

**MINUTES
TOWNSHIP OF WEST ORANGE
PLANNING BOARD MEETING
August 3, 2022 7:30 P.M.**

The Township of West Orange Planning Board held its regular meeting on August 3, 2022 at 7:30PM 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* asked everyone to stand for the Pledge of Allegiance.

ANNOUNCEMENTS

- The next Planning Board regular meeting will be held **September 7, 2022 at 7:30 P.M.**

ROLL CALL

PRESENT: Dr. Robert Bagoff; Mr. Jerry Guarino;
Mr. Christopher Morgan, Sr;
Mr. Ken Alper (7:39PM); Mr. Peter Smeraldo; Mr. William Wilkes; Council President Susan McCartney; Mr. Sal Jensen
Mr. Lee Klein; Mr. John McNair

ABSENT: Mr. John Cardoza
Mr. Sal Jensen

ALSO PRESENT: Diana P. McGovern, Esq., Planning Board Attorney;
Paul Grygiel, Town Planner;
Mr. John Hess, Planning Board Engineer;
Sarabraj Thapar, Esq., Public Advocate
Diana L. Chandler, Interim Planning Board Secretary;
Jamilet Baquerizo Vite, Acting Planning Board Secretary;

MINUTES & RESOLUTIONS

- [PB 22-05 West Orange Public Schools Resolution](#)

(Approved 7/6/2022)

Motion: Chairman Bagoff

Second: Mr. Gaurino

Alper:	Y	McNair:	Y
Bagoff:	Y	Morgan:	Y
Cardoza (Alt.2):	---	Smeraldo:	Y
Guarino:	Y	Wilkes:	Y
Jensen (Alt. 1):	---	Yes ; Absent	
Klein:	Y		
McCartney:	Y		

- [PB-22-04 IMMC993, LLC Resolution](#)

(Approved 7/6/2022)

Motion: Chairman Bagoff

Second: Council President McCartney

Alper:	Y	McNair:	Y
Bagoff:	Y	Morgan:	Y
Cardoza (Alt.2):	---	Smeraldo:	Y
Guarino:	Y	Wilkes:	Y
Jensen (Alt. 1):	---	Yes ; Absent	
Klein:	Y		
McCartney:	Y		

- [PB Minutes 7/6/2022](#)

Motion: Chairman Bagoff

Second: Mr. Guarino

Alper:	Y	McNair:	Y
Bagoff:	Y	Morgan:	Y
Cardoza (Alt.2):	---	Smeraldo:	Y
Guarino:	Y	Wilkes:	Y
Jensen (Alt. 1):	---	Yes ; Absent	
Klein:	Y		
McCartney:	Y		

SWEARING IN

- The Township Professionals *Mr. Paul Grygiel, Township Planner* and *Mr. Joh Hess* were sworn in.

APPLICATIONS/ORDINANCE REVIEW

ORDINANCE REVIEW

- [2685-22 Draft Ordinance amending OB2 Zone 5/23/22 REDLINE](#)
- [2685-00 DRAFT Ordinance Amending OB 2 Zone 5/27/22](#)
- [Planner's Memo Review of OB2 Zone Amendments Ordinance June 2022](#)

PRESENTATION

Mr. Paul Grygiel entered on the record. He started explaining that this Ordinance review is for the library site that is becoming a senior housing. The project is listed in the Township Affordable Housing Plan, which has been approved by the courts. This project is also in a settlement agreement with Fair Share Housing Center, as a way of helping address affordable housing obligations. The Ordinance is seeking to allow for conditional use in the OB-2 zone, this will amend the zoning ordinance to allow the use. The 2019 Master Plan consist in providing housing to senior citizens and low-income households. The property and the proposal are consistent with the Master Plan of the township.

NO BOARD QUESTIONS

NO PROFESSIONAL QUESTIONS

PUBLIC ADVOCATE QUESTIONS

Mr. Taphar asked if the New Jersey Supreme Court decides the other way, will there be a change to the ordinance. Mr. Grygiel answered by saying that it will not have an effect on the ordinance, since the Master Plan already promoted the development.

NO PUBLIC QUESTIONS

NO BOARD DISCUSSION

NO PUBLIC COMMENT*

Motion: Chairman Bagoff

Second: Mr. Guarino

Alper:	Y	McNair:	Y
Bagoff:	Y	Morgan:	Y
Cardoza (Alt.2):	---	Smeraldo:	Y
Guarino:	Y	Wilkes:	Y

Jensen (Alt 1):	---	Yes ; Absent
Klein:	Y	
McCartney:	Y	

1. PB-22-07 West Orange Senior Housing LLC

46 Mount Pleasant Avenue

Block: 68 Lot: 1 Zone: R-G

Subdivision of lot for sixty-five unit senior housing project

PRESENTATION

Mr. Sullivan entered on the record and started giving his opening statement by saying that this is the latest step in the development of the Senior Housing at the library in Mount Pleasant Avenue. In 2019, there was a courtesy review of the actual Senior Housing Project, where the township was going to end the lease with the developer. It was decided that it was better to sell the property to the developer, but in order to do that the subdivision needs to be done. Mr. Domalewski entered on the record, was sworn under oath and his credential were accepted by the board. Mr. Domalewski started his statement by saying that the subdivision is required for the development. The subdivision is going to include Block: 68 Lot: 1, which contains 3.24 acres and Block: 67 Lot: 1, which contains 1.658 acres. There is an existing right of way that goes right through the center between the two lots, so as part of the subdivision they need to vacate the right of way. They are proposing to subdivide the lot in the north east corner, they will vacate the right of way and it will get divided among the two properties on site. The new lot in the north east corner will be Block: 68 Lot: 1.01, this is where the library, the proposed development and service parking are located and it will contain 1.408 acres. On the other side Block: 68 Lot: 1, where the police station is located, will contain 2.354 acres. The lot where the municipal building is located Block: 67 Lot: 1, it will contain 1.658 acres. There will be a parking easement for the municipal building in the corner right next to the new development. The Municipal Plaza once vacate will turn into permanent easement for utilities and there will be parking easement to allow individuals to park and navigate the site as necessary, since the lots can be access from different locations.

BOARD QUESTIONS

Mr. Klein asked Mr. Domalewski for clarification regarding the municipal plaza parking easement next to the new development. Mr. Domalewski answered by saying that it will be an access parking area for the community.

Dr. Bagoff asked who will be maintaining the parking easement. Mr. Sullivan said that the it will be part of the senior center project, so the senior center will be the ones maintaining that space. The area shown on the plans as a blue triangle will be for community parking.

NO PROFESSIONAL QUESTIONS

NO PUBLIC ADVOCATE QUESTIONS

NO PUBLIC QUESTIONS

NO PUBLIC COMMENT

Motion: Chairman Bagoff

Second: Mr. Smeraldo

Alper: Y	McNair: Y
Bagoff: Y	Morgan: Y
Cardoza (Alt.2): ---	Smeraldo: Y
Guarino: Y	Wilkes: Y
Jensen (Alt 1): ---	Yes ; Absent
Klein: Y	
McCartney: Y	

Note:

2. PB-22-06 Umude

59-61 Edgewood Avenue

Block: 159 Lot: 20 Zone: R-5

Subdivide existing lot into one vacant lot and one lot with dwelling to remain.

PRESENTATION

Mr. Umude entered on the record and was sworn in. He started his testimony by saying that him and his family decided to buy the property because they need a bigger space, since they are a growing family and at this time, they live at 43 Edgewood Avenue. Mr. Umude is proposing to subdivide the property in half to create two new lots. One lot will contain an existing 2 ½ story one family residence, where they will potentially be moving in. The other lot will remain to potentially build a new home or for sale in the near future. Mr. Umude clarified that there is no variance being requested, since the minor subdivision complies with the Township's ordinances and setback restrictions.

BOARD QUESTIONS

Mr. Wilkes asked about the future plans for the new lot. Mr. Umude answered by saying that they don't have immediate plans at the moment and are debating whether to sell the property or build a new house.

Mr. Klein asked about if there will be a problem converting the two-car garage to one car garage. Mr. Umude answered by saying that based on the zoning rules and ordinances the town does allow one car garage.

PROFESSIONAL QUESTIONS

Mr. Grygiel asked if the shrubs will remain or will they be removed. Mr. Umude said that the shrubs will remain to provide privacy and to maintain the greenery on the street, but if there any shrubs or trees remove from the property it will be in accordance to the Township's ordinance.

Mr. Hess asked if there are covenants or deeds restrictions on the property. Mr. Scott was sworn in, entered on the record and his credentials were accepted by the board. He answered the question by saying that they have done a title search and no covenants or deeds were discovered and none are proposed.

Mr. Hess added that the block and lot number were approved by Mr. Lepore the town engineer. Mr. Hess also added that the applicant will have to address affordable housing requirements with the township, since the applicant might need to pay a fee and is put as a condition by the board.

NO PUBLIC ADVOCATE QUESTIONS

PUBLIC QUESTIONS

Mrs. Bethie Ferdinand from 42 Birchwood Avenue asked if the constructions going on right now will affect her property. Mr. Scott said that there is no on-going construction at the moment at the property. Mr. Umude also added that he did have a pergola installed in his 43 Edgewood residence that has no connection with the property at 59-61 Edgewood Avenue.

NO PUBLIC COMMENT

Motion: Chairman Bagoff

Second: Mr. Wilkes

Alper:	Y	McNair:	Y
Bagoff:	Y	Morgan:	Y
Cardoza (Alt.2):	---	Smeraldo:	Y
Guarino:	Y	Wilkes:	Y
Jensen (Alt 1):	---	Yes ; Absent	
Klein:	Y		
McCartney:	Y		

Note:

GENERAL DISCUSSION

Meeting adjourned at 8:30pm.

ADOPTED:

Jamilet Baquerizo Vite,
Acting Planning Board Secretary