

**DRAFT
MINUTES
TOWNSHIP OF WEST ORANGE
PLANNING BOARD MEETING
June 5, 2024 7:30 P.M.**

The Township of West Orange Planning Board held its regular meeting on June 5, 2024 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 July 10, 2024** at **7:30 P.M.**

ROLL CALL

PRESENT: Dr. Robert Bagoff; Mr. Jerry Guarino; Mr. Ken Alper; Mr. John Cardoza; Mr. William Wilkes; Mr. Lee Klein; Mr. Christopher Morgan, Sr.; Mayor Susan McCartney; Mr. Peter Smeraldo; Council president Bill Rutherford; Ms. Lori Kapferer

ABSENT:

ALSO PRESENT: Diana P. McGovern, Esq., Planning Board Attorney;
Gerry Haizel, Consulting Town Planner;
Mr. John Hess, Board Engineer;
Zayibeth Carballo, Town Engineer
Jamilet Baquerizo Vite, Planning Board Secretary

MINUTES & RESOLUTIONS

2/7/2024 Draft Minutes

Motion: **Chairman Bagoff**

Second: **Mr. Guarino**

Alper: ----	Morgan: Y
Bagoff: Y	Rutherford: ----
Cardoza (Alt.2): Y	Smeraldo: Y
Guarino: Y	Wilkes: ---
Kapferer: Y	
Klein: Y	
Mayor McCartney: Y	

2/28/2024 Draft Minutes

Motion: Chairman Bagoff

Second: Mr. Cardoza

Alper: ----	Morgan: Y
Bagoff: Y	Rutherford: ----
Cardoza (Alt.2): Y	Smeraldo: ----
Guarino: Y	Wilkes: ----
Kapferer: Y	
Klein: Y	
Mayor McCartney: Y	

4/3/2024 Draft Minutes

Motion: Chairman Bagoff

Second: Mr. Smeraldo

Alper: ----	Morgan: Y
Bagoff: Y	Rutherford: ----
Cardoza (Alt.2): Y	Smeraldo: Y
Guarino: Y	Wilkes: ----
Kapferer: Y	
Klein: Y	
Mayor McCartney: Y	

SWEARING IN

- The Township Professional(s) sworn in.

APPLICATIONS

- **PB-24-10 Green Essex Partners Urban Renewal Entity, LLC**
Block: 155 Lot: 42.03 Zone: Executive Drive Redevelopment Zone
1000 Executive Drive
Minor subdivision without variances.

PRESENTATION

- The attorney Mr. Richard Schkolnick entered on the record on behalf of the applicant.
- He stated that there are no variances required for this application.
- Mr. Schkolnick also mentioned that there is no development and no construction happening at the site.
- The application is only a minor subdivision.
- The applicant is conveying the site where the dog park was built to the township.

BOARD QUESTIONS

- Mayor McCartney asked if more trees will be planted or if other modifications will be made. The applicant Mr. Thomas said that he feels the park is complete.

NO PROFESSIONALS QUESTIONS

NO PUBLIC QUESTIONS

Motion: Chairman Bagoff

Second: Mr. Guarino

Alper:	---	Morgan:	Y
Bagoff:	Y	Rutherford:	----
Cardoza (Alt.2):	Y	Smeraldo:	Y
Guarino:	Y	Wilkes:	----
Kapferer:	Y		
Klein:	Y		
Mayor McCartney:	Y		

- **PB-24-04 Montclair Golf Club**
Block: 151; Lots: 31; Zone: R-2
25 Prospect Avenue
The current application request variance relief in connection with the Applicant's plan to construct a new halfway house, to construct a 1,170 square foot addition to an existing accessory building and provide various other improvement to the property including construction of a 3-foot high stone wall along the clubhouse frontage to improve aesthetics.

PRESENTATION

- The attorney Alan Trembulak on behalf of the applicant.
- this is an application for site plan approval involving the Golf Club property located at 25 prospect Ave.
- The entire Golf Club property consists of 277 acres and 189 of those acres are located in the Township of West Orange.
- All of the improvements which we'll be discussing this evening are located in West Orange.
- There are basically 3 components to this site plan application. First, the club proposes to demolish the original swimming pool complex, which is no longer in use and to renovate and expand the existing golf shop building. The building expansion will contain approximately 1800 square feet, it will be located to the rear of the golf building, which means it'll be further into the Golf Club and not visible from Prospect Ave.
- The second phase of the site plan involves the construction of a new accessory building, a halfway house containing approximately 840 square feet. The halfway house will be located to the rear of the golf shop building further into the golf course property and further away from Prospect Ave. or any neighboring properties.
- The 3rd and final component of the application involves various improvements to be front of the main clubhouse, including reconfiguring the parking in the front yard, the creation of 15 new parking spaces in front of the clubhouse building, some improvements to the driveways providing ingress and egress to the site and lastly the construction of a three-foot wall in front of the main clubhouse near Prospect Ave.
- The applicant is also requesting three variances.
- The attorney introduced the site engineer Timothy Derrick, he entered on the record, he was sworn under oath and his credentials were accepted by the board.
- Mr. Derrick reference to site plan CS002 and testified that all the improvements are along Prospect Ave.
- Also, presented an overall site plan which is CS101. Drawing CS102 is showing improvements in the area.
- While they are eliminating parking spaces, they are adding 15 new parking spaces. Currently there are 385 parking spaces on site, they are proposing 389 parking spaces
- There will be no changes to the ADA parking on site existing spaces are to remain. There's one existing EV parking space they are proposing to add a second one.
- The existing building is approximately 210 feet from Prospect Ave. the new building with the over head will be 200 feet from Prospect Ave and the new halfway house will be 323 feet from Prospect Ave.
- Drawing CG101 shows the overall grading and drainage plans, which will remain as existed.
- They are proposing new lighting within the project area, which details are provided on drawing L101. There'll be new decorative pole manufacturers matching ones previously installed for the pool facility a few years ago. There will also be some decorative lighting on top of the walls at the entrances on Prospect Ave.
- Landscaping improvements are shown on plan LP101, they are proposing landscaping along the decorative wall on Prospect Ave. There's several trees and other little landscaping around the buildings as part of the project. They will be removing one tree as requested in the engineer's letters which is a ash tree that's in poor health.
- There's a question about stacking of cars interfering with traffic flow between the area of

of the entrance and exit. Mr. Derrick just want to point out that this is an existing parking lot that has been functioning this way for greater than 50 years closer probably to 100 years with the driveways in place and what they are doing is improving what currently exists.

- It will continue to operate as a private club and not be open to the general public, but simply to members and their guests.
- Mr. Derrick will comply with the board engineer comments from his letter dated June 4, 2024.

BOARD QUESTIONS

- Mr. Guarino asked if the privacy walls will increase inability for people exiting the property to see traffic coming across Prospect Ave. Mr. Derrick said that site plan CS104 it demonstrates the visibility for traffic for exiting from the driveways and just the point that the walls are well behind the stop bars, so they're not interfering with any views.
- Mr. Guarino asked if lighting has been analyzed to figure will it make any glaring on the drivers coming out of the property that would impede their seeing ongoing traffic on Prospect Ave. Mr. Derrick said that the lights will be LED and they're all directional and won't be directed towards the road.
- Mr. Guarino asked if a traffic engineer was utilized for this project. Mr. Derrick said no.
- Mr. Guarino asked if is there any intention to put any sidewalks in front of the property. Mr. Derrick said that currently it is not part of this project and that he believes that would be something that the county would have to propose.
- Mayor McCartney asked if there are hazardous trees will be address. Mr. Derrick said that if there's any hazardous trees on the property the Golf Club typically be willing to address the matter.
- Mr. Smeraldo asked if the stormwater management has been file with the DEP. Mr. Derrick said that there is no DEP permit required for the project.
- Mr. Cardoza asked if the parking is in compliance with town ordinance. Mr. Derrick said the parking is in compliance.
- Ms. Kapferer asked to explain about the accessible path into the building. Mr. Derrick said that the existing parking in this area is located along the turnaround and there's an ADA ramp that was installed at roughly 10-15 years ago as part of another site plan application that they that people can use. Additionally, there's another a path out to the patio areas that can also be accessed.
- Ms. Kapferer asked if a geotechnical report have been completed. Mr. Derrick said that and investigation has been made and the applicant will provide the results to the town and if changes are require, the applicant will comply.
- Chairman Bagoff asked if the plan will change drastically if the applicant puts a sidewalk along Prospect Ave. Mr. Derrick said that there is room to put a sidewalk.

PROFESSIONALS QUESTIONS

- Mr. Haizel asked if the engineer was able to see the planner's report. Mr. Derrick answered in the affirmative.

PUBLIC QUESTIONS

- The township manager from Verona Joseph D'Arco asked if the plans can be review by Verona. Mr. Derrick said they submitted all the plans and calculations to the town for review and Mr. Hess's view them as a major development. They are subject to the same rules to the New Jersey State stormwater management rules that were in place at the time of submission and are similar to the town code, so in that sense they are subject to the

same the same things.

PRESENTATION

- The architect Brian Cooney entered on the record, he was sworn under oath and his credentials were accepted by the board.
- Mr. Cooney reviewed the architectural plans that has been presented to the board.
- The halfway house is located between the 9th and 10th hole and is 840 square foot building that includes all the enclosed walls on the interior of this building.
- There is 1780 square feet of cover for roof cover for people dining and using halfway house, so the total under roof of this structure is 2600 square feet.
- The halfway house includes accessible ADA bathrooms, janitor's closet, prep kitchen, serving area and bar which will offer refreshments to the members.
- It is a completely open kitchen, but when service is over there is shutter doors that roll down and secure the entire space.
- Page H2 it shows the elevations of the halfway house, in which they tried to stay consistent with the other accessory buildings.
- The main materials of the building are composite clapboard siding and shingle siding. They would use an architectural roof shingle which would be a slate like shingles that would also match similar roof types on the golf club.
- There will be a covered porch for people to cover.
- The height of the proposed building is 23 foot 4 inches.
- The pro shop is currently 4,800 sq. ft. and with the demolition of the pool accessory rooms on the left side, there will be a total expansion of 1,730 sf. ft. which will be a net increase to the pro shop of 138 sq. ft. The addition to the golf building will also include an increase in the starter area, more golf bag storage, an area for two golf simulators, a lounge and back of the house area to support the golf shop.
- The roof peaks, which create the need for a variance due to height are in keeping with the aesthetic style of the other buildings on campus and the proposed halfway house and addition to the golf building are set back from Prospect Avenue.

BOARD QUESTIONS

- Chairman Bagoff asked if the roofs will decrease the heat island effect. Mr. Cooney said that the roof will be white to try and reduce heat island effect.
- Chairman Bagoff asked if they will be using low e-glass. Mr. Cooney said that is their intention.
- Mayor McCartney asked if there is a different word that we can use for a halfway house Mr. Cooney said that it is also called refreshment center.
- Mr. Smeraldo asked what it's going to be up in those roof areas. Mr. Cooney said A/C units and air ventilations.
- Mr. Smeraldo asked if there will suppression systems. Mr. Cooney answered in the affirmative.
- Mr. Smeraldo asked if telephone will be available. Mr. Cooney said there will a phone at the kitchen that will be connected to the clubhouse.

NO PROFESSIONALS QUESTIONS

NO PUBLIC QUESTIONS

GENERAL DISCUSSION

PRESENTATION

- The engineer Mr. Gregg Woodruff entered on the record, he was sworn under oath and his credentials has been accepted by the board.
- They are located in the R2 district where the principal and accessory uses are permitted.
- Two of the variances are height issues one for the golf house expansion, the other for the refreshment center where in which both are exceeding the permitted 15 feet in height.
- The third variance requested is for the wall at the front, where they are proposing a 3-foot solid decorative wall, whereby not permitted to be more than 50% solid. From a planning perspective argue that the variance falls under a C2 criteria whereby the benefit of that wall being incorporated into the property as part of this proposed project outweighs the detriment of the wall being solid in nature.
- The accessory buildings will further improve the efficiency and use of the existing campus.
- From the engineer perspective in completing the planning analysis, the proof standards would be met and the board would be justified in in granting the variances requested.

BOARD QUESTIONS

- Ms. Kapferer asked about if changes can be made in regards to the shrubs, since one proposed is invasive. Chairman Bagoff said that they will condition that the applicant will speak to the forester and make ensuring that there are no invasive species that will be planted for this application.

NO PROFESSIONALS QUESTIONS

NO PUBLIC QUESTIONS

PUBLIC COMMENT

- Darren Tobia at 24 Columbia Street said that he thanks Mr. Guarino for emphasizing the importance of pedestrian infrastructure and hopes that the applicant considers the importance of safety of not only our residents, but all the residents who use this very busy street.

CONDITIONS:

- An automated external defibrillator (AED) must be installed and maintained at the halfway house/refreshment center.
- The Forester shall also do a review of all the trees on the West Orange property to determine if there are any noxious trees and Applicant must follow the direction of the
- The landscape plan shall be reviewed by the Township Forester to ensure no invasive species will be planted.
- Applicant agrees to comply with all of the recommendations set forth in the CME report by John Hess, P.E. dated June 4, 2024.
- Applicant agrees to install a public sidewalk along Prospect Avenue running the length of and parallel to the wall being installed at the front of the Club. The sidewalk must be installed at the same time that the wall is installed.
- The flat roofs on the new building and additions shall be white/light color to reduce the heat island.
- All new windows shall be Therma-pane/low energy type.

Motion: Chairman Bagoff

Second: Mr. Guarino

Alper: ----	Morgan: Y
Bagoff: Y	Rutherford: ----
Cardoza (Alt.2): Y	Smeraldo: Y
Guarino: Y	Wilkes: ----
Kapferer: Y	
Klein: Y	
Mayor McCartney: Y	

- **PB-24-06 410 Main St Holding LLC**

Block: 113 Lot: 262, 264 & 308

410 Main Street

Applicant is proposing a 3-story mixed use development with 12 residential dwelling units above, ground floor parking and commercial space.

PRESENTATION

- The attorney Jason Tuvel entered on the record on behalf of the applicant
- Currently the site is vacant.
- B-2 zone
- Master Plan recommends revitalizing business zones and adopted the mixed-use conditional use zoning ordinance which provides that a site must meet four conditions which 401 Main Street does.
- The conditions are that the size of the property must be greater than 5,000 sq. ft., have at least 50 feet frontage, one or more dwellings on the upper floors, access to upper floors must be provided by separate entrance than provided for ground floor uses. Permitted uses are those in the B-1 and B-2 zone for the ground floor commercial space.
- The bulk variance is for parking and three stories.
- The three stories were designed due to the topography of the property.
- The attorney introduced the architect Brittany Klimm, she was sworn under oath and her credentials were accepted by the board.
- The cover page of the plans shows the location of the site in a B-2 zone on Main Street at Park Drive North.
- The property is 11,936 sq. ft. with 134 ft. fronting on Main Street and 105 ft. fronting on Park Drive North.
- The property is surrounded by traditional commercial properties, to the south are townhomes and a Dunkin Donuts.
- There is a substantial grade change (15ft. vertical grade change) with a retaining wall on Main Street and Park Drive North. Most of the retaining wall on Main Street will be eliminated by the building design.

- Page A-1 shows the rendering of the front on Main Street as a mixed-use commercial. There is a tenant lobby on Main Street.
- The materials proposed are brick, veneer stone, lap siding and composite stone.
- Page A-2 shows the rear of the building. It is shorter in the rear and parking is recessed. The rear elevation reads more like a two-story building.
- The parking area is not visible from the street and is completely screened.
- The floor plan shows the building is 25,700 square feet with 12 units and 13 parking spaces. There is 900 square feet of commercial space.
- There are trash shuts for the upper levels.
- The units break down as 2 one-bedrooms (839 sq. ft.), 2 one-bedrooms with a den (912 sq. ft.), 8 two-bedroom units (1083 sq. ft to 1031 sq. ft.)
- All the units have washer/dryers, hot water heaters and HVAC.
- The building is designed to meet the latest fire code and will be sprinklered and all ADA accessible with a white flat roof.
- There is an elevator penthouse structure that sticks up past the roof and HVAC is also on the roof but these items are screened by the parapet wall.
- Deliveries will be through the Main Street entrance.
- A key fob system and cameras will be used.
- All mail and packages to apartment will come in to the lobby.
- The building manager will collect the recycling and take it to the trash center.
- Both the commercial space and the residential units will have the same trash and recycling pick up at 2 times per week for garbage pick-up which is standard.
- Building elevation shown on page A4-01 is 201.4 ft. at the main grade and rises 248.5 ft. at the garage to 256 ft at the rear so there is a 15 ft. grade change for the property.
- The design shows tinted windows on the trash room.
- The ground floor tenant will be a permitted use.
- Access to the upper floors is through a separate entrance from the commercial space.
- All signage will comply with the Township ordinance.
- Caution vehicle exit fixtures will be installed as per the recommendations of SPRAB.
- Will comply with recommendations as to architectural features mentioned in the CME report.
- EV charging stations will be located in the garage.

BOARD QUESTIONS

- Council President Rutherford asked about the width of the driveway entrance and the testimony was that it is 22 ft which is wide enough to have a car exit and enter at the same time. It is designed for two-way traffic which will be discussed by the traffic expert.
- Mayor McCartney indicated that she thought the units would be smaller as one-bedroom units and she is concerned about the number of 2 bedroom units and that there was a cold aesthetic to the building

- Mayor McCartney asked if the building was taller would that allow for additional parking. The architect said no because it would be difficult to get a ramp for addition parking due to the topography.
- Lee Klein asked why some portion of the windows on the ground floor were blacked out and the architect stated that was to screen the mechanical and trash room.
- Mr. Klein asked about the one-bedroom units with a den to make sure that a second bedroom could not be created. The architect testified that the den area has no windows and a very large opening (5 ft.) so it couldn't have a door.
- Mr. Smeraldo inquired about the roof "scuttle hole" and noted that such an arrangement is difficult for firefighters. He suggested a staircase to the roof instead of the scuttle hole and this was accepted as a condition.
- Mr. Cardoza asked about whether there would be a bathroom in the commercial space and the architect testified that there would be a toilet room not yet shown on the plans.
- Mr. Cardoza asked about the area shown as storage space on the ground level and the architect testified that storage was for management to keep items such as snow removal equipment.

PROFESSIONALS QUESTIONS

- Haizel suggested that canopies over the windows would be more appealing and provide the same screening.
- Mr. Hess reviewed the definition of building height and the dimensions of the den at 7'.10" v 13'1" and noted while that is enough space to be a bedroom, the 5' entry is too large to install a door. Mr. Hess suggested that the leases for the apartments with dens include a provision that the apartment have one-bedroom only and that the den may not be used as a bedroom.

PUBLIC QUESTIONS

GENERAL DISCUSSION

The application has been carried to the July 10, 2024 Planning Board regular meeting without further notice

Meeting adjourned at 11:01PM.

ADOPTED:

Jamilet Baquerizo Vite
Planning Board Secretary