

**MINUTES
TOWNSHIP OF WEST ORANGE
PLANNING BOARD MEETING
November 1, 2023 7:30 P.M.**

The Township of West Orange Planning Board held its regular meeting on November 1, 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 December 6, 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; Councilwoman Tammy Williams; Mr. Cardoza;

ABSENT: Mr. Sal Jensen; Mr. Lee Klein; Mr. Peter Smeraldo

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

SWEARING IN

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

APPLICATIONS

- **PB-23-09 Essex County Country Club**
Block: 156; Lots:1; Zone: R-2
350 Mt Pleasant Avenue
The applicant is proposing modifications to existing improvements and construction of new accessory buildings associates with its golf course and other facilities. (***Application adjourned to the November 29, 2023 Planning Board Special Meeting***)
- **PB-23-10 GBSJ, LLC/The Goddard School**
Block: 83 Lot: 1 & 5.01
289 Mt. Pleasant Avenue
The applicant will remove the existing transmission towers on the property and renovate and expand the building.

PRESENTATION

- The engineer Gerry Gesario entered on the record, his credentials were accepted by the board and he was sworn under oath.
- Mr. Gesario introduced A-1, an ariel Google exhibit showing the overall property located at the corner of Prospect Avenue and Mt. Pleasant Avenue. Lot 5.01 is the larger L shaped property and mostly fronts on Mt. Pleasant Avenue. Lot 1 is the smaller lot (Both are in the B-2 zone) and fronts on Mt. Pleasant and Marcella Avenue.
- Lot 5.01 is approximately 1.25 acres. Access to the lot is from Mt. Pleasant Avenue to the lower parking lot. There is a 10 ft grade change between the parking lots and stairs connecting. The lower lot is used by the staff and the upper lot is used by parents for drop off and pick up. Lot 1 is .09 acres. Consolidation of the lots creates 1.34 acres.
- There are two residential homes adjacent to the property, a counseling center across the street and on the other side of the intersection is Essex County Country Club.
- Existing on Lot 1 is a three-story building that is used as a radio station. The Applicant will give the building a facelift and a small addition. The only access to the building is from Marcella Avenue.
- Mr. Gesario introduced Exhibit A-2, photographs (Same as E-150 dated October 31, 2023) that shows the rear of the building on Lot 1 The lot fronts on Marcella and there are currently a lot of weeds and overgrowth. The property is not well maintained currently.
- Mr. Gesario introduced Exhibit A-3 (Also E300 dated October 31, 2023). The exhibit shows the two small additions, one on the north side and the other on the south west side. The north addition will have an elevator and will be for emergency egress. A crosswalk will be installed between the two buildings.
- The building on Lot 5.01 will remain largely unchanged.

- The Applicant requires 70 parking spaces and has 45 parking spaces on site. A parking study was conducted. (Testimony regarding parking to be provided by traffic expert.)
- With the consolidation of the lots, the application requires c variances for parking (The plans will be corrected to show that the required number of parking spaces is 70), front yard setback which is an existing condition on Lot 1, side/front setback which is also a pre-existing condition on Lot 1 and maximum lot coverage.
- Existing services will be shown on the plans and the applicant will clear the weeds around the building and add small foundation plants. The view from Marcella of the building will be improved by the addition of landscaping which includes 60 shrubs, 2 trees and perennials.
- As per the recommendation of the Township engineer, Applicant will move the trash enclosure to the southwest corner of the property so that it will not encroach on the drive aisle.
- No stormwater management is provided in the proposed plan; however, the extension of the new curb and installation of the walkway along the frontage of Marcella Avenue along with new grading of the property and landscaping will improve the drainage.
- The project will create 500 sq. ft. of impervious coverage so the addition of landscaping and trees will go to offset the small addition of impervious coverage.
- Applicant agrees to comply with all the recommendations set forth in the Hess report and will add those changes to the plans.
- No electric vehicle (EV) parking is proposed because it is the position of the Applicant that they are not changing the parking lot so it is not required. Chairman Bagoff suggested that because the Applicant is asking for a parking variance, that the Applicant consider two (2) EV parking spaces.

BOARD QUESTIONS

- Mayor McCartney asked if the elevator will go to all the floors and Mr. Gesario indicated that the Architect would testify to the elevator function. The mayor also asked if the cell tower that they are removing is currently operable and, while Mr. Gesario did not know if the towers were operating currently, he testified that the towers on Lot 5.01 are remaining and do operate and will stay but the tower on Lot 1 will come down.
- Councilwoman Williams asked if the Applicant would be planting native plants and Mr. Gesario testified that the Applicant would use all native plants and continue to maintain them.

PROFESSIONAL QUESTIONS

- Township Engineer Doug Rohmeyer requested that the detail for the proposed crosswalk and signage for advancing vehicles of the crosswalk be shown in a detail on the plans. Mr. Rohmeyer also noted that the sign detail on page C300 is different than the sign detail on sheet C900. The sign shown on C300 states, "Watch for Pedestrians" and will alert drivers coming from the direction of Marcella onto the site. Mr. Rohmeyer suggested and Mr. Gesario agreed to add another sign alerting vehicles coming from the other direction.
- Mr. Rohmeyer also inquired about the bollards present at the site and the engineer testified that the bollards would continue from the north side and wrap around the site along the entire curve of the building.

- Mr. Rohmeyer asked about signs and the engineer testified that the only signs for the school would be building mounted and would comply with the ordinance sign requirements. Lighting will remain as is as it is sufficient on site.
- When asked about the generator on site, Mr. Gesario testified that the architect would confirm whether the generator would remain.

NO PUBLIC QUESTION
PUBLIC COMMENT*

PRESENTATION

- The owners Steven and Nicole Harrison each testified that they were the owners and operators of the Goddard school that was approved five (5) years ago and are the potential purchasers of Lot 1. Mr. and Mrs. Harrison also own and operate a Goddard School in Livingston for the last 7 years.
- Nicole Harrison testified that she is the person who is on site every day. The hours of the school are 7AM to 6PM. They currently have 132 students and 25 faculty members. 80% of their faculty use mass transit to get to the site. The current school is at capacity and there is a waiting list for students who want to attend.
- The proposed annex (Lot 1) has two (2) towers, one on top of the building and one on the side. Both towers are currently in operation and are eyesores. Family Radio is the current owner of the lot.
- The proposed annex on Lot 1 will have three (3) floors. People will come in on the second floor. The first floor is underground in part. There are three classrooms proposed for the building which would hold up to 60 additional students.
- Parking at the site is not an issue and has never been a problem. The lot is 60% full at most during periods of the day. 80% of the faculty take mass transportation and the parent drop off and pick up times take an average of 7 minutes. Most parents drop the children off while on their way to work in the morning so parents would not need the use of an EV charging space and parents are not permitted to park their cars on site for the day.
- Mr. Harrison testified in response to the SPRAB report that the garbage that is thrown onto the property from Route 10 motor vehicles is a source of anger and they will continue to keep on top of it and clean it.
- Mr. Harrison testified that Marcella Avenue dead ends at the building and the entrance to the lower level is a right turn only. If someone is coming from Livingston to get to the building, they would have to make a left turn onto Prospect Avenue and then a right turn onto Marcella Avenue. Within the parking lot they have signs posted stating the speed limit is 5 m.p.hr.
- There is a generator on the Lot 1 site and no generator at Lot 5.01. The Applicant has no plans to keep the generator.

NO BOARD QUESTIONS
NO PROFESSIONAL QUESTIONS
NO PUBLIC QUESTION

PRESENTATION

- The architect Cheryl Schweiker was questioned about her credentials. She testified that she is a 2001 graduate of New Jersey Institute of Technology and has a bachelor's degree in architecture. Ms. Schweiker has been a licensed architect in the State of New Jersey since 2017 and her license is in good standing. The Board accepted her as an expert in the field of architecture.
- Ms. Schweiker testified that the building is three stories and has an entrance on the lowest level. The middle floor is above grade. There will be one classroom on each floor and the class sizes are limited to 20 children per group as per the State requirements.
- Entrance to the building is into a secure vestibule. The elevator will serve all three floors and there are two means of egress from each floor. The grade of the property slopes greatly toward Mt. Pleasant Avenue.
- The roof and drainage will use existing downspouts but they will replace the tie-ins to the system.
- The architect testified that they have not been permitted to go on the roof yet and if the roof is in poor condition, they will replace it with a white roof.

BOARD QUESTIONS

- Chairman Bagoff asked about the color of the building and the types of doors and windows. Ms. Schweiker testified that the color of the building will play off the existing building. The windows are fixed and have safety glass. The doors will be safety doors with alarms.
- Councilwoman Williams asked about the type of bathroom. The bathrooms in the classrooms are single use/co-ed bathrooms.
- Mr. Alper asked if the applicant could install a green roof. The architect responded that she and the owners had not discussed a green roof but she anticipated that it would not be worth the investment and a cool (White) roof would be more appropriate.
- Chairman Bagoff asked if the Applicant could install solar panels. Ms. Schweiker indicated that the size of the building is small so any roof top heating and cooling units would not leave enough space for solar panels. The HVAC would be installed on the roof.
- The architect testified that the existing playground is sufficient for State licensing, even with the additional students.

PROFESSIONAL QUESTIONS

- Mr. Rohmeyer was concerned that the bollards would prevent the door from swinging open or will strike people who may congregate there. The witness indicated that they did not expect anyone to congregate and they would look into the spacing.
- Mr. Grygiel noted that the State Department will inspect the building before the children can use it. The State Department that will inspect the building is the Division of Children and Family Services.

NO PUBLIC QUESTION

PRESENTATION

- The engineer Matthew Seckler of Stonefield Engineering testified that he is a licensed Planner and Engineer in the State of New Jersey. He was accepted by the Board as an expert in both planning and engineering.
- Mr. Seckler testified that he wrote a report dated October 20, 2023 that was a parking study for the site. On Wednesday, October 18, 2023, they were at the site from 7AM to

6:30PM to study the parking. He noted that the maximum time that parents parked was between 5-7 minutes for dropping off and pick up taking 6-7 minutes.

- Mr. Seckler estimated that if they added 60 students and 7 faculty it would result in 41% higher use of parking so in the morning hours there would be an expected 33 cars parked (Instead of the 23 currently at that time). Mr. Seckler noted that at day cares there are usually more than one child dropped off per car because many people car pool and there are multi-child families.
- Mr. Seckler opined that there is sufficient parking at the site and there will not be any off-site traffic impact. (They do not have to show traffic impact in any event because this is an approved use.)
- There will not be any change to the drive aisle or parking space dimensions.
- The Applicant is requesting a c (2) variance for parking for the increase in students and staff. The expert noted that if they increased the parking area it would also increase impervious coverage.
- The day care/school is an inherently beneficial use. Also, due to the fact they are removing the cell towers, they are removing a non-conforming use from the site. As to the other variances for side/front yard setback these are pre-existing conditions and can be granted as a c (1) variance. They are improving the lot area by consolidating Lot 1 with the existing lot 5.01.
- Mr. Seckler opined that EV spaces are not needed (And no variance for not providing EV spaces is required.) The parents drop off their children and do not park. This is a secure site and having EV spaces could invite people to come to charge up their vehicles. They want to limit use of the site to the children and their parents. Additionally, EV spaces for this project are not required by Statute.
- Mr. Seckler stated that the benefits outweigh any negatives and all the variances, with the exception of the parking variance are pre-existing c (1) variances. While the lot coverage is pre-existing and non-conforming, they are improving lot coverage.

BOARD QUESTIONS

- Chairman Bagoff pointed out that there might be some staff that may want to use the EV parking.
- Mayor McCarthy disagreed with Chairman Bagoff and stated that the testimony was that 80% of the staff takes mass transportation and parents really do drop off so she did not think it was reasonable for the Applicant to be required to have EV parking.
- Mr. Cardoza asked if he could ask the architect another question. Mr. Cordoza asked if the ground floor has three pillars in the middle and if they will be padded. The architect confirmed the pillars will be padded. Mr. Cordoza also asked if there will be enough natural light at the lowest level classroom. Ms. Schweiker testified that not all the first level is below grade level and that there would be windows.
- Chairman Bagoff stated that the project was inherently beneficial. The Applicant is taking a building in disrepair and improving it. The project complies with the Master Plan goals.

PROFESSIONAL QUESTIONS

- Doug Rohmeyer asked about ingress and egress at Mt. Pleasant Avenue and whether most of the trips into the property are from Mt. Pleasant Avenue. Mr. Seckler stated that most of the trips come from Marcella Avenue.

- Paul Grygiel stated that due to the fact that the application is an inherently beneficial use, that the Applicant may be able to argue that they don't need to provide any parking on site.
- Mr. Grygiel notes that the project will improve drainage on the site, and the visual appearance and bringing the site into conformity is a benefit.

NO PUBLIC QUESTION

NO PUBLIC COMMENT*

Motion: Chairman Bagoff

Second: Council president Williams

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

Meeting adjourned at 9:30PM.

ADOPTED:

Jamilet Baquerizo Vite
Acting Planning Board Secretary

