

MINUTES
TOWNSHIP OF WEST ORANGE
ZONING BOARD OF ADJUSTMENT REGULAR MEETING
May 15, 2025
8:00 P.M.

The West Orange Zoning Board of Adjustment held a regular meeting on May 15, 2025, 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.

Steven Warner, Esq., Board Attorney, read the opening statement.

ROLL CALL

Present: William Michael Barbee, Tal Ben-Zvi, Laurence Cohen,
Michael Dannemiller, Todd Dubovy, Robin Miller,
Philip D. Neuer, Irv Schwarzbbaum,
Brent D. Scott, Marc Sussman,
Absent: Alice Weiss (Excused Absence)
Also Present: Steven Warner, Esq., Board Attorney
Diana L. Chandler, Board Secretary
Ryan MacNeill, (proxy for John Hess) Consulting Engineer
George Wheatle Williams, Consulting Planner

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

ANNOUNCEMENTS

- Future Meetings: June 12, 2025 (Regular Meeting)
July 17, 2025 (Regular Meeting)
August 21, 2025 (Regular Meeting)
- Chairperson Neuer announced that application **ZB-24-11 Wonder (481 Eagle Rock Avenue)**, at the applicant's request, is being carried to the July 17, 2025, Regular Meeting with preservation of notice.
- Chairperson Neuer announced that application **ZB-24-06 PUBLIC SERVICE ELECTRIC AND GAS COMPANY** (325 Mount Pleasant Avenue) is on the Agenda to receive a report to update settlement discussions; no testimony or evidence will be presented.
- Chairperson Neuer announced that application **ZB-24-12 – LS SB Canterbury/Zinnia Health** (33 Mount Pleasant Avenue) is on the Agenda to establish the next hearing date; no testimony or evidence will be presented.

SWEARING IN

- Professionals, Mr. George Wheatle Williams (Consulting Planner) and Mr. Ryan MacNeill (Consulting Planner), were sworn under oath.

ANNUAL REPORT

Motion: Chairperson Neuer

Second: I. Schwarzbaum

Barbee:	Y	Schwarzbaum:	Y
Ben-Zvi (Alt.):	-	Scott:	Abstain
Cohen:	-	Sussman (Alt.):	Y
Dannemiller (Alt.):	Y	Weiss:	-
Dubovy (Alt.):	-	Neuer:	Y
Miller:	-		

RESOLUTIONS

- **ZB-24-14 Farrington (10 Shrump Place)**
Block: 176.07; Lot: 30; Zone: R-6
10 Shrump Place

(Approved 4/17/2025)

Application for C Variance was approved with conditions at the April 17, 2025, Regular Meeting.

Motion: R. Miller

Second: W. M. Barbee

Barbee:	Y	Schwarzbaum:	-
Ben-Zvi (Alt.):	-	Scott:	Y
Cohen:	Y	Sussman (Alt.):	Y
Dannemiller (Alt.):	-	Weiss:	-
Dubovy (Alt.):	-	Neuer:	-
Miller:	Y		

MINUTES

- March 20, 2025, Regular Meeting – Executive Session

Motion: Chairperson Neuer

Second: M. Sussman

Barbee:	Y	Schwarzbaum:	Y
Ben-Zvi (Alt.):	Y	Scott:	Y
Cohen:	Y	Sussman (Alt.):	Y
Dannemiller (Alt.):	Y	Weiss:	-
Dubovy (Alt.):	Y	Neuer:	Y
Miller:	Y		

- April 17, 2025, Regular Meeting

Motion: Chairperson Neuer

Second: R. Miller

Barbee:	Y	Schwarzbaum:	-
Ben-Zvi (Alt.):	-	Scott:	Y
Cohen:	Y	Sussman (Alt.):	Y
Dannemiller (Alt.):	-	Weiss:	-
Dubovy (Alt.):	Y	Neuer:	Y
Miller:	Y		

- April 17, 2025, Regular Meeting (Executive Session)

Motion: Chairperson Neuer

Second: R. Miller

Barbee:	Y	Schwarzbaum:	-
Ben-Zvi (Alt.):	-	Scott:	-
Cohen:	Y	Sussman (Alt.):	Y
Dannemiller (Alt.):	-	Weiss:	-
Dubovy (Alt.):	Y	Neuer:	Y
Miller:	Y		

(Carried from 4/17/2025)

1.) ZB-24-06 PUBLIC SERVICE ELECTRIC AND GAS COMPANY

Block: 155 Lot: 26.01 Zone: (O-R) Office Research; (PURD) Planned Unit Residential Development; (R-5) Single Family Residential Zone

325 Mount Pleasant Avenue

Seeking Variances, Preliminary, and Final Major Site Plan Approval in connection with upgrades.

PRESENTATION

- Ms. Erica Parlavecchio, Esq. entered the record on behalf of Public Service & Electric with the Objector's (Mr. Kevin Malanga) Counsel, Mr. James Turteltaub, Esq. and offered updates. Ms. Parlavecchio communicated that the issues about trees are requiring additional time and asked to adjourn to the July 17, 2025, Regular Meeting. Mr. Turteltaub agreed with Ms. Parlavecchio's statements being correct.
- Chairperson Neuer reminded both parties that there might be other people interested in this application and suggested the target date of July 17, 2025 to conclude with the settlement or to be prepared to proceed with testimony.

Chairperson Neuer announced that application ZB-24-06 Public Service Electric and Gas Company being adjourned with preservation of notice to the July 17, 2025, Regular Meeting.

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

(Carried from 4/17/2025)

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 and Mr. Matthew Dolan, Esq., entered the record on behalf of the counsel for the Objector (Llewellyn Park's Committee of Managers).
- After some back and forth between Mr. Sullivan, Mr. Dolan, and Chairperson Neuer in regards to scheduling with Mr. Dolan's professionals, it was determined by Chairperson Neuer that this application must move forward at the June 12, 2025, Regular Meeting and if worse comes to it, "get a new Planner".

Chairperson Neuer announced that this application, (ZB24-12 LS SB Canterbury/ Zinnia Health) was adjourned to the June 12, 2025, Regular Meeting with preservation of notice and the approval of Mr. Sullivan to an extension of the approval date to 6/13/2025 was given orally.

**3.) ZB-22-09 89 Ashland Avenue LLC (87-89 Ashland Avenue) (Approved 12/15/22)
Block: 61; Lot: 44 & 45; Zone: I**

Application seeking Preliminary and Final Site Plan Approval with "c" and "d" variances to construct building addition to accommodate two additional dwelling units was approved with conditions at the December 15, 2022 Regular Meeting and Resolution was adopted at the January 19, 2023, Regular Meeting.

PRESENTATION

- Mr. Richard Schkolnick Esq., entered the record on behalf of the applicant and offered testimony for an extension of nine (9) months and one (1) day to get this project to go forward. As a precautionary method, Mr. Frank Ench, Applicant was sworn under oath.

BOARD QUESTIONS

- I. Schwarzbaum asked for confirmation of what the date of nine (9) months is. Mr. Schkolnick said that it is retroactive from the Resolution date and would be October 20, 2025.
- T. Ben-Zvi asked if this file of extension to the Township before the two (2) years expired or after it had already expired? Mr. Scholnick said it was filed afterwards.

PROFESSIONALS QUESTIONS

- R. MacNeill questioned the Resolution Compliance Letter issued. Mr. Schkolnick said that he doesn't understand as this application has signed Final Site Plans.

NO PUBLIC QUESTIONS

NO PUBLIC COMMENT

Conditions (Same conditions that are set forth in the Board's original Resolution, with one additional pertaining to escrow adopted on January 19, 2023):

1. Natural gas shall be used in the new apartments for stove and furnace only.
2. The two lots will be consolidated in a deed to be approved by the Zoning Board counsel.

3. All conditions hereby listed will appear on the cover sheet of the final plans and are made an integral part of this approval.
4. The Applicant shall be bound by all the evidence, including documents and testimony presented by the Applicant at the Public Hearing;
5. The Applicant shall post sufficient funds with the Township to satisfy any deficiency in the Applicant's escrow account;

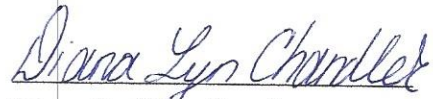
Motion: I. Schwarzbaum

Second: Chairperson Neuer

Barbee:	Y	Schwarzbaum:	Y
Ben-Zvi (Alt.):	Y	Scott:	Y
Cohen:	Y	Sussman (Alt.):	Y
Dannemiller (Alt.):	Y	Weiss:	-
Dubovy (Alt.):	-	Neuer:	Y
Miller:	Y		

Chairperson Neuer adjourned the meeting at 8:44 PM.

Adopted: 6/12/2025


Diana L. Chandler, Secretary