

**MINUTES
TOWNSHIP OF WEST ORANGE
PLANNING BOARD MEETING
September 6, 2023 7:30 P.M.**

The Township of West Orange Planning Board held its regular meeting on September 6, 2023 at 7:30 P.M. 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* requested all persons stand for the Pledge of Allegiance.

ANNOUNCEMENTS

- The next Planning Board regular meeting will be held **Wednesday October 4, 2023 at 7:30 P.M.**

ROLL CALL

PRESENT: Dr. Robert Bagoff; Mr. William Wilkes; Mr. Ken Alper; Mr. Jerry Guarino; Mr. Christopher Morgan, Sr.; Mayor Susan McCartney; Mr. Peter Smeraldo; Councilwoman Tammy Williams; Mr. Sal Jensen; Mr. Cardoza;

ABSENT:

ALSO PRESENT: Diana P. McGovern, Esq., Planning Board Attorney;
Paul Grygiel, Town Planner;
Mr. Doug Rohmeyer, Board Engineer;
Jamilet Baquerizo Vite, Acting Planning Board Secretary

MINUTES & RESOLUTIONS

(Adopted 9/6/2023)

- 4/12/2023 PB Regular Meeting Minutes

Motion: Mr. Guarino

Second: Chairman Bagoff

Alper: Y	Morgan: Y
Bagoff: Y	Smeraldo: Y
Cardoza (Alt.2): ---	Wilkes: Y
Guarino: Y	Williams: Y
Jensen (Alt. 1): Y	
Klein: ---	
Mayor Susan McCartney: Y	

- 4/26/2023 PB Special Meeting Minutes

Motion: Mayor McCartney

Second: Chairman Bagoff

Alper: Y	Morgan: Y
Bagoff: Y	Smeraldo: Y
Cardoza (Alt.2): ---	Wilkes: Y
Guarino: Y	Williams: Y
Jensen (Alt. 1): Y	
Klein: ---	
Mayor Susan McCartney: Y	

SWEARING IN

- The Township Professionals *Mr. Paul Grygiel, Township Planner* and *Mr. Doug Rohmeyer* were sworn in.

APPLICATIONS

- **PB-21-01/West Orange Plaza**

Block: 152.01; Lots: 1445 & 1445.05; Zone: P-C/R-5

235 Prospect Avenue

Improvements to West Orange Plaza Shopping Center with addition of new buildings.

PRESENTATION

- Mr. John Montoro re entered on the record. Mr. Montoro said that the goal is that a pedestrian can walk from Prospect Avenue, past the Mavis building, to Building A, down to B and then over to Target to the opposite end and over to Verizon.
- The signage variances are related to the square footage of each building which are: Bldg. A- 15,794 sq. ft., B- 8055 sq. ft., C- 8400 sq. ft., D- 5502 sq. ft. The loading docks are 931 sq. ft. Target has a total of 38,682 sq. ft. and Mavis has 7646 sq. ft. The total square footage for all the buildings on site is 296,517 and with all additions to Target is 335,199 sq. ft.
- Mr. Montoro lighted the courtyard between Buildings A & B to be like a mini downtown instead of an alley. The design of Building A was turned to make the walkway shorter to Target and had the result of creating a shielded loading dock and also helps to screen the dumpster area.
- The signs shown on the renderings of the proposed buildings are for illustration only because none of the buildings have been rented and there is the possibility that some of the tenant spaces could be larger or smaller than what is shown. The signs are sized to “what looks right” as opposed to just following the ordinance. Most of the proposed signs do not require a variance but on Building A, space A-1 has two signs, one on the west side and one on the south side which is the corner of the building so that the name of the business can be seen from either direction. The architect mixes sign lettering types to add interest. Roof screens are added instead of a parapet wall to screen rooftop units.
- A variance for the signs at the end caps of Building B is also presented because they are two signs, one on each side of the corner of the building.
- Building C has four front sides and has a drive-thru. The Architect agreed to reduce the wall height at the stop sign of the drive-thru.
- At the Verizon store pedestrians can cross from Prospect Avenue and use the protected sidewalk to a cross walk and then over to Whole Foods. The buildings have a wider canopy for identity.
- The new front entrance at Target will be 75 sq. ft. and the interior will be totally gutted and renovated. Some of the signs listed on PB 5.2, the front of Target was cut off from the exhibit so the architect issued an addendum to show the full sign chart at Target.
- There will be the standard Target signage. There are two pylon signs and a monument sign proposed. Variances are needed for square footage, height and width.
- At the Mavis building a complete renovation will be done with the front of the building facing Prospect Avenue. In an early rendering dated June 19, 2023 (Marked as A-4), the signs on Target are shown. Also, an amendment to the wall sign chart was presented showing the signs on Buildings C & D to include the directional signs which require variances.
- At Building C there are two menu boards, an order board and a vehicle height clearance sign that the Architect testified did not require variances. These signs are conceptual only as they do not yet have a tenant for the space. The signs presented are maximum size allowed.
- The Target sign chart submitted as an amendment dated August 2, 2023 shows the Target “bullet” or “target” round sign which needs a variance for size.
- The architect testified that the proposed project advances the green initiative because it provides EV charging stations (Required by Code), All new roofs will be white in color, all bathroom fixtures will be water saving, light sensors will be installed, roof on Target is code compliant with respect to insulation to reduce the heat island, buildings are

designed with insulated stud walls, exterior facades will be stone and EFYS, projecting canopies reduce heat, screening on parapet roof reduces snow accumulation, oversized gutters and leaders, sidewalks will be permeable pavers, materials will be sourced locally when possible, LED lighting, will use recycled products when possible, plants on the island, lot coverage is being reduced, as for the suggestion that solar panels be added to the new buildings- this is not practical because tenant spaces move and change, so it does not make logistical sense, Target has some solar panels at pick up site, no water reclamation proposed, any plant that dies will be replaced, will have a water program, such as water bags, to keep plants hydrated.

- The smallest store available to lease would be 65 feet deep and 20 feet wide (In buildings A & B). A tenant; however, could lease an entire building.
- The reason offered for the two sizes of pylon signs was that there are multiple entrances and the purpose is to direct cars as to where to enter while also notifying people of what stores are on site.

BOARD QUESTIONS

- Chairman Bagoff asked what the building in the back corner was as when he was at the site it appeared that people were storing things there. The applicant will find out what it is and whether it will remain.
- Mayor McCartney agreed that signs on both sides of Bldg. A were a good idea. The mayor also pointed out that there is a similar type of monument sign across the street at the Eagle Rock Reservation that the County installed. The architect noted that the proposed monument sign is bent in a semi-circle so it can be seen from around the corner of Eagle Rock and Prospect.
- Mr. Guarino asked whether the Mavis space would require environmental clean-up. Mr. Meese said that would be checked when they leave.
- Mr. Smeraldo stated that there were concerns raised at the council meeting the night before about the placement of dumpsters at Bldg. D and Bldg. A. The architect stated that Building D had a large dumpster that would be screened and Bldg. A was totally shielded because of grade changes.
- Mr. Jensen said that he thought from testimony at prior hearings that the restaurants would be the type that people would order ahead and not at the site on a menu board. The architect stated that the menu board was included, so once they got a tenant they would not have to come back for an approval. Mr. Jensen stated that he did not think that the restaurant would be a fast-food restaurant and Mr. Meese agreed that the tenant would not be a fast-food restaurant. Mr. Jensen replied, "But there are menu boards," and he thought the proposed restaurant had been explained differently at the last meeting.

PROFESSIONAL QUESTIONS

- Mr. Grygiel asked why there was such a large trash enclosure on Bldg. D as compared to the other buildings. the architect indicated they could make it smaller if the Board wanted. They also will add landscaping to shield the view of the trash area.
- Mr. Rohmeyer asked for the width of the pedestrian walkway at Building A and B. Bldg. A has an 8'4" wide walkway and Bldg. B has a 12' walkway. Mr. Rohmeyer indicated the walkways were wide enough to allow for doors opening from the store.
- Mr. Rohmeyer asked as to where the utilities would be kept and Mr. Montoro testified that there would be mechanical rooms inside the buildings with meters.

PUBLIC QUESTION

- Phil Litwinoff at Linden Avenue wanted to know what type of restaurant would be on site. The answer was not fast food.
- Sally Malanga at Ridge Road asked if the restaurants were going to be quick casual fast food. The architect said that they do not have a tenant at this time so they do not know.
- Joyce Rudin at Woodland Avenue asked how having a drive-through window promoted a visual environment. The architect Montoro said that the buildings have front elevations that have similar materials and design.
- Ms. Rudin at Woodland Avenue also asked if the applicant was aware that deer are attracted to garbage. The architect indicated that the garbage enclosures were screened and enclosed.
- Ms. Rudin at Woodland Avenue wanted to know why Target was not utilizing solar panels and the architect stated that it was not his decision.
- Ms. Rudin also wanted to know why a sprinkler system was not going to be used for the island plants and Mr. Montoro said that other methods of irrigation would be used.
- Mr. Andy McCleod at Fundus Road asked about traffic concerns. The architect referred the question to Mr. Delaney after the plans are revised
- Kevin Malanga at Ridge Road asked about the façade of Bldg. C. The architect shows in the plans the proposed façade of the building, so the resident can have a better idea.
- Emrah Altunkaya at 15 Fundus Road asked about traffic and was told that was the information that would be provided by the traffic expert.
- Mel Valdez at Elm Street asked the architect if he designed any other similar projects. He indicated he designed Wine Legend on site, but not similar to Target.
- Chistine Bosco at Masson Place asked if the architect designed other shopping centers with similar light fixtures and he indicated Tice Farm in Woodcliff Lake and one in Flemington.
- Sue Grosberg at the Redwood Section also asked if there is a plan for pedestrian walkway from Mavis to Woodland Avenue. The architect said that there is no plan at the moment, since it is not under their jurisdiction.

PRESENTATION

- The traffic engineer Mr. Douglas Polyniak entered on the record, he was sworn under oath and his credential were accepted by the board.
- Mr. Polyniak introduced A-5 which was an arial view of the site. The engineer stated that currently the parking lot is a sea of asphalt.
- He examined road volumes at peak counts in March and April 2023. The time during the week was 5pm to 6pm and Saturday from 12:45 to 1:45PM. He also used counts that included projections of future volumes. There were 115 vehicles in the weekday count and 130 vehicles in the Saturday peak time period. He testified that 1/3 of the traffic on Prospect Avenue and Eagle Rock Avenue was existing and 80-90 new vehicles were expected.
- The site driveways would operate at a level D and dual lanes will help reduce ques on the site. All movement on Eagle Rock Avenue and Prospect Avenue would remain the same with on 8-9 second delay at the County intersection which will have to be reviewed by the County.
- Mr. Polyniak testified that shopping practices have changed since COVID and there are a lot of pick up uses. There are 1200 parking spaces on site and 1475 are required but due

to parking needs decreasing from on line shopping, he reviewed data that shows that 950 spaces would satisfy the parking needs- which they exceed by 30%.

- There are few loading docks provided on site that raises the need for variances. Mr. Polyniak testified that the smaller retail buildings typically do not have large tractor trailer deliveries so there is adequate loading area provided. There is ample circulation for fire trucks, tractor trailers and garbage truck circulation. The site layout is a substantial improvement on every level. Essex County Planning Board will review the impact on Eagle Rock and Prospect intersection.

BOARD QUESTIONS

- The Chairman asked if they would consider putting employee parking on the outskirts and they will discuss. Council President Williams asked that they consider striping for pedestrians at the area where the trucks exit to make it safer. The engineer said they would work with the Township engineer.
- Mr. Alper indicated his concern at the area near Jersey Mikes when people park there, trucks will not be able to get through. Mr. Alper suggested that there be more striping to define the drive aisle.
- Mr. Guarino asked if they would consider flashing lights to warn pedestrians of a truck coming through. Mr. Polyniak thought that signage may work, but that he didn't know where a flashing light would be placed. The engineer said they would consider installing a "one-way" sign.
- Mr. Klein asked if there was a difference in the DOT regulations if there was an out parcel for a bank versus a drive through restaurant. Mr. Polyniak testified that sometimes DOT was segregated counts, but if the restaurant is something like a Dunkin or Starbucks which has heavy morning traffic counts, they will ask. Because the stores at this site are not open at the early morning hours if it is a Starbucks or Dunkin Donuts it would not be a problem.
- Mr. Smeraldo asked if Target gave the expert the additional information from the one other store that has a distribution center for his calculations and the engineer said that they did.
- Mr. Cardoza asked about the ten spaces that back into the drive aisle by Bldg. D and the expert said he did not think it was a problem due to lower traffic volumes at that area.

PROFESSIONAL QUESTIONS

- Mr. Rohmeyer suggested removing some of the landscaping and changing the angle at the exit of the drive through and they agreed a "left turn only" sign should be included. The stacking shown on the drawing was illustrative of high generating ques like a coffee shop. There is no Dunkin Donuts or Starbucks for this site.

NO PUBLIC QUESTION

***Application adjourned to the October 4, 2023 Planning Board Regular Meeting. ***

Meeting adjourned at 11:07PM. by Mr. Klein. Second by Chairman Bagoff.

ADOPTED:

Jamilet Baquerizo Vite
Acting Planning Board Secretary

