

MINUTES
TOWNSHIP OF WEST ORANGE
ZONING BOARD OF ADJUSTMENT REGULAR MEETING
June 18, 2026
8:00 P.M.

The West Orange Zoning Board of Adjustment held a regular meeting on June 18, 2026, commencing at 8:00 PM, utilizing the virtual Zoom platform.

Chairperson Philip 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" and the "Publication Reform Act."

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

Ms. Kelly Carey, Esq., Board Attorney, read the opening statement.

ROLL CALL

Present: William Michael Barbee, Laurence Cohen,
Todd Dubovy, Robin Miller,
Philip D. Neuer, Brent D. Scott

Absent: Tal Ben-Zvi, Michael Dannemiller,
Irv Schwarzbaum, Marc Sussman, Alice Weiss

Also Present: Kelly Carey, Esq., Board Attorney
Diana L. Chandler, Board Secretary
John Hess, Consultant Engineer
Christopher Dochney, Consultant Planner

Ms. Carey and Chairperson Neuer confirmed the presence of a quorum of Board Members.

ANNOUNCEMENTS

- Future Meetings: July 16, 2026
August 20, 2026
September 17, 2026
- Chairperson Neuer announced that upon request of the applicant because of only five (5) Board Members being present, **ZB-24-16 Northfield Realty LLC (81 Northfield Avenue)** is being carried with preservation of notice to the September 17, 2026, Regular Meeting via Zoom. Counsel for the application, Mr. James Spanarkel, Esq., confirmed the extension of the statutory time to September 18, 2026.

SWEARING IN

- Township Professional(s) Mr. John Hess (Consultant Engineer) and Mr. Christopher Dochney (Consultant Planner) were sworn under oath.
- It was at this time that Chairperson Neuer presented Mr. Hess with a certificate of appreciation in honor of his retirement for his time serving as Consultant Engineer to the Zoning Board of Adjustment.

MINUTES

- **May 28, 2026, Regular Meeting**

Motion: Chairperson Neuer

Second: R. Miller

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

- **June 4, 2026, Special Meeting**

Motion: Chairperson Neuer

Second: W. M. Barbee

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

APPLICATIONS

- **ZB-23-01 Williams/ 6 Merrywood Drive (Extension of Approval)**
Block: 76; Lot: 6; Zone: R-4
6 Merrywood Drive
Seeking "c" variances for expansion of existing garage and house.
(Extension of Approval)

PRESENTATION

- Mr. Eric Williams, Applicant, entered the record and was sworn under oath. Mr. Williams explained that, due to his mother's illness, he missed the deadline to apply for permits with the Building Department after completing this application.
- The expiration date for this application was January 19, 2026. The proposed extension will go until January 19, 2027.

NO BOARD QUESTIONS
NO PROFESSIONALS QUESTIONS
NO PUBLIC QUESTIONS
NO PUBLIC COMMENT

Conditions (Same as previously agreed in the January 2024 Adopted Resolution):

- The Applicant shall post sufficient funds with the Township to satisfy any deficiency in the Applicant's escrow account;
- The Applicant shall ensure that the siding of the proposed addition is substantially similar in color, style, and materials to the siding of the existing dwelling;
- The Applicant shall tie the proposed catch basin into the existing storm sewerage system along Merrywood Drive and the proposed roof leaders;
- No vehicle parking, or the planting of trees, bushes, or other vegetation, shall be permitted within the area labeled as "Visual Triangle," as depicted on Sheet T-101 of the plan set prepared by AC Design & Development, dated September 2023;
- The aforementioned approval shall be subject to all requirements, conditions, restrictions and limitations set forth in all prior governmental approvals, to the extent same are not inconsistent with the terms and conditions set forth herein;
- The Applicant shall comply with all Federal, State, County and Township statutes, ordinances, rules, regulations and requirements affecting development in the Township, County, and State;
- The Applicant shall be bound by all the evidence, including documents and testimony presented by the Applicant at the Public Hearing;
- These Conditions shall be clearly printed on the engineering drawings submitted for filing in the official records of the Board.

Motion: Chairperson Neuer

Second: L. Cohen

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

- **ZB-25-08 127 Mitchell LLC**
512-516 Pleasant Valley Way
Block 154.06, Lots 11 and 12
Zone: B-2 General Business

D(2) use variance relief is required to permit the expansion of an existing non-conforming use

PRESENTATION

- Mr. William Sullivan, Esq., entered the record on behalf of his applicant. Chairperson confirmed whether Mr. Sullivan was willing to proceed with testimony without seven (7) Board Members being present. Mr. Sullivan said yes, that they are willing to offer testimony provided that there is not a vote taken at this meeting.
- Board Attorney, Ms. Carey, confirmed that all notices for this application are in order and that jurisdiction to hear this application is in effect.
- Mr. Sullivan gave a brief synopsis of this application stating that the property is located in the OB1 zone. Currently, there is a two (2)-story mixed-use building with commercial on the first floor, and an apartment on the second floor. Then to the north on the next lot, is a single-family house. The applicant's proposing to demolish the single-family house on Lot 12, build an addition on the rear of the existing mixed-use building, and construct parking on the lot where the single-family house is today. That will include the combining of the ground floor and first floor office space, like there is presently in the first, property, and two (2) apartments on the second floor. The applicant is proposing to expand the building on Lot 11, move the parking lot to Lot 12, so the mixed use previously approved would expand. In doing this another use variance, or an expanded use variance from the variance previously granted in 1987, is required along with a D Variance for the lot area per unit required under the Ordinance, a parking Variance, and Site Plan approval.
- Mr. Peter Miskov, Civil Engineer entered the record, was sworn under oath, and his credentials were accepted as an expert in Engineering, with his license being current.
- Mr. Miskov presented simultaneously **Exhibit A1 Site Plan (Colorized -Sheet #5 Revision Date – February 13, 2026)** and **Exhibit A2 Lighting & Landscape Plan (Colorized- Sheet #7– Revision Date – February 13, 2026)**
 - Mr. Miskov explained that this proposed site (Lot 11) has an area of 8,770 square feet. It's an undersized lot and is currently developed with a two (2) story mixed use building containing office space on the first floor and residential dwelling on the second floor.
 - Mr. Miskov explained that this proposed site (Lot 12) has an area of 7,412 square feet also undersized existing nonconforming condition and is developed with single family home with associated parking area improvements.
 - Mr. Miskov testified that the property has a topography that generally slopes from Pleasant Valley Way down with a high elevation at Pleasant Valley Way with a roughly a six (6) or seven (7) slope across the property. That there are no steep slopes on the property and that the property's currently services by all basic utilities from the right of way on Pleasant Valley Way.
 - Mr. Miskov said that the applicant is proposing to demolish the existing one (1) story single family dwelling on Lot 12 with its associated improvements along with associated improvements with the existing

mixed use building on Lot 11 but that the existing two (2) story building is to remain.

- Mr. Miskov said that the proposed improvements to construct a building addition to the mixed use building on Lot 11 and extend it to the eastern side of the property and then to the north of the property there is a new parking facility which established the footprint of the original building which will continue to be utilized for office space with a residential unit above and the building addition would contain offices on both the lower level and ground floor and second floor will include two (2) new apartments. The new parking area to the north will provide 21 parking spaces with two (2) electric vehicle charging stations, one (1) which would be a handicap stall along Pleasant Valley Way. The applicant proposes to eliminate both existing access drives and curb openings to provide one (1) 20 foot wide access drive with a stop bar and stop sign.
- Mr. Miskov said utilizing the Zoning Table to explain the site related requirements.
 - The front yard setback along Pleasant Valley Way is an existing non-performing condition of 14.3 feet where 30 feet is required. The new proposed porch on the existing structure will make the post-development front yard setback 12.2 feet
 - The new parking areas for post-development will also require setback variances for front setback parking where 30 feet is required and 15.3 is proposed. Side yard setback where 1.69 is proposed and 25 feet is required. In the rear 9.23 is proposed and 25 feet is required. All non conforming parking setbacks along the southern property line are being eliminated since previously there was parking along the property. He also wanted it noted for the record that both adjacent neighboring properties have similar existing non-conforming conditions with their parking along the property lines, with proposed rear and side yard setbacks remaining in compliance.
 - He testified further stating that there will be an increase to the existing lot coverage of approximately 167 square feet. The existing non conforming condition that existed before remains from the 50% maximum allowable in the zone regarding parking space demand. The office space requires one (1) space for every 250 square feet of gross floor area which equals to 19 spaces required for the total office space. The residential units require two (2) spaces per unit which equals six (6) spaces for the residential units required. This results in 25 spaces required by the Township Code minus the two (2) spaces bonus for the EV charging spaces amounting to 23 parking spaces required. The proposed number of spaces is 21, resulting in a two (2) space deficiency. Stating further that the mixed-use development will utilize a shared parking space approach in compliance with the Township Code and there will be three (3) reserved spaces for its residents.
 - The development is also proposing a refuse area in the rear to handle the residential garbage, recycling, general office waste, and a pickup by a private hauler will be arranged.
 - A code compliant monument sign is proposed in the entrance to the driveway and it is anticipated that there will be a minimal increase in traffic volume due to the office spaces not being a high-turnover use.

- Also proposed are retaining walls with screening provided by a solid vinyl fence to help screen the parking area further for the residential units.
- Mr. Miskov explained in regards to grading that the proposed development intends to utilize existing utility connections on Pleasant Valley Way to the best extent possible.
- In regards to Stormwater due to the West Orange's Stormwater Management Ordinance, the addition of 6,000 or more square feet of new paved vehicular surface triggers the strict regulation requiring reductions in stormwater runoff and volumes from current conditions, and the removal of high-rated suspended solids to improve water quality. A stormwater management system is proposed to comply with both the Township Ordinance and the current state BMPs, reducing overall peak volumes by 50% for the 2-year storm, 25% for the 10-year storm, and 20% for the 100-year storm. The storm collection system is proposed at the eastern end of the parking area, with a catch basin and permeable paver system at the end of the parking area. Stormwater runoff will run down the drive and filter through the permeable pavers, which provides a filtering cleaning action and overflow into the perforated storage pipes behind the new buildings, ultimately discharging the area where the existing conditions, stormwater runoffs, and discharges come into play.
 - He opined that the proposed improvements will not alter the existing drainage patterns and will not adversely impact adjacent properties that the applicant will obtain county and SED approvals upon Zoning Board approval and will satisfy and comply with any outstanding comments from the Township Engineer's Review Memos and any other outstanding comments from township professionals.
- Concerning lighting and landscaping, Mr. Miskov referenced A2, specifically stating that they are providing some foundation planting along the building in the front, parking setback to help in buffering of that parking setback variance and proposed 35 arborvitaes with the privacy fence and the retaining wall to help buffer the adjacent residential properties. With lighting, there will be multiple poles and two (2) mounted fixtures with state of the art LED fixtures that provide safe, compliant light levels with excellent uniformity all fixtures are downward facing with controlled asymmetrical distributions per CME's memo from April.
- In regard to the circulation of vehicles on the proposed site, Mr. Miskov that it is a typical 20 foot wide driveway minimum standard for a two (2) way driveway with 9x18 stalls which is typical parking width and depth. Overhang can be provided if needed with a 24 feet backup which is standard for a parking area. From his understanding, in regard to circulation for emergency vehicles and trash truck deliveries, they will handle 64 gallon totes with maybe six (6) of them in there and will be pulled out and picked up by a hauler who will most likely use smaller vehicles where if needed a smaller truck could be used in the space next to the refuse area. He said that a truck turning exhibit could be provided at a later date, but

there is not an expectation that there would be large trucks coming in and out of the site.

- Mr. Miskov said that when there is a blizzard with a lot of snow, there will be adequate space at the top and back sides of the site.

BOARD QUESTIONS

- L. Cohen asked how close is the side facing the new edition to the property line Mr. Miskov said that at its closest point, it is 9.05 feet.
- R. Miller asked if the utility pole currently on the stream in front of 512 will be relocated. Mr. Miskov said no that the driveway is off to the side from the utility pole. Ms. Miller asked how close it is to the driveway. Mr. Miskov said it is approximately four (4) feet.
- Ms. Miller asked if exiting vehicles will be in the line of sight. Mr. Miskov said it is like any other standard driveway on a thoroughfare like Pleasant Valley Way.
- T. Dubovy asked how high the retaining wall near the trash area is going to be. Mr. Miskov said that most of the wall is two (2) feet high, with a maximum height of four (4) feet in the middle, dropping back down to one (1) foot at the left corner.
- B. D. Scott asked if there is going to be a median because of it being a two (2) way street. Mr. Miskov said no but that this application is eliminating one (1) of the driveways so that should help with some of the traffic.
- W. M. Barbee asked if when the existing building will be torn down if the drainage will be controlled and how. Mr. Miskov said that currently, most of the site is covered by a bituminous parking area that currently just gets runoff from the building, spilling on grade, running down the drive, hitting the property lines, and traveling to the south, toward the corner. To mitigate, the development is to install curbing for the parking area, which controls and collects the water. It directs it to an inlet the back corner with a permeable paver system that will let the water filter through, storage, gravel, and then ultimately overflow into storage pipes (three rows of perforated 24 inch pipe) in the back. Storm events would overflow out into this scour hole in the same place where the water goes now and it is decreasing all the peak flows and volumes considerably from, the existing condition.
- Mr. Barbee asked about the slope being a 10 feet incline or going down from north to south, and it was mentioned that the snow would be pushed to the rear, and that brings up whether it would be pushing snow up against their fence inclined. Mr. Miskov answered, saying that this application site would have its own fence, along that property line as a post-development, as long as approval for this application is granted.
- Chairperson Neuer asked for confirmation on how the shared parking works. Mr. Miskov said that the basic concept is that when people are at work, the people living there will be going to work, while the office space demand will be people coming in to work in the offices so they are not there at the same time.
- Chairperson Neuer asked if the application has filed with the Essex County Planning Board yet. Mr. Miskov said no, but will file with the Essex County Planning Board and Soil Conservation District after approval from this Board.
- Chairperson Neuer asked for confirmation that there will not be a dumpster, but there will be individual trash containers. Mr. Miskov said yes that is the idea right now.
- Chairperson asked if there has been any investigation into any car accidents regarding traffic entering and leaving this property historically. Mr. Miskov said no. Chairperson asked for confirmation that this application intends to consolidate two (2) driveways into one (1). Mr. Miskov said yes.

- Chairperson Neuer asked if the applicant would be willing to accept a condition to prohibit medical office uses without coming back to the Board. Mr. Sullivan said that he would have to speak to his client and find out.

PROFESSIONALS QUESTIONS

- J. Hess asked for confirmation if there were going to be dedicated parking spaces for residential use. Mr. Miskov said that on (Site Plan Sheet #5) plans do show a reserve for residents on three (3) of the parking spaces.
- J. Hess asked for confirmation that there is no problem complying with the comments in Review Letter #2 (Dated – April 6, 2026) regarding drainage, because that's really the major items that remain to be addressed. Mr. Miskov said yes.
- C. Dochney asked about the air conditioning units proposed on the right side of the building, being screened by a fence and whether that fence and the one proposed for the back will be made of the same materials. Mr. Miskov said yes that it is a screen fencing with accessible gates made out of white vinyl.
- C. Dochney asked about the lighting proposed clarifications where it was indicated that the lighting being all directed downward and shielded, and the details are directed down, but that it looks like the pole-mounted light won't be shielded. Mr. Miskov said that it was his understanding that they can also direct the individual LEDs into certain directions, and it didn't need the shielding. But deferred to the lighting expert and landscape architect.

PUBLIC QUESTIONS

- Kevin Malanga (Ridge Road) asked Mr. Miskov how many parking spaces are presently on the two (2) sites and how many are proposed. Mr. Miskov said 11 and 21 spaces are proposed.
- Mr. Malanga asked where a resident would park as an alternative. Mr. Miskov said that with the mixed use of the site, he does not think it would happen given that the residential component to the application is only requiring six (6) spaces, two (2) for each unit.

Mr. Sullivan did not offer any redirect for this witness.

PRESENTATION

- Mr. Brian Conway, Landscape Architect entered the record, was sworn under oath, credentials were provided and accepted as an expert in the field of lighting and landscaping.
- Mr. Conway displayed Sheet 7 – Lighting and Landscaping (Revision Date – February 13, 2026) and explained that in regards to light fixtures, spillage, and glare that the intention is to use LED fixtures with two (2) pole mounted fixtures which are on the left side of the parking lot and two (2) building mounted fixtures that on the right side of the parking lot. There are fixtures around the building mounted at 12 feet and one (1) mounted at six (6) feet. They are both 32 watt- 33 watt lumen fixtures with a forward distribution. For the pole-mounted fixtures, which is a DSX0, size 0. Those are mounted at 15 feet with a 35-watt fixture, which is 3,500 lumens, and they have a Type 4 distribution, which is a forward throw with a highly efficient backlight control. The way that the LED fixtures are rated is called a “BUG rating” (B for backlight, U for uplight, and G for glare.) rated on a number from 0 to 5. (Zero being the least amount of glare, or, offensive light, and 5 being the most amount of glare, or offensive light.) The building-mounted fixtures, the bug rating is a 1 for the B, which is the backlight 0 for the uplight, a 1 for the glare, and for the

pole-mounted fixtures, the backlight is zero (0), the uplight is zero, and the glare is two (2). What that glare represents is the light that comes forward out of the fixture, into and towards the parking lot. The way that these fixtures are designed and set up is that the LEDs are recessed up into the fixture and aimed specifically out to specific patterns to create the, the distribution, asymmetric distribution that's provided. There is a lip on the backside and those are slightly recessed up into the fixture themselves. There are, state-of-the-art LED fixtures that are efficient, and do a great job of lighting. The statistics for the lighting plan which are really important matrices. The minimum is 0.6, and maximum is 2.5, the average for this application is 1.3 foot candles, and then the next two (2) are critical to evaluate lighting design. The first one is the maximum to minimum, which is 4.2 to 1, and the next one is average to minimum, which is 2.2 to 1. He testified that those are far better than standard or average in terms of uniformity, so there won't be light spots and dark spots because it will all low-level uniform lighting, throughout the site with the minimum is 0.6, and the average of it being 1.3.

- Mr. Conway brought up **Exhibit A2 Lighting & Landscape Plan (Colorized-Sheet #7- Revision Date – February 13, 2026)** explaining that for the landscape plan is a simple foundation planting in front of the building with some loriope and some boxwood to help mitigate the front parking setback variance, an evergreen hedge along the edge of the parking to help mitigate and buffer the parking from the street was provided. In addition to that, behind the sign and on the opposite side of the driveway, there are two (2) trees (Yoshino Cherries), in the back left corner of the parking lot, there's an additional tree, and then, coming forward, to the right side, there is an additional cherry tree for three (3) Yoshino Cherry Trees and one (1) Willow Oak with four (4) deciduous trees provided on site across the back of the property, in addition to the 6-foot-high solid vinyl fence, we're also proposing 35 emerald green arborvitae trees at 7 to 8 feet tall to provide some buffering for the rear yard neighbor, and although it is only a 7-foot wide buffer at the narrowest point, between the solid 6-foot-high fence, and the Arborvitae Hedge, providing an effective buffer for the rear yard neighbors

BOARD QUESTIONS

- Chairperson Neuer asked if any trees are being removed. Mr. Conway said no.
- Chairperson Neuer asked if the applicant would consider additional plantings in the area that did not obstruct the vision of cars coming along Pleasant Valley Way. Mr. Conway said that the applicant intends to keep clear of any sight triangles for the neighboring driveway. But they are willing to tuck some in the back near the building.
- L. Cohen asked about trees along the southern section of the property and whether or not the parking lot is under the regulation of having some shade trees within 25 years. Mr. Conway said that he had looked through the ordinance for all the relevant parts for landscape previously that when the plans were prepared, a little bit of time was spent looking for that, and he couldn't find anything. However, he saw some things related to larger parking lots, with one (1) tree for every 10 parking spaces. There are 21 parking spaces and three (3) trees directly related to the parking lot, but nothing could be found other than that. Mr. Dochney interjected saying that he was looking at the code, and under Chapter 28, it is in Environmental Protection Article 1: Tree Protection for the tree removal and replacement, and specifically 28-4,8, stating that all parking lot owners shall maintain trees in compliance with the Township Code, and shall create 50% of shade in the parking lots within 25 years. However, the larger section includes development applications. Every development application filed with the Board that proposes tree removal and replacement shall

- follow, and if tree removal is not proposed here, he doesn't know if that section would then technically apply to this application but wanted it noted for the record.
- R. Miller asked about a buffer in the parking lot on the left side. Mr. Conway said that on the left side, the application proposes to abut the neighboring parking lot on the other side and that there is not much room for any type of buffer there. Ms. Miller asked as a follow up if there is going to be a fence. Mr. Conway said that one is not proposed on that side.
 - T. Dubovy asked what kind of trees are proposed for the three (3) mentioned on the plans. Mr. Conway said that the two (2) nearest the street are Yoshino Cherries and the one (1) in the back left corner is a Willow Oak. Mr. Dubovy asked how big the Yoshino Cherries grow to be. Mr. Conway said the tree is probably a mid-sized ornamental tree probably in the neighborhood of 20-25 feet tall and 20 feet wide. The Willow Oak, depending upon what its environment is grows to approximately 30 or 40 feet wide.
 - Mr. Dubovy asked for confirmation of the maximum Lighting number being 4.2 and if that is the maximum number that, I would indicate glare. Where on the property is that 4.2 reading? Mr. Conway said that it will likely be underneath one of the, light fixtures with a maximum of 2.5 when it compares to the minimum, it's 4.2 to 1, so the maximum foot candle level is 2.5 underneath the light fixtures.
 - Mr. Dubovy asked what does the maximum to minimum represents? Mr. Conway said that the two, statistics (4.2 to 1 and 2.2 to 1) is the, the 4.2 to 1 would be the brightest light on site as compared to the darkest light on site. With the 2.2 to 1 would be the average illumination level compared to the minimum. The close... the smaller that gap is, the better the uniformity. He opined to say that a typical project with, average uniformity would be potentially up to 10 to 1 for the maximum to min, and up to, say, 5 to 1 for the average to min. So these numbers are far better than those.
 - Mr. Dubovy asked where on the property is the 4.2 maximum appearing? Mr. Conway said that it's a 2.5 maximum, and that the 4.2 is a ratio, it's not a light level, but that he believes it is right there underneath the light at that sidewalk.

No PROFESSIONALS QUESTIONS

PUBLIC QUESTIONS

- Kevin Malanga (Ridge Road) asked Mr. Conway what qualities of the Yoshino Cherry Tree caused him to select it for this site. Mr. Conway said that it's a mid-sized tree that has some flowering attributes to it. Mr. Malanga asked if the Yoshino cherry tree is native to the Northeast United States. Mr. Conway said no, but the Willow Oak is native and he would be happy to select another native tree if that is a concern.

Break 9:28 PM - 9:42 PM Upon return from the break a roll call was performed and the presence of a quorum was confirmed.

PRESENTATION

- Mr. Larry Appel, AIA entered the record, was sworn under oath, and qualifications were accepted as an expert in the field of Architecture.
- Mr. Appel explained **Exhibit A3 -Five (5) sheet set (dated - January 12, 2026)**
 - The existing buildings are quirky and lack a lot of street appeal. The existing building had a basement and cellar space, which was accessible from the street, office space on the ground floor, and a rental dwelling on the second floor, as

well as the attic. The current cellar is really not usable. It's broken up on several levels. There's low ceiling height, obstructions, and lots of structural conflicts. Most of this is because there was just an existing structure and additions where over time, it's (in his opinion) not a suitable space, and very difficult to use.

- Regarding the architectural set, building height is calculated, including from the average grade up to the highest point of the roof. So, the design and the intention was to match the current roof height. The current ridge on the existing property at a side elevation and the addition, are lined up. Otherwise, the same structure which is a little bit taller, but hesitant to do so because of respect for the rear neighbors, primarily the residential neighbors. So with an existing height of 35 feet, and the current proposed height as well in this attic space, and two (2) dormers up in there can be seen, it is that this attic level is not considered a story. By definition, the attic of the addition and the expansion complies with the town's definition of a half-story.
- In reference to the floor plan, it will show on the cellar level and the ground floor, the front portion is the existing, and the rear portion is the addition. The way this is planned is this and what is being proposed is the structure built behind the existing, so all of this new space is behind the existing building in place of the existing parking lot. The new parking in the neighboring lot, was discussed extensively during the site testimony. The areas of the building include what is proposed is 1,790 square feet at the cellar and 1,510 square feet, at the ground floor for a total of 3,300 square feet of new space. This proposed office space is entered at the rear of the property, and this was done because, it was needed to create an accessible entrance appropriate for the space. There was some discussion by the site engineer as well, discussing how the upper floors were handled, and there's an existing dwelling unit in the front and what is proposed is two (2) dwelling units in the new portion. So the dwelling unit has a bedroom on the second floor and then an attic level that includes a bedroom and a bathroom as well. The main level of each of these units is 920 square feet. The attic level is 365, combined with a living area of 1,285 square feet, which is pretty typical. The main entrance is at the center. The side facing residential entrance and the parking area, provide a common entrance. On the opposite side of the stairway is another entrance that will allow residents to use some of the grass area on the south side of the property. The front portion of the building is existing, and the rear portion is proposed for code purposes which will be maintained with a firewall separating these structures. Fire sprinklers will be required in those portions, mandated by the building code, which is going to be the whole new area. There are existing HVAC units on the parking side of the building that will be relocated to the opposite side, as well as new HVAC units for the proposed addition. The way this works is that these are small split systems, very similar to what people would have in their homes, but possibly a little bit smaller in size and capacity, and which means they have an inside unit, which is a furnace and an outside condensing unit.
- Based on the site testimony, these will be screened either by landscaping or what was discussed as a 4-foot-high, white vinyl fence with the elevations that are being proposed as an improvement to the existing portions of the building. So the front portion, has been redesigned, with a facelift providing decorative roofing at the front, and a portico in the front as well. The portico did trigger one of the variances, but the aesthetic and streetscape improvements are well justified, and this is not an enclosed space, but an open-air space, and it creates a little bit focus, and greatly improves the front appearance of the building. In addition, the proposed is re-cladding both of the existing areas to match what is being proposed on for the new. This provides an updated look with a cohesive

design. It's an updated, traditional aesthetic, incorporating appropriate vernacular details, which will respond well both to the Pleasant Valley Way side and to the residential neighbors at the rear of the existing building's exterior which includes large windows, sliding doors, and Juliet balconies. The area up above for the attic provides functional dormers to provide light for the upstairs portions of the apartment. Overall, in his opinion all of this enhances and improves the, prior design and it benefits both the neighbors as well as the streetscape, and most importantly, this is not a building with one (1) front side. It is designed with all four (4) sides to have a similar vibe and a similar feel.

- In regards to lighting, Mr. Appel said that even if it is not showing on this rendering there are lanterns (small accent lights) flanking the entries. This is important in his opinion because it helps identify the entries, but these are small lanterns, very similar to what one would have at a home. These are not the kind of sight lighting that was testified by Mr. Conway earlier.
- In addition, on the rendering there is a proposed monument sign, and this was an appropriate compliment (especially being on Pleasant Valley Way), and is a conforming sign. The materials and colors are stone accent, with two (2) types of siding, architectural windows, but windows with not a lot of muntins. This area was kept to provide a little bit more of a modern vibe to the building. Warm grays and earth tones will be utilized, and then have also provided some accent metal roofing.

BOARD QUESTIONS

- Chairperson Neuer asked for an explanation of the front area utilizing a "portico". Mr. Appel said that the little peak up in the front of the property is what triggered the front yard variance issue. Chairperson followed up by asking if he were to enter through the doorway below that peak where would he be located. Mr. Appel said that the entry door brings you into the ground level and referenced the floor plan (PB-1) where it shows that the ground floor level bring you right into the center area where there is existing office space to the left, existing office space to the right, and a door at the center that leads to a front-facing apartment and if someone were to go to up the staircase, a person would be in that existing apartment.
- Chairperson Neuer asked about cellar floor plans and previous testimony stating that it is unusable. Mr. Appel said that the cellar floor plan is a maze with steps up and down with low ceiling heights and obstruction of solid walls all over the place because there was an existing structure and add ons to be used as strictly storage for tenants.
- W. M. Barbee asked in reference to the actual structure as it exists now and which doorway the driveway leads to. Mr. Appel answered that the doorways on the right side and the one on the left leads to the basement.
- L. Cohen asked if the applicant is willing to refurbish the basement to make it safe for storage as an amenity. Mr. Appel said that in his opinion the amount of work to renovate the basement and to remove all difficulties would be extraordinary. Chairperson mentioned that it might be something for the applicant to consider.
- Mr. Cohen asked if the apartment above the attic includes the second floor plus an attic or are some people going to be in the attic. Mr. Appel said that you walk up to the second floor and that is the lower level of the apartment where there is an open living area, a little alcove for dining, and a den where both of the apartments are identical, just mirrored around a fire rated wall. Above the apartments is the attic is the second level that has a bedroom and a bathroom.

- R. Miller asked for confirmation on the number of apartments on the second floor being three (3). Mr. Appel said yes. She followed up by asking if there will be washer/dryer units in each unit. Mr. Appel said that he can't say with certainty but that the two (2) apartments designed do have washer/dryer units.
- R. Miller asked for confirmation on whether or not there will be handicap access. Mr. Appel said that they are not proposing handicap access. That it is not required because it is too small of a structure.
- B. D. Scott asked for confirmation on the number of bedrooms in the existing apartments. Mr. Appel said that is existing and that they are not touching that. They are only proposing on the newly proposed apartments are two (2) bedroom apartments. Mr. Scott followed up by asking about the attic bedrooms and his testimony stating that they are eight (8) feet by the walkable part of the ceiling. Mr. Appel said that the second floor is 365 square feet where the eight (8) foot ceilings are being placed so it is pretty much the extent without the portion of the attic, which is very limited.
- T. Dubovy asked for confirmation of the square footage being 365 square feet with the rationale of people working to coordinate with parking and whether or not remote workers were taken into consideration. Mr. Sullivan said that he doesn't think that this is the correct questioning for an architect.
- Mr. Dubovy asked regarding HVAC and the spaces on the side of the building being indicated that those serve the two (2) new residential

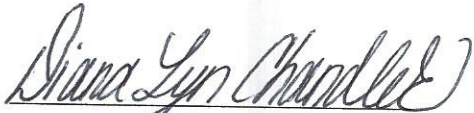
No PROFESSIONALS QUESTIONS

PUBLIC QUESTIONS

- Kevin Malanga (57 Ridge Road) asked if there will be one (1) air conditioner condenser per apartment. Mr. Appel said yes. Mr. Malanga asked if they will be serviced by the same air conditioning condensing unit. Mr. Appel said yes.

Chairperson Neuer adjourned the meeting at 10:52 PM

Adopted: 7/16/20


Diana L. Chandler, Secretary