

**MINUTES
TOWNSHIP OF WEST ORANGE
PLANNING BOARD MEETING
October 12, 2022**

The Township of West Orange Planning Board held its regular meeting on October 12, 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 **November 2, 2022 at 7:30 P.M.**
- The application **PB-22-08 Cummings/2 & 10 Ridge Road** decided to be carried to the November 2, 2022 Planning Board Regular Meeting.

ROLL CALL

PRESENT: Dr. Robert Bagoff; Mr. Jerry Guarino;
Mr. Christopher Morgan, Sr (7:36PM);
Mr. Ken Alper; Mr. Peter Smeraldo; Council President Susan
McCartney; Mr. Sal Jensen; Mr. John McNair; Mr. John Cardoza

ABSENT: Mr. William Wilkes
Mr. Lee Klein;

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

MINUTES & RESOLUTIONS

(Adopted 10/12/2022)

- [Turtle Back Zoo Resolution 9/7/2022](#)

Motion: Chairman Bagoff

Second: Mr. Smeraldo

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

- [West Orange Planning Board Draft Minutes 9/7/2022](#)

(Approved 10/12/2022)

Motion: Chairman Bagoff

Second: Mr. Guarino

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

SWEARING IN

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

APPLICATIONS/ORDINANCE REVIEW

1. PB-22-10 Altera 769, LLC

769 Northfield Avenue

Block: 166.15 Lot: 9 Zone: OB-1

Applicant is seeking final major site plan approval for Phase II, which involves the construction of additional parking spaces along with ancillary improvements.

PRESENTATION

- Ms. Lisa John-Basta entered on the record and started the application explaining that the applicant was previously approved by the Planning Board back in March, 2022 for Phase I. They were approval for improvements for the existing medical building that is located at 769 Northfield Avenue along with ancillary improvements including handicap accessible spaces. They were also granted preliminary site plan approval for Phase II along with variance relief, which was an expansion of the proposed parking field for approximately 56 parking spaces and enhance storm water management.
The applicant is before the board again for final site plan approval for Phase II and tweaking the plans for the final site plan approval. The applicant was also able to reduce the previously granted steep slopes variance.
- Mr. Joseph Sparone was sworn under oath and his credentials as a Civil Engineer and Professional Planner were approved by the board. Mr. Sparone started his testimony by presenting Exhibit A1 – Overall Site Plan Rendering dated October 12, 2022. Mr. Sparone explained that Phase I was the front portion of the building, in which that part of the application received preliminary and final approval, which also included the 225 parking spaces. Phase II, which is seeking preliminary approval, which is for the additional 56 parking spaces, so the total being 280 parking spaces. There was a reduction in the amount of steep slope being disturbed, so they could have a lesser variance. Minimum lot area and width stays the same, building setbacks and height of the building stay the same and maximum lot coverage stays the same. As part of Phase II there will be additional landscaping to act as buffer with the residential area in the northeast corner. They want to add 92 trees, 123 shrubs and 175 pieces of various ground cover perennials.
- Ms. John-Basta made the statement that the storm water management plan has already been approved by the board as part of the preliminary site plan approval.

BOARD QUESTIONS

- Chairman Bagoff asked if the applicant is adding 92 trees or if those 92 trees already exist at the property. Mr. Sparone said that those 92 trees are an increase to the number of trees from Phase I.
- Mr. Alper asked how many trees will be removed and how many trees will be added. Mr. Sparone's answer was that 41 minor trees will be removed and 41 minor trees are being proposed for replacement. He also stated that 51 major trees will be removed and 51 major trees are proposed for replacement.
- Mr. Guarino asked if there will be a sprinkler system to maintain irrigation for the landscaping trees in the area. Mr. Sparone said that at the time nothing is proposed.

- Mr. Guarino also asked about what type of lighting they will be using. Mr. Sparone said LED lighting.
- Mr. Klein asked if the building is currently vacant. Ms. John-Basta said yes, since renovations are ongoing.
- Chairman Bagoff asked to Mr. Grygiel if the applicant presented details of the lighting such as the height, all night lighting, alternate lighting and what is the nature of the lighting in the parking lot since it is dark. Mr. Grygiel said that there is no variance requested or required at least for this phase of the application.
- Mr. Chairman also asked Mr. Sparone if the parking lot will have light all the time. Mr. Sparone said that there will be lighting during business hours and also overnight for safety measures.
- Chairman Bagoff asked who will be in charge of the fees schedule regarding the storm water management. Mr. Sparone said that the current property owner will be responsible for all the fees.
- Chairman Bagoff asked who will be responsible of watering the plants, since there is no watering plan. Mr. Sparone said the property owner will be in charge of watering the plants to get them established, also these plants were picked specifically for this type of environment.
- Chairman Bagoff asked Mr. Hess if the storm water management proposal will take care of the run-off water into the parking lot, since there have been incidents when the parking lot is slippery from ice. Mr. Hess said that the proposal grading directs the run-off to a series of inlets in the property and those series of inlets will collect the water and ultimately discharge it into the county system, so yes with the proper grading and proper storm water management system that should alleviate the concerns with icing in the property.

NO PROFESSIONAL QUESTIONS

NO PUBLIC ADVOCATE QUESTIONS

PUBLIC QUESTIONS

- Sally Malanga at 57 Ridge Road asked if there is actually a real need to have 280 parking spaces instead of only 200 parking spaces. Ms. John Basta answered on behalf of the applicant and said that the reason they decided to proposed 280 parking spaces is because of the marketing of the building for the medical use there is the demand for the additional parking spaces.
- Ms. Malanga also asked if there will be a tree planted for every ten spaces as require on the ordinance. Mr. Sparone said that they will be complying with the ordinance, so there will be one tree for every ten spaces.
- Ms. Malanga asked if the trees on the center of the lot will be large trees, so they can provide shade. Mr. Sparone said that the trees are considered large trees under the ordinance. Ms. Malanga also asked if the proposed trees will be native. Mr. Sparone said that he is not sure of the answer, but they usually plant trees that are native to the area for good survivability rate.
- Ms. Malanga asked how will they be fitting in the 91 replacement trees. Mr. Sparone said that they will fit throughout the parking lot as shown on the plan.

- Jacqueline Mayers at 115 Old Short Hills Road – Apt 575 asked if the applicant has an estimate of how much shade will be on the property. Mr. Sparone said he doesn't have an answer.
- Ms. Phaedra at 6 Essex Terrace asked who the landscape designer is and where are they getting the replacement trees and shrubs. Mr. Sparone said his office will be handling the landscaping design and he doesn't know the source of where the plants are coming from.
- Ms. Phaedra also asked if the trees will be organically grown and pesticide free, in order to protect the bees and wildlife. Mr. Sparone said that he is not aware of any requirements regarding those specific trees.
- Ms. Phaedra also asked if the applicant has thought of expanding upward such as including the parking inside of the building to be able to maintain the landscaping. Mr. Sparone said they did evaluate that option, but it was determined that the proposed plans were the best option for the owner.
- Ms. Joyce Rudin at 38 Woodland Avenue asked if the professional who did the marketing studies will be testifying. Ms. John-bast answered no because the expansion was already approved on Phase I.
- Ms. Rudin asked what is considered a major tree. Mr. Sparone said that it is a tree with 2 ½ inches caliper.
- Darren Tobia at 24 Columbia Street asked if the applicant considered using the neighboring church parking lot. Mr. Sparone said that it would be a challenge to get people from one place to the other and the parking spaces that are proposed are actually less to what it is actually required under the ordinance, since they only requiring the amount of parking spaces they actually need.
- Mr. Tobia made the request that the property owner uses native trees for the landscaping. Chairman Bagoff said that the tree variances have already been approved.

PUBLIC COMMENT*

- Jacqueline Mayers at 115 Old Short Hills Road – Apt 575 would like for the applicant to not get rid of the trees, since the trees help the environment.
- Ms. Joyce Rudin at 38 Woodland Avenue feels that this project is not innovative in any way and thinks that all the trees should remain and not removed from their habitat.

BOARD COMMENTS

- Mr. Jensen recommends that the applicant uses organic trees.

RECOMMENDATIONS

- Planning Board highly recommends native trees and shrubs to be planted on the property.

Motion: Chairman Bagoff

Second: Mr. Guarino

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

Note:

GENERAL DISCUSSION

Meeting adjourned at 8:41PM by *Chairman Bagoff*, seconded by *Mr. Klein*.

ADOPTED:

Jamilet Baquerizo Vite,
Acting Planning Board Secretary