

**MINUTES
TOWNSHIP OF WEST ORANGE
PLANNING BOARD MEETING
June 3, 2026, 7:30 P.M.**

The Township of West Orange Planning Board held its regular meeting on June 3, 2026, 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 special meeting will be held on **Wednesday, June 10, 2026 at 7:30 p.m.** via Zoom.
- The next Planning Board special meeting will be held on **Wednesday, June 24, 2026 at 7:30 p.m.** via Zoom.
- The next Planning Board regular meeting will be held on **Wednesday, July 1, 2026 at 7:30 p.m.** via Zoom.

ROLL CALL

PRESENT: Chairman Robert Bagoff; Mr. Jerry Guarino;
Mr. Ken Alper; Mayor Susan McCartney; Mr. Christopher Morgan, Sr.; Councilwoman Susan Scarpa; Mr. Lee Klein;
Ms. Lori Kapferer; Mr. Frank Noborine;

ABSENT: Mr. William Wilkes; Mr. John Cardoza;

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

SWEARING IN

- The Township Professionals: Mr. Ryan MacNeil (Consultant Engineer) and Ms. Malvika Apte (Consultant Planner) were sworn under oath.

ORDINANCE REVIEW

- Chairperson Bagoff introduced the review of Ordinance 2968-26, an amendment to the township's existing pop-up party ordinance.
- Ms. Apte presented the Planning Board report regarding the amendment.

- The governing body submitted amendments to the existing ordinance (Section 25-9.13 of the land use ordinance).
- The amendments primarily:
 - o Revise and clarify the ordinance's scope and purpose language, removing wording that was better suited as a "whereas" clause.
 - o Clean up the language describing prohibited activities.
 - o Add the word "publicizing" to reflect methods of promoting pop-up parties, particularly through social media, where people advertise residential events and invite attendees online.
- Ms. Apte explained that the Planning Board's responsibility under the Municipal Land Use Law is to determine whether the amendment is consistent with the township's Master Plan.
- Although the Master Plan doesn't specifically discuss pop-up parties, it emphasizes:
 - o Improving and maintaining residential neighborhoods
 - o Preserving neighborhood character
 - o Preventing nuisance activities that negatively affect residents' quality of life
- She concluded that the ordinance amendment is consistent with the Master Plan and recommended that the Planning Board find it consistent.

BOARD DISCUSSION

- Chairman Bagoff questioned the wording referring to "the residential zoning district," noting that the township contains approximately 22 residential zoning districts and that no formal definition exists in the ordinance. He asked Council President Scarpa what was meant by the phrase. Council President Scarpa responded that the ordinance was intended to apply to all residential districts, explaining that residents from numerous neighborhoods had complained about:
 - o Noise
 - o Garbage
 - o Significant disruptions caused by pop-up parties
- Chairman Bagoff asked whether the problem was isolated or widespread. Council president Scarpa confirmed that complaints came from many different areas throughout town, not just a single neighborhood.
- Chairman Bagoff examined the penalty section and asked whether penalties should escalate by offense (first offense, second offense, etc.) or whether judges would have discretion. Council President Scarpa stated the Council intentionally established significant penalties because of the seriousness of the problem. She believes substantial fines provide the strongest deterrent. Ultimately, sentencing is left to the judge's discretion.
- Mayor McCartney raised concerns about exemption language allowing pop-up parties if proceeds benefit a bona fide charitable organization or political campaigns
- She argued:
 - o There is no permitting process to verify whether an event qualifies for an exemption.
 - o The exemption is difficult or impossible to define and enforce.
 - o If pop-up parties are prohibited, they should simply be prohibited without exceptions.
- Council president Scarpa explained that political events were exempted because campaign events are commonly advertised.

- Mr. Alper commented that removing the political exemption could potentially create First Amendment issues.
 - o Political gatherings such as candidate meet-and-greets held at private homes likely require greater constitutional protection.
 - o Since Legal had already reviewed the ordinance, he was generally comfortable with the language.
- Mr. Klein asked whether a party with 50 people at his home would violate the ordinance, whether advertising alone defines a pop-up party, and whether collecting money is what distinguishes it. Council President Scarpa confirmed yes.
 - o Council President Scarpa added:
 - The ordinance is intended to address parties advertised on social media where money is collected
 - Residents are free to invite friends to private gatherings
 - The ordinance is not intended to prohibit ordinary private parties
 - o Mr. Klein pointed out:
 - Existing noise ordinances already regulate nuisance parties
 - He remained unclear on how many people or what specific conduct triggers the ordinance
 - He questioned whether texting numerous friends could qualify as advertising
 - o Scarpa answered that simply inviting friends is not the issue; charging admission and advertising events are key concerns.
- Mayor McCartney questioned how officials would determine whether an organization truly qualifies as charitable. Council president Scarpa responded that the ordinance should defer to the township attorney, Mr. Semeraro.
- Mr. Noborine raised several questions
 - o Who determines whether a gathering qualifies as a pop-up party?
 - o Would patrol officers have to make that determination while responding?
 - o What is the threshold for distinguishing an illegal pop-up party from a lawful gathering or political event?
 - o What standards should officers use before imposing penalties that could include 90 days in jail?
 - o Council president Scarpa answered that enforcement would depend primarily on:
 - Advertising
 - Money being collected
 - Existing enforcement officials responsible for nuisance issues
 - o Dr. Bagoff noted that the ordinance lists multiple enforcement agencies, including:
 - Police Department
 - Health Department
 - Zoning officials
 - Fire Department
 - o Mr. Noborine reiterated that officers still need clearer standards to determine violations in real time
 - o Chairman Bagoff agreed these questions could be sent back to the Council for clarification
- Ms. Kapferer questioned:
 - o What distinguishes this ordinance from an ordinary nuisance-party ordinance
 - o Whether the only meaningful difference is the collection of money

- Why someone collecting money faces severe penalties while someone creating the same disturbance without charging admission would not
- Ms. McGovern identified several drafting issues:
 - The ordinance refers to "the residential district," implying only one district exists
 - It should instead refer more broadly to residential districts
- She questioned whether the ordinance also covers:
 - Apartments in mixed-use buildings.
 - Other residential uses outside traditional residential zones.
 - Council President Scarpa responded that the ordinance is intended to cover residential properties generally, including rented homes.
 - Ms. McGovern suggested:
 - The ordinance should focus on residential buildings or residences, rather than zoning districts
 - A residence located in a non-residential zone (such as a legal pre-existing home in an industrial district) should still be covered
- Ms. McGovern also observed that many Board members were questioning whether existing ordinances already address nuisance parties and asked what gap this ordinance is intended to fill.
 - Council President Scarpa answered that existing laws have not adequately addressed the persistent problem and that the Council needed clarity
 - Council President Scarpa stated that many problematic events occur in homes rented specifically for parties
 - Chairman Bagoff noted that this description differs from the common understanding of a "pop-up party."
 - He read a general definition describing a pop-up party as:
 - A temporary event that appears suddenly
 - Often organized quickly through social media
 - Intended to create exclusivity and immediate interest (often driven by FOMO)
- He suggested:
 - The ordinance may need to redefine "pop-up party."
 - The township may need to add an explicit definition section.
 - Renting a property in advance does not necessarily fit the traditional meaning of a pop-up event.
- Council president Scarpa replied that she would defer to the township attorney

Chairman Bagoff made a motion to send the ordinance back to the Council so it could evaluate the Planning Board's comments and determine how to proceed.

Motion: Chairman Bagoff

Second: Mr. Noborine

Alper:	Y	Mayor McCartney:	Y
Bagoff:	Y	Morgan:	Y
Cardoza (Alt.2):	----	Noborine:	Y
Guarino:	Y	Scarpa:	Y
Kapferer:	Y	Wilkes:	----

Klein:	Y	
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APPLICATIONS

- **PB-25-09 Perez**

68 Whittlesey Avenue

Block: 129 Lot: 58 Zone: R-T

The applicant proposes to subdivide the property into two 50-foot lots, convert the existing single-family dwelling to a two-family dwelling, and construct a new two family dwelling on the subdivided lot.

(The applicant has requested to be carried to the July 1, 2026, Planning Board regular meeting.)

- **PB-26-01 15 Ridgeway LLC**

15 Ridgeway LLC

Block: 158 Lot: 28.01 Zone: R4

The applicant is seeking a minor subdivision with bulk variance approval to create an additional building lot from an oversized lot.

(The applicant has requested to be carried to the July 1, 2026, Planning Board regular meeting.)

- **PB-25-12 262 & 270 Main Street Realty LLC**

262 & 270 Main Street

Block: 114 Lot: 50 & 55 Zone: B-1

The applicant proposes to construct a two-story supermarket building consisting of 13,934 square feet on the first floor and 5,810 square feet on the second floor, for a total of 19,744 square feet.

PRESENTATION

- Amanda Wolfe, attorney from Norris McLaughlin, appeared on behalf of 262 & 270 Main Street Realty LLC.
- Because of the limited hearing time, she proposed beginning with a PowerPoint presentation to provide the Board with an overview of the project, with more detailed testimony and responses to questions at a later hearing.
- Ms. Wolfe described the property:
 - Approximately 30,218 square feet
 - Irregularly shaped
 - Frontage on Main Street, Irwin Place, and Prospect Place
 - Located within the B-1 Retail Business/Central Business District
 - Currently occupied by the former Rite Aid Pharmacy and the Americana Diner
- The application seeks preliminary and final major site plan approval.
- Along with a reverse subdivision because the two lots are owned by separate LLCs before ultimately being merged.
- She summarized the project's goals:
 - Improve Main Street's pedestrian environment.
 - Enhance safety and wayfinding.
 - Provide an important grocery resource to the community.
 - Incorporate environmentally sustainable features, including:

- Rain gardens
 - Solar panels
 - EV charging stations.
- Ms. Wolfe requested confirmation that several checklist waivers (Items 31, 41, and 42) be granted because drainage materials had since been submitted.
 - Ms. McGovern indicated that the Board Engineer should first provide a recommendation after the presentation before waivers were considered.
- Ms. Wolfe stated that, in addition to site plan approval and subdivision approval, the project requires approximately 12 variances, including:
 - Rear yard setback variance (while improving the existing condition).
 - Previous lot coverage variance (also improving the existing condition).
 - Parking variance:
 - 48 spaces proposed.
 - 57 spaces required.
 - Loading space variance:
 - Two loading spaces required.
 - One permanent loading space and one temporary loading arrangement proposed
 - Parking adjacent to residential districts
 - Distance of parking entrances from nearby residential properties
 - Employee parking spaces backing onto a public right-of-way
 - Insufficient landscape buffering
 - Absence of a sidewalk between the parking area and the building
 - Fence location variance
 - Façade sign height variance
 - Canopy sign height variance
 - Waivers related to illumination levels and building materials
- The architect, Jorge Mastropietro, entered on the record; he was sworn under oath. He testified to the following:
 - PowerPoint presentation, Exhibit A-1, was introduced by Mr. Mastropietro
 - Existing site conditions
 - The first slides showed existing photographs of the property, including:
 - Images from Google Maps
 - Photos taken after Rite Aid had closed
 - Mr. Mastropietro explained that when he first visited the site, the original concept was simply to expand the existing building
 - After further analysis, his team concluded that redevelopment would better address several problems.
 - Reasons for redesigning the site instead of expanding the existing building
 - Mr. Mastropietro identified several deficiencies in the current site:
 - Large expanses of underutilized surface parking create "dead space."
 - Parking lots reduce pedestrian activity and diminish walkability.
 - Open parking areas weaken the visual quality of Main Street.
 - Two separate parking lots create unnecessary customer confusion ("decision fatigue") regarding where to park.
 - Multiple parking lots increase conflicts between pedestrians and vehicles because of numerous driveways.
 - The open street corner lacks architectural enclosure, making the intersection appear visually incomplete.
 - He showed additional photographs illustrating:

- Extensive parking lots interrupting the streetscape.
- Vacant storefronts creating an uninviting pedestrian environment.
- Buildings that fail to encourage walking or exploration along Main Street.
- He argued these conditions diminish both aesthetics and commercial vitality.
- Mr. Mastropietro explained that loading operations at the existing Rite Aid site were difficult.
 - Using photographs and diagrams, he described how large tractor-trailers currently:
 - Require complicated turning movements
 - Occupy multiple traffic lanes while entering the property
 - Need lengthy maneuvering that can take approximately 15 minutes.
 - Cannot easily exit via Irwin Place
 - Cannot safely reverse onto a county road because Essex County prohibits such movements
- Mr. Mastropietro discussed "last-mile deliveries," where trucks stop briefly for deliveries.
 - He presented examples showing that delivery vehicles often:
 - Stop in travel lanes, disrupting traffic
 - Park on sidewalks, forcing pedestrians into the street
 - Ignore existing "No Parking Anytime" restrictions because no practical loading area exists
- Mr. Mastropietro emphasized that his practice designs human experiences, not simply buildings.
 - He contrasted current site conditions with renderings of the proposed redevelopment.
 - According to him, the project aims to:
 - Significantly improve architectural quality
 - Enhance Main Street's appearance
 - Create a stronger pedestrian-oriented environment
 - The proposal would replace numerous driveways with:
 - One clearly defined entrance.
 - One clearly defined exit.
 - A small loading area would be located on Irwin Place for smaller delivery trucks.
 - Two employee parking spaces would remain separate because:
 - Existing grades create steep slopes
 - The slope is unsuitable for ADA accessibility and shopping carts
 - The proposal lowers portions of the site to improve accessibility
 - Mr. Mastropietro stated that the design team thoroughly reviewed the township's zoning ordinance and Master Plan
 - Mr. Mastropietro summarized three goals:
 - Construct a high-quality architectural building suitable for the community
 - Improve customer experience and strengthen Main Street activity
 - Develop an environmentally sustainable ("green") building
 - Mr. Mastropietro described his design as holistic architecture, focusing on:
 - The building's relationship to its surroundings
 - Pedestrian safety
 - Parking design
 - He explained that sidewalks are essential public spaces
 - The building is intended to become a natural extension of the existing streetscape rather than appearing isolated
 - Consolidating entrances into a single access point:
 - Eliminates multiple curb cuts

- Reduces driver confusion
 - Improves pedestrian safety
- A key design strategy is relocating the building toward the street corner.
- According to Mr. Mastropietro, this:
 - Reduces the number of driveways
 - Creates a more continuous sidewalk
 - Improves pedestrian comfort
 - Forms a stronger architectural edge
 - Establishes the building as a visual landmark anchoring the intersection
 - Creates a greater "sense of place"
- Referring to the township's design standards, Mr. Mastropietro stated that perceived scale was an important consideration.
 - Because supermarkets require high interior ceilings, the roof is designed with inward slopes to reduce the building's apparent height and visual mass.
- Proposed materials include:
 - Zinc roofing because of its long lifespan and low maintenance
 - Aluminum storefront systems
 - Stainless steel reflective panels instead of traditional mirror glass to encourage visual interaction while remaining more durable
 - Additional stainless steel architectural finishes
- Environmental elements include:
 - Solar-ready roof for future panels
 - White reflective roofing to reduce the urban heat island effect
 - Skylights providing natural daylight inside the supermarket
 - Rain gardens throughout landscaped islands
 - Permeable paving in parking areas
 - High-efficiency building fixtures
 - Reduced impervious surface coverage
 - Native tree species to increase shade, improve air quality, and strengthen Main Street's tree canopy
 - Dark-sky-compliant downward-facing lighting
- Mr. Mastropietro presented interior renderings.
- While acknowledging the grocery store would have a conventional supermarket layout with adjacent entrance and exit areas, he emphasized higher-quality interior architecture than a typical supermarket
- Mr. Mastropietro described Main Street as having strong potential to become a more walkable corridor.
- He stated that every major design decision was intended to support walkability and pedestrian comfort.
- Recognizing that supermarkets require long solid walls, Mr. Mastropietro explained that the design attempts to avoid a blank façade.
- He proposed incorporating dynamic façade treatments using reflective stainless steel elements to create visual interaction and improve the pedestrian experience.
- Mr. Mastropietro explained that the roof form is intentionally designed to visually highlight the main entrance, making it obvious and welcoming to approaching pedestrians.
- Stated that an open, transparent façade helps activate the sidewalk and improves safety through natural surveillance
- Explained that the supermarket is designed to be fully ADA compliant
- Noted there are no grade changes between interior and exterior pedestrian areas.

- Highlighted landscaping and storefront design intended to shorten the perceived walking distance, provide shade, and improve wayfinding
- Proposed detectable warning surfaces at street corners by changing sidewalk texture or adding highly visible painted signs.
- Proposed bollards to separate vehicles from pedestrians near the entrance and reduce the likelihood of vehicle-pedestrian accidents.
- Proposed decorative street murals between the store entrance and parking lot, explaining this naturally encourages drivers to slow down.
- Included bicycle racks for employees and other cyclists.
- Discussed maintaining adequate sight triangles for motorists.
- Suggested creating painted curb bump-outs (rather than constructing permanent ones) in coordination with the Township traffic engineer and Essex County.
- Mentioned working with a company that has implemented similar artistic traffic-calming treatments in South Orange.
- Explained these painted bump-outs would both beautify the area and improve pedestrian safety at crossings.
- Explained, using rain gardens, creates a landscaped buffer between the parking lot and the sidewalk
- Said this landscaped edge provides tree canopy, serves as a living screen between pedestrians and parked vehicles, and makes walking along Main Street more attractive.
- Introduced loading operations, explained that the team extensively researched "last-mile" delivery practices because the issue arises in many municipalities.
- Referenced several sources studied during the design process:
 - o A Montgomery County, Maryland case study
 - o New York City's freight parking policy research
 - o A publication by Nan Chen, *Smart Solutions for the Loading Zone Revenue Dilemma*
- Summarized the research findings:
 - o Off-street loading works well for industrial uses or long-duration deliveries.
 - o For short 20–30 minute "last-mile" deliveries, dedicated on-street loading zones ("smart loading zones") are generally considered better urban planning solutions
- Explained that the largest delivery vehicle expected is a lowboy trailer under 53 feet.
- Said simulations and videos demonstrate that bringing such a truck into the site's parking lot would require approximately 20 minutes of difficult maneuvering.
- Described how the truck would need to occupy opposing traffic lanes while maneuvering into the site.
- Stated that exiting would also be problematic because Essex County does not permit trucks to reverse onto county roads.
- Explained another operational issue: during the designated delivery window (approximately 8:00 a.m. to noon), adjacent parking spaces would have to remain vacant because delivery arrival times cannot be predicted precisely.
- Pedestrian safety concerns with on-site truck loading
 - o Argued that having large delivery trucks enter the parking lot creates a significant pedestrian safety hazard.
 - o Explained that trucks maneuvering through the lot would temporarily block pedestrian circulation for several minutes.
- Applicant's proposed loading solution
 - o Concluded that a dedicated on-street loading zone is the safest solution for short-duration (20–30 minute) deliveries in an urban environment.

- Explained that this arrangement avoids trucks crossing pedestrian sidewalks during loading.
- Acknowledged the disadvantage that approximately four on-street parking spaces would need to be reserved during weekday morning delivery hours (roughly 8:00 a.m. to noon).
- Explained that trucks would simply pull alongside the curb, unload for approximately 20 minutes, and depart without encroaching into opposing traffic lanes or performing complicated maneuvers.
- Clarified that the project also includes a second loading area for smaller delivery trucks (SU-40 size).
- These smaller trucks belong to the owner's supermarket operations, can use the internal loading space via Irwin Place, and may remain on-site longer than the 20–30 minute deliveries.

BOARD QUESTIONS

- Mr. Guarino asked whether deliveries could instead be moved to the rear of the building. Mr. Mastropietro said they did consider that option. Deferred detailed analysis to the project's traffic engineer. Explained that Irwin Place is a very narrow street and that the required delivery trucks cannot safely negotiate the necessary turning movements without creating additional complications.
- Mr. Guarino asked whether the proposed streetscape improvements had been discussed with Essex County because county approval would ultimately be required. Mr. Mastropietro confirmed the team met with Essex County officials. Explained no formal application has yet been submitted because County review will occur after Planning Board approval.
- Mr. Guarino asked whether the bollards would be illuminated in a way that would avoid distracting drivers. Mr. Mastropietro responded that lighting would be directed downward and would not be distracting.
- Mayor McCartney asked for clarification regarding the proposed on-street loading zone, wanting to confirm whether four parking spaces would be reserved from approximately 7:00 a.m. to noon Monday through Thursday (or a similar schedule), or whether the truck itself would occupy the space only for a 20–30 minute delivery. Mr. Mastropietro confirmed it will be reserved 7:00 a.m. to noon because the arrival time of the truck is unpredictable. The delivery truck itself would generally remain only about 20–30 minutes.
- Council president Scarpa asked whether outdoor seating could be incorporated. Mr. Mastropietro responded they had discussed possibly providing seating on the mezzanine level. Outdoor seating at ground level is difficult because of parking requirements. If the Planning Board desired outdoor seating, the applicant could consider sacrificing additional parking spaces.
- Mr. Alper asked whether reducing the required parking, if the second-floor storage were excluded from parking calculations and protected through deed restrictions, might make it possible to relocate truck loading entirely onto the site. Mr. Mastropietro responded this issue would be more appropriately addressed by the traffic engineer. Their analysis concluded that on-site truck loading would still require trucks to back onto a county road when exiting.
- Mr. Alper suggested another possibility if parking requirements decreased sufficiently, perhaps the building footprint could shift enough to allow large trucks to enter from the side street rather than Main Street. Mr. Mastropietro replied that based on his own

calculations, he did not believe sufficient space existed. He would defer to the traffic engineer's expertise.

- Chairman Bagoff asked whether the applicant was utilizing parking reductions associated with electric vehicle charging stations. Mr. Mastropietro confirmed that the project includes five EV charging stations. Those stations are included in the parking calculations.
- Ms. Kapferer asked whether the proposed driveway entrance aligns directly with Kling Street. Mr. Mastropietro explained yes, the entrance was intentionally aligned across from the intersecting street. The exit was intentionally relocated to reduce conflicts between entering and exiting vehicles.
- Ms. Kapferer asked about the bicycle rack located near the parking lot entrance. Mr. Mastropietro explained the bike rack occupies an entire parking space. That parking space could not function properly because Township regulations prohibit parking so close to the property line, where maneuvering would interfere with pedestrians. The space instead becomes a rain garden and bicycle parking area.
- Ms. Kapferer asked how far the proposed on-street loading zone would be from Irwin Place. Mr. Mastropietro stated they had analyzed that distance but did not remember the exact measurement.

BOARD COMMENTS

- Mr. Guarino raises concerns about truck operations
 - o Explained that despite admiring the design, he has significant concerns regarding truck deliveries and parking.
 - o Noted the site's close proximity to the West Orange Community House, which serves approximately 300–350 children daily through preschool and early childhood programs.
 - o Emphasized that the nearby Main Street crosswalk experiences heavy pedestrian traffic, especially children, and that enrollment is expected to increase in the coming school year.
- Mr. Guarino discusses Main Street traffic
 - o Explained that several Planning Board members have worked extensively through the Pedestrian Safety Advisory Board to calm traffic on Main Street.
 - o Referenced the existing "road diet," reducing Main Street to one travel lane in each direction.
 - o Expressed strong opposition to allowing trucks to park on Main Street.
 - o Explained that vehicles would attempt to drive around stopped trucks while children are crossing, creating unacceptable safety risks despite crossing guards and traffic signals.
- Council President Scarpa reiterated earlier concerns about pedestrian safety because of:
 - o The nearby preschool
 - o Her own familiarity with the area through Washington School
 - o Blind spots created by nearby side streets connecting to Main Street
 - o Encouraged maximizing tree planting wherever possible
- Chairman Bagoff mentioned that the Planning Board has encouraged supermarkets and similar businesses to provide benches or seating areas
 - o Suggested:
 - A bench inside or just outside the building.
 - Coordinating a jitney stop so senior citizens could be dropped off and picked up conveniently.

- Mr. Mastropietro responded that:
 - The decision ultimately belongs to the owner.
 - Based on his experience with the owner, he expects they would likely be willing to accommodate such a request.

PROFESSIONAL QUESTIONS

- Ms. Apte pointed out that the CBD Overlay contains a list of prohibited exterior materials, including:
 - Corrugated metal.
 - Mirror-glazed aluminum finishes.
- Ms. Apte asked Mr. Mastropietro to explain why the proposed materials were still being used. Mr. Mastropietro responded he frequently requests design waivers when appropriate. Materials themselves are not inherently good or bad; their suitability depends on how they are used. The proposed roofing material is zinc rather than traditional corrugated metal.
 - Zinc is:
 - Sustainable
 - Low maintenance
 - Available in many attractive colors
 - Well suited to achieving the project's architectural vision
- Ms. Apte clarified the ordinance prohibits those materials and the applicant would therefore require a design waiver, not a use variance.
 - Mayor McCartney asked why those materials were originally prohibited.
 - Ms. Apte explained:
 - The ordinance likely sought to preserve compatibility with the historic Main Street character
- Ms. Apte requested that Mr. Mastropietro walk the Board through:
 - The floor plan
 - Employee access
 - Bicycle parking
 - Internal circulation

PRESENTATION

- Mr. Mastropietro introduced the Revised Site Plan, Exhibit A2, dated May 26, 2026
- Explained that understanding the site's elevation change is critical:
 - Main Street is significantly lower than Irwin Place.
 - The Erwin Place elevation is approximately at the mezzanine level.
- Customer level (Main Street):
 - Primary customer entrance is located on Main Street
 - Open supermarket floor with various shopping departments
 - Rear storage areas for frozen products and related functions
 - Customer restrooms, including ADA-accessible facilities
 - Building code requires two means of egress:
 - Main Street entrance/exit
 - Rear exit connected by stairs because of the grade difference
- Mezzanine/Erwin Place level:
 - Employee bicycle parking is located inside the building.
 - Employees enter from Irwin Place using either:

- An elevator
- Stairs
- Clarified that the bicycle rack in the parking lot is intended for customers, while employees use the interior bicycle storage.
- This level also contains:
 - Trash storage
 - Mechanical/HVAC equipment
 - Terrace access

PROFESSIONAL QUESTIONS

- Ms. Apte asked about:
 - Trash collection procedures
 - Potential odor impacts
 - Potential noise impacts on the neighboring residential property
- Mr. Mastropietro responded:
 - Trash will remain inside the building until collection, therefore, odor impacts should be minimal.
 - Operational details, including collection schedules, are ultimately matters for the supermarket operator.
 - The applicant is aware of the Township's operational restrictions and intends to comply.
- Mr. MacNeill asked whether the applicant had considered designing the supermarket as a two-story grocery store and reducing the first-floor footprint to improve on-site circulation and truck maneuvering. Mr. Mastropietro responded they have explored two-level supermarkets on other projects. They concluded that two-story grocery stores generally perform poorly because customers must move shopping carts between floors. They require ramps or specialized cart escalators. Elderly customers often avoid those systems. A single-level layout better supports ADA accessibility and customer convenience.
- Ms. Apte asked whether the mezzanine/storage level would also include employee facilities such as break rooms or locker rooms. Mr. Mastropietro explained the interior layout of the mezzanine has not yet been finalized. The only fully designed portion of the building is the ground-floor supermarket. The area will likely contain storage and possibly employee lockers, but no major office space.

GENERAL DISCUSSION

- Chairman Bagoff emphasized that Main Street is a constrained roadway with one lane in each direction and vehicle traffic, delivery trucks, pedestrians, and nearby schoolchildren.
- He requested additional analysis to improve circulation and pedestrian safety.
- Mr. MacNeill explained:
 - Such studies are typically prepared by the applicant's traffic engineer.
 - Coordination should occur between Township professionals and the applicant before determining next steps.
- Ms. Wolfe clarified that a traffic study prepared by Dolan & Dean had already been submitted.
 - Mr. MacNeill responded that:
 - He had already reviewed the submitted traffic study.
 - His primary concerns remain:

- Delivery truck circulation
- Pedestrian safety
- ADA parking spaces
- These issues would be addressed during testimony from the applicant's traffic engineer.

PUBLIC QUESTIONS

- Kevin Malanga, Ridge Road, asked whether the roof was zinc or zinc-coated. Mr. Mastropietro clarified the zinc material is only the façade. The roof itself is a white membrane designed to accommodate future solar panels.
- Mr. Malanga asked whether the angled façade along Main Street includes gutters. Mr. Mastropietro stated internal gutters are provided. Snow barriers will also be installed.
- Mr. Malanga asked what percentage of the façade consists of reflective glass. Mr. Mastropietro estimated approximately 20–30%, explaining some panels are reflective while alternating panels are not. Reflective treatment extends only to roughly the first eight feet, with glass above.
- Mr. Malanga noted that the renderings show unobstructed transparent glass but supermarkets often place advertising posters on windows. He asked whether the applicant would agree to prohibit posters as a condition of approval. Mr. Mastropietro responded the design intent is to avoid window posters and preserve transparency. He stated he would need to confirm the owner's intentions before agreeing.
- Mr. Malanga asked Mr. Mastropietro to show the small driveway on Erwin Place and to explain the function. Using the site plan, Mr. Mastropietro explained that the small driveway on Irwin Place is intended only for small trucks. Occasional transfers of merchandise between the owner's supermarkets. Temporary parking of those smaller vehicles for a few hours.
- Mr. Malanga asked about supermarket operating hours. Mr. Mastropietro believed they would likely be approximately 7:00 a.m. to 10:00 p.m., but stated that the owner would provide the definitive answer.

Chairman Bagoff carried the application to the July 1, 2026 Planning Board meeting at 7:30 p.m. via Zoom.

The Board then recessed for approximately five minutes.

- **PB-26-03 Crestmont Country Club**
750 Eagle Rock Avenue
Block: 174 Lot: 1.01 Zone: R-2

The applicant is proposing the installation of a traffic signal at the intersection of Eagle Rock Avenue and Oval Road. Modifications to the existing driveway and parking area are also being proposed

PRESENTATION

- The attorney, Richard Schkolnick, appeared on behalf of Crestmont Country Club
- He summarized the application:
 - Crestmont is an existing permitted country club in the R-2 Zone.
 - No new buildings are proposed
 - The primary components are:

- 32 new parking spaces
- A new traffic signal
- A new exit aligned with Oval Road to create a safer four-way intersection
- Widening of Eagle Rock Avenue
- Drainage improvements
- Stormwater management enhancements
- Extensive landscaping, tree removal, and replacement plantings

- He explained that the club's operations have evolved into a more year-round facility.
- Increased activity has created additional parking demand
- Significant topographic constraints require retaining walls and steep-slope disturbance variances

- Mr. Schkolnick argued that the public safety benefits of the improvements outweigh the relatively modest zoning deviations.

He described the relevance of the 2020 settlement agreement between West Essex Highlands and the Township:

The agreement requires installation of the Eagle Rock/Oval Road traffic signal.

It also obligates the Township to use eminent domain if necessary to acquire property from Crestmont for construction.

Schkolnick emphasized Crestmont was faced with the possibility of losing property through eminent domain.

The club therefore worked collaboratively with West Essex Highlands, the Township, and Essex County to develop a solution.

o The proposal:

- Solves a public safety problem
- Provides Crestmont with needed parking
- Eliminates the club's existing steep and potentially hazardous exit road

He argued that even if the West Essex Highlands residential development never proceeds, Crestmont still:

- o Needs additional parking
- o Faces the obligations created by the settlement agreement
- o Must address the potential eminent-domain acquisition
- o Benefits from the traffic safety improvements
- o Schkolnick characterized the proposal as a practical solution to a complex legal and engineering situation

- The civil engineer, John Cote, entered on the record; he was sworn under oath. He testified to the following:
- Mr. Schkolnick introduced an aerial exhibit labeled A-1.
- Mr. Cote stated that the Crestmont Country Club property totals approximately 146.93 acres.
- The proposed work is concentrated primarily in the northeast corner of the property, at the intersection of Laurel Avenue and Eagle Rock Avenue.
- The total area of disturbance is approximately 4 acres.
- He described the existing access configuration:
 - o Vehicles currently enter from Laurel Avenue.
 - o Drivers proceed past the clubhouse and parking areas.
 - o Vehicles exit via a separate one-way driveway that leaves at an angle onto Eagle Rock Avenue at the northeast corner.
- He summarized the proposed improvements:
 - o Widening of Eagle Rock Avenue
 - o Expansion of the upper parking lot with a new parking field

- Installation of stormwater detention basins and bioretention basins
- Reconfiguration of the lower parking lot to accommodate grading for the new exit roadway
- Construction of an additional detention basin at the northeast corner
- Landscape restoration and tree planting throughout portions of the golf course property
- Mr. Schkolnick clarified that the property will continue operating as one-way in from Laurel Avenue and one-way out to Eagle Rock Avenue.
- Mr. Cote explained that the existing exit driveway will be removed and replaced by a stormwater detention basin.
- The project will create a net increase of 32 parking spaces.
- Two additional EV charging spaces are also proposed.
- After the overview, Mr. Schkolnick informed the Board that Mr. Cote would return later for detailed testimony.
- The general manager/COO, Dana Cancellaro, entered on the record; she was sworn under oath. She testified to the following:
 - She stated that her responsibilities include:
 - Managing all day-to-day club operations
 - Serving as liaison to the Board of Directors
 - Helping establish the club's strategic direction
 - Supervising all 13 club departments and department heads
 - She confirmed she oversees:
 - Member events
 - Private events
 - Coordination with the engineering team on the current project
 - She testified that:
 - She joined Crestmont in March 2023
 - She has more than 20 years of private club experience
 - She has served as a general manager for over 10 years
 - She is a Certified Club Manager through the Club Management Association of America and is a member of its Honor Society
- Ms. Cancellaro said the project developed from two primary needs:
 - Additional parking for the club
 - A safer exit from the property
- She explained that West Essex Highlands approached the club regarding installation of a new traffic signal.
 - Mr. Schkolnick confirmed that those discussions predated her employment.
- Ms. Cancellaro testified that the club was aware of:
 - The 2020 settlement agreement involving West Essex Highlands and the Township
 - The agreement's eminent domain provisions
- She stated the club preferred to cooperate rather than become involved in an eminent domain dispute, believing litigation would be disruptive to both the club and the community.
- She explained that installing the traffic signal aligned with the club's own safety interests.
- Ms. Cancellaro emphasized that the current exit presents significant safety concerns:
 - Making a left turn onto Eagle Rock Avenue is difficult
 - The exit is unsignalized
 - Members include elderly drivers and young families

- She personally experiences the difficulty every evening when leaving work, sometimes with her son in the vehicle
- She testified that as general manager, member and guest safety is a priority.
 - A signalized exit would substantially improve safety.
- Mr. Schkolnick added that the existing exit is also steep.
- Ms. Cancellaro agreed and noted:
 - Winter icing frequently creates hazardous conditions
 - Maintaining safe winter conditions requires significant salting
 - The new alignment would provide a better and safer exit
- Ms. Cancellaro testified that parking demand has increased significantly because the club's membership has changed.
- Overall facility usage has doubled or even tripled in some areas.
- Families increasingly arrive in multiple vehicles rather than carpooling.
- She stated that these changes have created a legitimate need for additional parking independent of the roadway improvements.
- Mr. Schkolnick asked why the club chose cooperation rather than opposition.
- Ms. Cancellaro responded that:
 - She believes clubs should be good neighbors and positive members of the community.
- The project would beautify an important and busy intersection.
- Cooperation served both the club's interests and the Township's interests.
- Mr. Schkolnick summarized that cooperation also:
 - Avoided potential conflicts with the Township.
 - Allowed the club to improve its already difficult driveway.
 - Brought together the Township, County, and club in a coordinated effort.
- Ms. Cancellaro agreed, adding that county representatives had visited the site. The County also appeared supportive of the project.
- Ms. Cancellaro characterized the proposal as a "win-win" for the club and confirmed the application was being submitted because it made operational and business sense.

PROFESSIONAL QUESTIONS

- Mr. MacNeill asked whether existing site operations, including deliveries, trash collection, and on-site circulation, would change. Ms. Cancellaro responded that no operational changes are anticipated. Service vehicles would actually have an easier exit under the proposed design.

PUBLIC QUESTIONS

- Seth Weisleder, 17 Howell Drive, asked whether the Township had actually initiated eminent domain proceedings and how much land would have been acquired. Mr. Schkolnick responded he was unaware of any eminent domain action actually being filed. Because the parties worked cooperatively on the design, formal proceedings likely never became necessary.
- Bob Sharenow asked whether Ms. Cancellaro had been referring to West Essex Highlands Garden Homes (the Wilf development), or the existing West Essex Highlands condominium community. Ms. Cancellaro clarified she was referring to West Essex Highlands Garden Homes.
- Mr. Sharenow then asked when the agreement was signed. Ms. Cancellaro testified that the agreement was officially signed in approximately December 2025.

- Mr. Sharenow asked what the agreement required. Ms. Cancellaro stated it stemmed from the earlier 2020 Township agreement requiring installation of the traffic signal. Crestmont agreed to cooperate by allowing use of a portion of its property. The agreement also enabled Crestmont to utilize the Garden Homes development team's engineering and construction resources to build additional parking and realign the club's exit with the new traffic signal.

PRESENTATION

- The traffic engineer, Karl Pehnke, entered on the record; he was sworn under oath. He testified to the following:

Mr. Schkolnick asked Mr. Pehnke to provide an overview of the project's traffic and traffic safety issues, challenges, and benefits for both Crestmont Country Club and the community.

The aerial exhibit previously admitted as Exhibit A-1 would be used.

Mr. Pehnke began by explaining the long history of the project:

- o Planning has spanned many years.

He became involved approximately 2½ years earlier, retained by West Essex Highlands LLC to advance:

- Eagle Rock Avenue roadway improvements.
- Installation of the traffic signal at Oval Road.

Prior to his involvement, the retired traffic engineer had worked extensively on:

- The West Essex Highlands project
- Coordination with Essex County
- Coordination with West Orange
- Development of the settlement agreement
- Early concepts for Eagle Rock Avenue and Oval Road improvements

Mr. Pehnke stated he inherited and continued that design effort

He explained that the roadway design and Crestmont site improvements have been closely coordinated:

His partner, John Cote, coordinated the related site engineering for Crestmont.

The public improvements and private site improvements were intentionally integrated because the roadway widening directly affects the Country Club property.

- Mr. Pehnke described the engineering process:

- o One of the first tasks was evaluating existing conditions
- o The analysis focused on:
 - Existing traffic operations
 - Existing safety conditions
 - Whether improvements were warranted
- o The overall goal was to develop the safest and most effective operational solution.
- o Traffic signal decisions follow established engineering guidance rather than preference alone.

- He explained the governing engineering standards:

- o New Jersey Department of Transportation design manuals.
- o Essex County roadway design standards.
- o The Manual on Uniform Traffic Control Devices (MUTCD) for traffic signal evaluation and design.
- o The MUTCD contains multiple types of signal warrants, including:
 - Traffic volume warrants

- Pedestrian warrants
 - Crash warrants
 - Other operational criteria
- Traffic engineers primarily rely on:
 - Traffic volume warrants
 - Engineering judgment consistent with the MUTCD
- Mr. Pehnke then described the existing conditions at the Oval Road / Eagle Rock Avenue intersection:
 - Oval Road serves the West Essex Highlands development.
 - Eagle Rock Avenue is currently a four-lane county roadway, with two travel lanes in each direction.
 - In the westbound direction:
 - One lane operates as a through lane.
 - Another lane serves through traffic and right turns onto Oval Road.
 - In the eastbound direction:
 - The curb lane carries through traffic.
 - The inside lane serves both through traffic and vehicles making left turns onto Oval Road.
- He identified several operational problems at the existing intersection:
 - Eastbound vehicles making left turns onto Oval Road must stop within a through lane.
 - Stopped left-turning vehicles force following traffic to maneuver around them.
 - These conditions were specifically considered in designing the proposed improvements.
- Mr. Pehnke described sight-distance problems at Oval Road:
 - Drivers exiting Oval Road must stop and search for gaps in heavy traffic on Eagle Rock Avenue.
 - Eagle Rock Avenue carries approximately 800 to over 1,200 vehicles per hour, depending on the time of day.
 - Looking to the right from Oval Road is particularly difficult because:
 - A fence along Essex Fells Country Club restricts visibility
 - Eagle Rock Avenue curves away
 - Vegetation increasingly obstructs views during the growing season
 - Looking left is somewhat better but still partially obstructed by fencing and vegetation.
- Based on those conditions, Mr. Pehnke concluded:
 - The existing intersection has conditions that justify improvements.
 - Existing traffic volumes satisfy the requirements of MUTCD Warrant 2, the four-hour traffic volume warrant, for signalization.
 - Even without considering future development at West Essex Highlands, the existing conditions independently warrant installation of a traffic signal.
 - According to MUTCD guidance and engineering judgment, signalization at this location is justified.
- Mr. Pehnke testified that the need for a traffic signal has been recognized for many years.
- The issue was likely not technical but financial.
- The settlement agreement helped provide the resources necessary to construct the long-needed improvements.
- He next explained how Crestmont Country Club became involved:
 - Installing a dedicated left-turn lane onto Oval Road required widening Eagle Rock Avenue.

- The widening needed to extend southward onto Crestmont property.
 - That widening would:
 - Provide additional pavement
 - Lengthen the left-turn lane at Laurel Avenue
 - Create a separate left-turn lane onto Oval Road
 - Installing the traffic signal also required:
 - Signal equipment
 - Underground utilities
 - Overhead utilities
 - Those improvements also extended onto Crestmont property.
- As coordination with Crestmont progressed, the engineering team recognized additional issues at the Country Club:
- Crestmont already had operational and circulation problems independent of the roadway project.
 - The existing one-way circulation system:
 - Enters from Laurel Avenue
 - Passes the clubhouse and drop-off area
 - Serves the parking lots
 - Exits through the lower parking lot before reaching Eagle Rock Avenue
- Mr. Pehnke described problems with the existing Crestmont exit:
- The driveway meets Eagle Rock Avenue at a sharp acute angle.
 - This geometry makes it difficult for drivers to look over their shoulder when checking for traffic.
 - Sight distance to the right is restricted by roadway curvature and vegetation.
 - Seasonal vegetation growth further worsens visibility.
 - The driveway also routes vehicles through the parking lot, creating unnecessary conflicts.
- Because of these conditions:
 - Crestmont worked with the engineering team and West Essex Highlands to combine the public roadway improvements with the Club's own operational needs.
 - The Club also incorporated parking improvements it had already been planning.
 - The result is the integrated application before the Planning Board.
- Mr. Pehnke summarized the principal site improvements:
- Approximately 36 new parking spaces would be added.
 - Parking would comply with modern design standards.
 - Internal circulation would improve.
 - The exit roadway would no longer pass through the parking lot.
 - Overall on-site vehicle circulation would become safer and more efficient.
- He then described the proposed new exit driveway:
 - The driveway would be reconstructed at a proper grade.
 - It would intersect Eagle Rock Avenue at approximately 90 degrees, instead of the current acute angle.
 - It would connect directly to the new signalized intersection.
 - This would:
 - Improve Crestmont's internal circulation
 - Improve safety
 - Improve traffic operations
 - Provide signal-controlled egress
 - Mr. Pehnke emphasized the broader public benefits:

- The existing separate driveway conflict point would be eliminated.
 - Crestmont's driveway would align with the Oval Road intersection.
 - A single, signal-controlled intersection would replace multiple conflict points.
 - This would improve both safety and operational efficiency for all users.
- Mr. Schkolnick asked about the steep slope of Crestmont's existing exit driveway, which had previously been mentioned by Ms. Cancellaro.
- Mr. Pehnke responded he did not know the exact grade percentage of the existing driveway.
- He did know the proposed driveway grades because they were designed to comply with Essex County standards.
- County standards require the driveway to approach the roadway relatively flat before transitioning to approximately an 8% grade farther into the site.
- Mr. Pehnke introduced the specific roadway plan he was referencing:
 - Sheet 14 of 22 from the preliminary Eagle Rock Avenue roadway improvement plans.
 - Dated February 12, 2026.
- Using that plan, he explained:
 - The existing driveway connects to Eagle Rock Avenue between the Pleasantdale Chateau driveway and Wakeman Street.
 - It descends continuously toward the roadway.
 - It connects near the inside of the roadway curve and just west of land previously donated to West Orange Township.
- Mr. Pehnke testified that the existing driveway grade does not satisfy current Essex County standards.
- The proposed driveway has been specifically designed to meet those standards.
- Bringing the new roadway up at the proper grade required significant integration with Crestmont's parking lot design.
- Mr. Pehnke explained that the plan focuses on the Oval Road/Eagle Rock Avenue intersection and the new Crestmont Country Club driveway.
- Confirmed that all roadway widening occurs on the south side of Eagle Rock Avenue, affecting the applicant's property (Crestmont Country Club).
- No curb line changes are proposed adjacent to Essex Fells Country Club.
- No curb line changes are proposed on Oval Road.
- Approximately 12–13 feet of additional pavement will be added on the south side.
- Behind the new curb, an 8–10-foot graded border area will be constructed:
 - Designed as a flat, walkable area
 - Improves maintenance
 - Preserves proper sight lines in accordance with NJDOT and Essex County standards
 - Characterized the roadway improvements as a substantial safety and operational enhancement for Eagle Rock Avenue
- Traffic safety benefits of the roadway improvements:
 - A dedicated left-turn lane onto Oval Road separates turning vehicles from through traffic.
 - This:
 - Prevents stopped left-turning vehicles from blocking through traffic.
 - Eliminates the need for motorists to maneuver around stopped vehicles.
 - Improves safety for both through traffic and drivers turning onto Oval Road.
- New Crestmont driveway design:

- The relocated driveway will have a two-lane approach:
 - Dedicated left-turn lane.
 - Right-turn/through lane.
- This allows:
 - Country Club traffic to exit safely
 - Residents traveling toward Oval Road continue straight through the signalized intersection
- Modern traffic signal features:
 - The new signal will be fully modernized and compliant with the MUTCD
 - Features include:
 - Modern vehicle detection
 - Pedestrian accommodations on all four legs of the intersection
 - Crosswalks
 - ADA-compliant curb ramps
 - Connecting sidewalks
 - Pedestrian signals and push buttons
- Mr. Pehnke stated that all modern traffic signal safety features would be incorporated.
- Additional improvements shown on Sheet 13:
 - Continuous widening along Eagle Rock Avenue also allows:
 - Approximately 200 additional feet of left-turn storage for vehicles turning onto Laurel Avenue.
 - This:
 - Keeps waiting vehicles out of the through lane.
 - Improves safety and traffic flow on westbound Eagle Rock Avenue.
 - Overall, the corridor between Laurel Avenue and Oval Road will receive significant operational improvements that provide a public benefit.
- Coordination with Essex County:
 - The plans will continue through the Essex County approval process.
 - Mr. Pehnke noted:
 - County officials have been familiar with these improvements for years.
 - Prior traffic engineer coordinated with the county.
 - Field meetings had already occurred.
- The new intersection is expected to operate at very good levels of service.
- The new traffic signal will be coordinated with the Laurel Avenue traffic signal.
- Coordination will use GPS-based synchronization:
 - Laurel Avenue will function as the "master" signal.
 - Oval Road will function as the "slave" signal.
 - This is a standard practice that allows both signals to operate efficiently without interfering with each other.
- Drainage improvements:
 - Existing drainage along Eagle Rock Avenue is inadequate.
 - The project includes a new drainage system designed to:
 - Eliminate ponding and puddling
 - Improve roadway safety
 - Some drainage infrastructure will be accommodated on the Crestmont site through Mr. Cote's site design.
 - Mr. Pehnke described improved drainage as another significant public benefit.
- Mr. Schkolnick asked whether the improved left-turn lanes benefit all users of Eagle Rock Avenue, not just Crestmont or Oval Road traffic. Mr. Pehnke agreed.

- Mr. Schkolnick noted upcoming testimony regarding:
 - o EV parking improvements.
 - o Compliance with state statutes and local ordinances.
 - o Mr. Pehnke confirmed those improvements, indicating John Cote would discuss them in greater detail.
- Mr. Schkolnick asked about the driveway slope variance.
 - o Mr. Pehnke explained the important design issue is achieving a safe approach to Eagle Rock Avenue.
 - The new driveway meets Essex County standards near the roadway.
 - Vehicles will be able to stop safely, even in poor weather.
 - Traffic signal control further improves safe entry onto Eagle Rock Avenue.
- Explanation of signal phasing:
 - o The proposed traffic signal will operate using four phases.
 - o Sequence described:
 - Protected left-turn phase for vehicles entering Oval Road while opposing traffic is stopped.
 - Permissive through movement on Eagle Rock Avenue in both directions.
 - Protected left-turn phases for Oval Road/Crestmont traffic.
 - Side-street movements coordinated with Laurel Avenue.
 - Signal coordination ensures that when Oval Road/Crestmont traffic receives green time, Laurel Avenue's coordinated timing allows smooth traffic progression through the corridor.
- Parking improvements discussed:
 - o Mr. Schkolnick noted that adding 32–36 parking spaces reduces the site's existing parking deficiency.
 - o Mr. Pehnke agreed and explained:
 - The parking expansion was an independent need for Crestmont.
 - The driveway relocation affected the lower parking area.
 - The project combines roadway improvements, driveway relocation, and parking improvements into one coordinated application.
- Mr. Schkolnick asked whether the new crosswalks and ADA ramps support his opinion that the project provides a public benefit.
 - o Mr. Pehnke responded that:
 - Providing a safe crossing location on Eagle Rock Avenue is an important public benefit.
 - Although sidewalks are currently incomplete along portions of Eagle Rock Avenue, this project begins extending the pedestrian network.
 - The improvements benefit pedestrians, bicyclists, residents using Oval Road, and visitors to the Country Club.
- Mr. Schkolnick asked whether the proposal represents a reasonable accommodation in light of the potential eminent domain impacts.
 - o Mr. Pehnke testified that:
 - These are exactly the improvements traffic engineers would recommend for this location.
 - Oval Road serves numerous residences, Pleasantdale Chateau, the Paddle Club, and other public traffic.
 - The project primarily addresses public roadway safety.

- Even relocating the Crestmont driveway is consistent with a public roadway improvement because the existing driveway intersects Eagle Rock Avenue at an unsafe angle.
- If funding were available, a government agency would likely undertake these improvements independently.

- Mr. Schkolnick summarized his opening statement, describing the proposal as a practical, well-engineered solution to a complex eminent domain situation.

o Mr. Pehnke agreed and added:

- The planning predates his involvement.
- Previous engineers reached the same conclusions.
- His independent professional opinion matched theirs.
- He believes these improvements were incorporated into the settlement agreement because they represent the appropriate engineering solution.

Mr. Schkolnick asked whether, ideally, the public would fund these improvements.

o Mr. Pehnke responded that:

■ Similar improvements often remain unfunded because they are relatively low priority.

■ The settlement agreement provided an opportunity for private funding to complete a project that benefits:

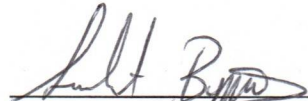
- Township residents
- Oval Road residents
- Crestmont Country Club
- People passing through Eagle Rock Avenue

Mr. Schkolnick corrected Mr. Pehnke's earlier reference to the applicant, clarifying that the proper entity is West Essex Highlands Inc., not LLC.

Chairman Bagoff carried the application to the July 1, 2026 Planning Board meeting at 7:30 p.m. via Zoom, with no further public notice required.

ADOPTED:

9/2/26


 Jamilet Baquerizo Vite
 Planning Board Secretary