncoming traffic. Mr. Wine said that is a very good suggestion.
- Ms. Kapferer asked does the proposed landscape impact vehicles from the exiting the garage. Mr. Maltz said any landscaping would have to be kept clear of the sideline.
- Ms. Kapferer asked are there any concerns about the proximity of the driveway entrance and exit from the intersection of Main Street and Park Drive North. Mr. Maltz said not that he knows of.
- Mr. Bagoff asked when people park in the garage, do they have to walk outside the building to get inside or is there an entrance in the garage into the building. Mr. Wine said there is an interior access into the lobby for the residential use. The commercial use has a ramp directly out and then back in.

### **PROFESSIONALS QUESTIONS**

- Mr. Haizel asked was a parking study done as part of your analysis in terms of what parking spaces were available at any time of the day. Mr. Maltz said there was no study done. There was an inquiry with the police department document section to find out how many permits were issued and from that they were able to determine how many 24-hour permits were available to purchase.
- Mr. Haizel asked if there is a sense of the availability of parking on Main Street or Park Drive North during different times of the day. Mr. Maltz said he observed that Park Drive North is normally filled up but along Main Street you normally find parking in the 2-hour limit area.
- Mr. Haizel asked have you seen a similar situation before where drivers exiting the garage have to go around the loop and introducing a more intensive use to the area that is contemplated for a lesser intensive use. Mr. Maltz said in terms of traffic, this is not a large development and it is not a large traffic generator.
- Mr. Haizel asked would it have been a better alternative if the parking garage would need to exit onto Main Street. Mr. Maltz said he is unable to answer that and never considered it

### **PUBLIC QUESTIONS**

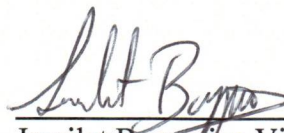
- Ms. Mary Kay Adams at Park Drive South asked is it correct that the driveway entrance point is 75 feet from the intersection of Main Street and Park Drive North. Mr. Maltz said it depends where you measure it from. If you measure it from the center line of the drive coming onto Park Drive North to the center of Main Street, it is approximately 75 feet. If you measure it from the driver side position along Park Drive, it is 73 feet.
- Ms. Adams asked what prevents a tenant from looking for street parking closer to the building. Mr. Maltz said they wouldn't be able to park 24 hours on the street. There is no parking permitted from 2am to 5am.
- Ms. Adams asked are you aware of a report from the New Jersey Transportation Planning Authority that calculated households in New Jersey generate an average 4 trips per day. Mr. Maltz said no he is not; he uses the IT trip generation publication which has weekday values.
- Ms. Adams asked are you aware that when cars park on Main Street in front of the bus stop, it blocks the sightline of vehicles that are exiting from Park Drive South. Mr. Maltz said when he was there, he saw no cars parked on Main Street along the west curb line from the bus stop sign all the way to Park Drive South.
- Susan Lenczyk at Eagle Rock Avenue asked what prevents residents from parking on the Park Drive loop where there is overnight parking instead of the lot further away. Mr. Wine said there can be a lease provision that could make it a violation if they were to do that. It could also become a zoning enforcement issue.
- Bill Mills at Park Drive North asked how is the applicant following RSIS guidelines if they are taking away parking spaces and who is the guidelines protecting. Mr. Maltz said that the guidelines were develop by New Jersey residential site improvement standards which specify maximum number of parking spaces based on the number of units and bedrooms.
- Bill Mills at Park Drive North asked, when you were here, did you walk to the parking area by the Mississippi. Mr. Maltz said yes.
- Weatau McPherson at 26 Park Drive South asked if Mr. Maltz is willing to frequent the area more, so he will be able to have an idea of how congested the area is. Mr. Maltz said casually he wouldn't do that. This is a very small project and has a low trip generator.
- Barbara T. at 3 Park Drive North asked, in regards to a vehicle coming up the street, how long would it take for the garage to open and how far away do they have to be to open the garage. Mr. Maltz said residents will have a key fob to open the garage door and they can activate the garage door further away so they are opening it as they are approaching the garage driveway which would speed up the operation.
- Barbara T. asked were you ever on site during inclement weather. Mr. Maltz said no, he wasn't.
- Jasmine Santana at Park Drive South asked what mass transit other than the buses are there. Mr. Maltz said there is the Mississippi Bus Loop that helps people get to New York.
- Jasmine Santana asked, if the width of the inside of the garage is 23 feet and the garage door is 22 feet but the RSIS requires 24 feet, would that cause any type of hesitant making turns or makes it harder to make turns. Mr. Maltz said no, the 22 ft. is at the garage door but maneuverability within the garage itself is 23 feet. 24 ft. is the standard but cars can maneuver adequately at a 23-foot width.
- Jasmine Santana asked when there are cars parked on the right side of Park Drive North, can somebody make the turn out of the garage safely without hitting the parked car. Mr. Maltz it's in the site plan that was prepared by the site engineer and was testified previously.

- Kevin Malanga at Ridge Road asked what is the reason you did not visit the site during the night. Mr. Maltz said he didn't think it was necessary.
- Kevin Malanga at Ridge Road asked did you observe parking lot #1 at night to determine if cars are parked in the permit spaces without permits. Mr. Maltz said not recently.
- Kevin Malanga at Ridge Road asked if a car that is parked in one of the first couple of spots close to the garage door and if the car is not parked right up against the wall, would the bumper of the car overhang the entrance of the garage door. Mr. Maltz said not necessarily, it depends on the size of the car. The space is 9x18 and typically cars can run up to 17 feet long.
- Ms. Adams asked how can you analyze whether there are off site parking resources if you did no parking study. Mr. Maltz said you don't have to do a parking study to identify off site parking resources. You identify where the parking is available off site which happens to be on Main Street, there's parking on the loop and there is a public parking lot which has meter and permit parking.
- Ms. Adams asked did you observe the actual speed of cars traveling on Main Street. Mr. Maltz said he did not do a speed study.
- Ms. Adams asked did you make note of the distance between the senior citizen facility and 410. Mr. Maltz said I didn't measure the distance.
- Ms. Adams did you consider the vulnerable populations of the 2 nearby facilities, the senior citizen and the middle school, in your analysis. Mr. Maltz said he did not do an analysis of that. He did identify what the negligible trip generation is for the project.

**\*The Application has been carried to the next Planning Board regular meeting on October 9, 2024 without further notice\***

**Meeting adjourned at 10:37PM.**

**ADOPTED: 2/5/25**




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Jamilet Baquerizo Vite  
Planning Board Secretary