

RESOLUTION
Of the
PLANNING BOARD OF THE TOWNSHIP OF WEST ORANGE

Heard: September 7, 2022

Case No.:22-23-01

County of Essex/Highlawn Inc.

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 Highlawn Pavilion/ Eagle Rock Reservation which is County-owned property located at 1 Crest Drive/ Eagle Rock Reservation, West Orange, New Jersey, said premises being designated on the municipal tax map as Block 150, Lots 1, 1.01 and 1.02 Zone R-1 with Conservation Overlay; 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>
Architectural Plans, CS-1, S-0, A-1.0, A-1.1, A-2.0, A-2.1, A-2.2, A-3. 0S-1.0, S-2.0, S-2.1, S-2.2, S-3.0, S-3.1	Darrell Alvarez of Comito Associates, PC	9/20/2022

2. Michael Rubin, Esq. represented the Applicant.
3. The Applicant, Highlawn, Inc. is the tenant that operates the Highlawn Pavilion known as the Casino Building, which is owned by the County of Essex.

4. Gregory Comito, AIA, of Comito Associates, P.C. testified that the Applicant is proposing to construct a second story terrace on the south side of the restaurant above an existing patio.
5. The applicant is proposing to construct an 890-square foot addition on the south side of the “Casino Building” in Eagle Rock Reservation, which is utilized as a restaurant and catering facility.
6. The addition will comprise a second story open air terrace in the area where a patio currently exists. The addition will extend up to 22 feet, 4 inches from the existing building and will be 43 feet in width. It will be 19 feet, 2 inches to its highest point, while the overall height of the existing building is approximately 34 feet.
7. The new second story terrace will match the existing architecture and the first level covered terrace will have the same arch design and finishes as the existing building.
8. Two trees that were in the vicinity of the proposed project have already been removed because they were determined to be dead and not viable, and no additional trees will be removed for the project.
9. 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.
10. The Township’s 2019 Master Plan Update notes that Eagle Rock Reservation is a County facility and an open space resource, but does not include any recommendations pertaining to the Reservation overall or to the Casino building in particular.

11. The current proposal involves the modest expansion of an existing building within an already developed area of the Reservation.
12. 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.

Adopted:

Jamilet Baquerizo, Planning Board
Secretary

Vote Action Taken by the Board on February 1, 2023:

Board Member	Motion	Second	Aye	Nay	Abstain	Absent
K. Alper			X			
J. Guarino			X			
L. Klein			---			
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 March 1, 2023:

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						