

RESOLUTION
Of the
PLANNING BOARD OF THE TOWNSHIP OF WEST ORANGE

Heard: September 7, 2022

Case No.:22-09

County of Essex/Turtle Back Zoo

WHEREAS, pursuant to Municipal Land Use Law §40:55D-31, the Board has heard a proposed capital improvement project by the County of Essex for construction of certain improvements at the Turtle Back Zoo which is County-owned property located at 560 Northfield Avenue, West Orange, New Jersey, said premises being designated on the municipal tax map as Block 163, Lot 1, Zone R-1; and

WHEREAS, the Board having heard the presentation and having performed its review pursuant to Municipal Land Use Law §40:55D-31 hereby makes the following findings of fact and conclusions of law:

1. The Board accepted into evidence the following exhibits:

<u>SUBMISSION ITEM</u>	<u>SIGNED BY</u>	<u>DATE/REVISION</u>
Aerial Map	Michael J. Piga, LLA, French & Parrello Associates	Aerial image dated 11/15/2019
Landscape Plan	French & Parrello Associates, PC (Unsigned)	8/1/2022
Rendering	Comito Associates, P.C. (Unsigned)	Not dated
Floor Plans	French & Parrello Associates and Comito Associates, P.C. (Unsigned)	8/30/2022

2. Michael Piga, L.A., of French & Parello and Lori Sciabarasi of Comito Associates, P.C. introduced the application and testified that the applicant is proposing to replace the existing Aquarium and the American Alligator Exhibit at the Turtle Back Zoo with a new American Alligator Exhibit and a Komodo Dragon Exhibit.
3. The renovations will include two new buildings and outdoor habitat areas, walkways, seating and landscaping.
4. Specifically, the new facilities included within the proposed project are an American Alligator building, a Komodo Dragon building, an Alligator outdoor exhibit, a Komodo Dragon outdoor area, entry sign, concrete walkways, pool equipment building, landscaped areas, fencing and rustic composite benches.
5. Mr. Pliga testified that the present currently there is an aquarium at the site of the new proposed exhibit that is not in use along with an American Alligator exhibit. Both of these structures will be demolished and the new exhibit buildings will be put in their place.
6. The proposed new building will be approximately the same size as the two buildings being removed with a small increase in overall size.
7. The storm water for the proposed exhibit will be connected into the existing storm water system.
8. The Alligator pool that is existing will be modified to add a window so that people can see the animals and the cement walkway will be slightly reduced in size.
9. The Komodo Dragon exhibit will be an outdoor exhibit.
10. The proposed exhibit will be ADA accessible.

11. Six trees that are approximately eight inches (8”) in diameter will be removed and five new trees will be planted along with enhanced landscaping with plants native to the Komodo Dragon’s natural habitat and more traditional landscaping on the alligator side of the exhibit.
12. The alligator building will be eighteen and a half (18 ½ ‘) feet high and will have a pitched and flat roof. The Komodo Dragon building will be the same height as the alligator building but will have a pitched roof.
13. The doors proposed on both exhibits are secure and designed to ensure that the animals can not get out of their designated areas.
14. The Planning Board’s statutory duty pursuant to the Municipal Land Use Law §40:55D-31 for an application of this type is for “review and recommendation” in conjunction with the West Orange Master Plan.
15. The Township’s 2019 Master Plan Update provides an overview of the changes to the Zoo and adjacent County facilities since 2010, as well as notes its continued increases in annual attendance.
16. A concern was raised in the Master Plan Update about maintaining a balance between preservation and recreation in South Mountain Reservation. While acknowledging the benefits to West Orange of the County’s investment in this facility, the following is noted on page 61 of the December 2019 Master Plan Update:

[T]here are concerns about the amount of development in the Reservation, and the transformation of formerly open areas into active recreation space and zoo facilities. The Township should continue to work with Essex County to allow for appropriate development without overwhelming what makes the South Mountain Reservation a special place.

17. The current proposal is located within the already developed area of the Zoo and will simply replace an existing exhibit with two structures and additional landscaping within the interior of the Zoo parameters.

18. The Board finds that the proposed project and capital improvement is not contrary to the Master Plan of the Township of West Orange.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of West Orange that it finds the proposed project and capital improvements are not inconsistent with the Township of West Orange Updated Master Plan.

Vote Action Taken by the Board on September 7, 2022:

Board Member	Motion	Second	Aye	Nay	Abstain	Absent
K. Alper			X			
J. Guarino			X			
L. Klein			X			
S. McCartney			X			
J. McNair			X			
C. Morgan			X			
P. Smeraldo		X	X			
W. Wilkes			X			
S. Jensen					---	
J. Cardoza					---	
R. Bagoff	X		X			

Vote on Memorialization on October 12, 2022:

Board Member	Motion	Second	Aye	Nay	Abstain	Absent
K. Alper						
J. Guarino						
L. Klein						
S. McCartney						
J. McNair						
C. Morgan						
P. Smeraldo						
W. Wilkes						
S. Jensen						
J. Cardoza						
R. Bagoff						