
**MINUTES
TOWNSHIP OF WEST ORANGE
ZONING BOARD OF ADJUSTMENT REGULAR MEETING**

**August 20, 2026
8:00 P.M.**

The West Orange Zoning Board of Adjustment held a regular meeting on **August 20, 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, Tal Ben-Zvi,
Laurence Cohen, Robin Miller,
Philip D. Neuer, Irv Schwarzbaum, Brent D. Scott
Absent: Michael Dannemiller (excused), Todd Dubovy (excused),
Marc Sussman (excused), Alice Weiss (excused)
Also Present: Kelly Carey, Esq., Board Attorney
Diana L. Chandler, Board Secretary
Ryan MacNeill, Consultant Engineer
Christopher Dochney, Consultant Planner

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

ANNOUNCEMENTS

- Future Meetings: September 17, 2026 (Regular Meeting)
October 15, 2026 (Regular Meeting)
November 19, 2026 (Regular Meeting)
- Chairperson Neuer announced that application **ZB-25-10 Seton Hall Preparatory (700 Prospect Avenue)** at the request of the applicant, is being carried with preservation of notice to the **October 15, 2026, Regular Meeting.**
- Chairperson Neuer announced that application **ZB-25-11 Perez (66 Whittlesey Avenue)** at the request of the applicant, is being carried with preservation of notice to the **October 15, 2026, Regular Meeting.**

SWEARING IN

- Township Professional(s) Christopher Dochney (Consulting Planner) and Ryan MacNeill (Consultant Engineer) were sworn under oath.

MINUTES

- **July 16, 2026, Regular Meeting**

Motion: Chairperson Neuer

Second: T. Ben-Zvi

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

APPLICATIONS

1.) ZB-24-18 M.Vega LLC

66 Franklin Avenue

Block:134.02 ; Lots: 75.03, 79, & 81; Zone: B-1

The Applicant is proposing to renovate the existing building into a retail business and to restripe the parking area. A D(1) use variance is required to permit the storage of commercial vehicles on site as an accessory use, and 'c' or bulk variances for the window sign area and curbing.

PRESENTATION

- Mr. Roosevelt Donat, Esq. entered the record on behalf of his client M. Vega LLC. Chairperson Neuer questioned Mr. Donat stating that staff on both sides have been trying to find the Planning Report and asked for confirmation that one has not been submitted. Mr. Donat confirmed that one has not been submitted. Chairperson said that even without that being submitted, the Board is going to listen to testimony this evening from all Professionals with the exception of a Planner and then be carried to another meeting. Upon that time, a signed and sealed Planner's Report will need to be submitted ten (10) days prior to that scheduled meeting. Mr. Donat agreed.
- Ms. Afton Savitz, Engineer entered the record, was sworn under oath, and credentials were accepted by the Board as an expert in the field of Engineering.
- Ms. Savitz presented **Exhibit A1, Aerial Exhibit – Sheet 1/1 (Dated 8/18/2026)** where she explained the main part of this exhibit is to show support of the landscaping business on the property. There is no residential component as there was in the previous application (ZB-21-01), and the building will remain with the landscaping business as contemplated which comprises of a small inside office space and then storage accessory to that of the landscaping and then on site vehicular parking. In terms of improvements, there are striping (spaces that are striped).
- Ms. Savitz referenced the **Site Plan - Sheet 4 (Dated 10/8/26)** where she commented on the rotation of the building to remain is on the left-hand side. There are five (5) striped spaces along the top of the page. Those are elongated as they relate to the commercial parking for the business, and then there are three (3) additional spaces fronting along Franklin Avenue on a paved area. The proposed improvement does have a commercial parking component that is consistent with the business. It is not a separate use, it does not operate independently of the business as contained within the principal building. For reference, those elongated spaces house trucks: The trailer bed on the back, and again, they

are operating the business under the hours of 7:30 AM to 6:00 PM at the latest. Some are getting back prior to that. But those vehicles remain parked overnight on the property. They're not operating, they're not being moved overnight. And they are accessory to the business contained within the building. In terms of the site access, it all remains the same in terms of the driveway where it's located, calling attention to a better organization on the site as it relates to the spaces being demarcated There's one ADA space as it relates to the requirement based on the parking supply and then a couple other spaces that allow for employees. The employee supply is between five and six employees, two of which drive themselves and then the others use rideshare.

- Ms. Savitz testified referencing fencing closure, where there is a sliding gate to ensure that when those vehicles are there overnight and are not being operated, they can be contained within the property for security purposes.
- For illumination (lighting), Ms. Savitz testified further, and replying to a couple of comments in the engineer's letter as it relates to illumination being brighter along the front of the property. There are two (2) Gooseneck Lights mounted to the front facade of the building near the entrance and then there are additional downward facing canopy lights along the longitudinal side of the building.

BOARD QUESTIONS

- W. M. Barbee asked about congestion for the residents/neighbors in the area. Ms. Savitz said that it seemed minimal.
- L. Cohen asked about the changes from this application and ZB-21-01. Chairperson Neuer explained that ZB-21-01 was denied, and when this application came in, it eliminated the residential aspect to it.
- R. Miller asked if the B1 Zone covered landscaping as a permitted business use. Consultant Planner, Christopher Dochney said that it is not allowed. Ms. Miller asked how long this business has been operational. In response to this Mr. Manuel Vega entered the record and was sworn under oath. He confirmed that M Vega LLC has been operational since 2006-2007 in this location where he was renting. Once he purchased in 2020 is when issues arose.
- B. D. Scott asked how Mr. Vega has been operational if this is not allowed. In response to this Ms. Carey, Esq said that the Zoning Board is not the proper Board for this type of question. Mr. Vega said that if an application for this site is denied again, his business will leave West Orange. Confirming that when he was solely a tenant, no issues ever came up. But once he purchased, that is when they started.
- Mr. Scott asked about the size of the trucks. Mr. Vega said that they have pick-up and dump trucks. Mr. Scott asked for the number (quantity) of the trucks. Mr. Vega said that there are five (5).
- Mr. Scott asked where his employees park. Mr. Vega answered that the personal vehicles are on-site during shifts.
- Mr. Scott asked for confirmation on type of equipment being stored on site. Mr. Vega said that there are the usual tools and gas cans (4 cans of 5 gallons of gas.)
- T. Ben-Zvi asked if this business is operational on the weekends. Mr. Vega said Saturdays they are open, but not on Sundays.

No PROFESSIONALS QUESTIONS

No PUBLIC QUESTIONS

PRESENTATION

- Matthew Seckler, Traffic Engineer entered the record, was sworn under oath, and credentials were accepted by the Board as an expert in the field of Traffic Engineering.
- Mr. Seckler referenced the Traffic and Parking Assessment Report – Dated September 2021 with a revision date of February 3, 2026.

BOARD QUESTIONS

- Chairperson Neuer asked if Mr. Seckler has visited the site. Mr. Seckler answered that he has been there five (5) times since 2021.
- Chairperson Neuer asked Mr. Seckler about the parking being limited and asked for confirmation that only connected to this business and not from any third party. Mr. Seckler answered yes. *(Chairperson Neuer asked for that to be a condition. Mr. Donat agreed. Similarly, Chairperson Neuer followed up with asking that no parking be on the street or the sidewalk. Mr. Donat agreed.)*
- T. Ben-Zvi asked how many trips did he witness when on the site. Mr. Seckler said that there were approximately five (5) or six (6) per hour.
- B. D. Scott asked for the amount of times the drivers come back during the day. Mr. Vega said usually once.
- R. Miller asked if he has ever seen cars parked on the street. Mr. Seckler said no, Typically, when he's been there, it has been during working hours. He said he doesn't know if they park on the street at night, as he's never visited the site at night, so he can't speak to that; however, during the time periods he was there, he did not see them on the street.
- L. Cohen asked a question about the personal vehicles. He gave an example on how he thinks it works that the people come drive up maybe two (2) cars and stay in the cars or park nearby for a little while, and then the trucks come out, and then when the trucks come out, then the personal vehicles park inside the property. Mr. Vega answered in confirmation that his guys come and park their cars inside the lot.
- W. M. Barbee asked if cars parking on the sidewalk is legal. Mr. Seckler said no. Mr. Barbee suggested that it be a condition that they do not park on the sidewalk because of the hazard it offers the pedestrians walking in addition the fumes from the diesel or gas exhaust going into the front door which is right where the vehicle is since it is a hazard in itself.
- I. Schwarzbaum asked for clarification on how many spaces are proposed for the application site. Mr. Seckler said that there are a total of eight (8) spaces expanding on that saying that five (5) are oversized spaces at 30 feet long as opposed to the standard spaces being 18 feet long.
- Mr. Schwarzbaum asked if there are any indoor garage spaces. Mr. Seckler said no.

No PROFESSIONALS QUESTIONS No PUBLIC QUESTIONS

Mr. Donat did not offer any redirect.

It was at this time that Chairperson Neuer announced this application ZB-24-18 MVEga LLC will be carried with preservation of notice to the November 19, 2026, Regular Meeting via the Zoom platform. Mr. Donat waived the statutory time period for this application and confirmed that he will be returning the form after getting from Ms. Chandler.

Chairperson Neuer adjourned the meeting at 9:21 PM

Adopted:



Diana L. Chandler, Secretary