

**MINUTES**  
**TOWNSHIP OF WEST ORANGE**  
**PLANNING BOARD MEETING**  
**November 10, 2025, 6:00 P.M.**

The Township of West Orange Planning Board held its regular meeting on November 10, 2025, at 6:00 P.M. via virtual ZOOM videoconference and in person (Council Chambers of Town Hall).

*Chairman Bagoff* called the meeting to order at approximately 6:40 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 **on December 3, 2025, at 7:30 P.M.** via Zoom.

**ROLL CALL**

**PRESENT:** Dr. Robert Bagoff; Mr. Jerry Guarino;  
Mr. Ken Alper; Mr. John Cardoza;  
Mayor Susan McCartney; Mr. Frank Noborine;  
Councilwoman Susan Scarpa; Ms. Lori Kapferer;  
Mr. Lee Klein; Mr. William Wilkes

**ABSENT:** Mr. Christopher Morgan, Sr.

**ALSO PRESENT:** Diana P. McGovern, Esq., Planning Board Attorney;  
Diana L. Chandler, Planning Board Interim Secretary

**SWEARING IN**

- Professionals Ms. Susan Gruel (Planner) and Ms. Zayibeth Carballo (Municipal Engineer) were sworn under oath.

**APPLICATIONS**

- Fourth Round Housing Element and Fair Share Plan  
[West-Orange-Township Fourth-Round-HEFSP-Draft](#)

**PRESENTATION**

- Ms. Gruel briefly recapped that their firm prepared a draft of the fourth round housing element fair share plan.
- In October, the board had a public hearing on the draft, and there were a number of comments. The Planning Board asked the applicant to consider the comments. The applicant has come back with a revision to that plan.

- Ms. Gruel presented the key elements of the revised plan.
  - o Removing 762 Pleasant Valley Way as a site and replacing that with 217 Main Street.
  - o Adding an accessory apartment program that would be able to be utilized within the community until the program is proven to be successful.
  - o Up to 10 accessory units that would be able to convert existing carriage houses or garages into affordable housing units.
  - o The total units were revised from 221 units to 230 units.

### **PROFESSIONAL COMMENTS**

- Ms. Carballo drafted a memo for the planning board after being asked to look at the affordable housing and how it affects infrastructure.
- In the memo, Ms. Carballo explained some of the limitations that do currently exist with our infrastructure, especially when it comes to our sanitary and sewers.
- In regards to the sanitary, as one of Ms. Carballo's recommendations would be for the township to create a stormwater utility, as well as a sanitary sewer utility authority in the township.
- In order to be able to sustain repairs and maintenance that will come in the future, to enlarge the current system that we have and also to map it as part of our requirements with the stormwater DEP rules.
- Even though the joint meeting of Essex and Union County does have capacity to handle the additional flow, the township doesn't know exactly what we have, or whether or not we have enough capacity existing to handle the additional development that will be created with the Fourth Round of Affordable Housing.
- In the memo, there are approximately 5 million gallons per day that the joint meeting of Essex and Union County is capable of handling. And for future growth, a study will have to be done, which is not available right now, basically an asset management plan for everything that is for the storm and the sanitary.
- A hydraulic analysis will have to be conducted to figure out which areas don't have capacity, which areas can be improved, and how in the future the township is going to be able to sustain these improvements.
- There's going to be a generation of more vehicles on the road, especially since there is Route 280, as well as Route 10.
- In terms of the infrastructure, it's something that the township is going to have to develop a management plan, as well as discuss this in the future with the Board of Education, since it will increase the number of students that will be going to our schools, as well as additional traffic congestion that might be produced by this development.

### **BOARD QUESTIONS FOR THE PROFESSIONALS**

- K. Alper asked Ms. Carballo to explain where the sections of the township that are known for sewer backups during severe rainfalls are. Ms. Carballo said that's probably the area of St. Cloud. There is a sewer main trunk that parallels the roadway river, it's right by Nelson Court, and all those developments, they typically do have backups.
  - K. Alper asked if Ms. Carballo expects those sections to get worse based on what's in the Fourth Round Affordable Housing Plan, or is there enough geographical separation from the area where the backups occur that that's not so likely. Ms. Carballo said it would be hard for her to answer that question, since they don't have any available or accurate data in their sanitary sewers.
- K. Alper asked if Ms. Carballo is aware of concerns about odor from the sewer line in

- the Howell Drive area. Ms. Carballo said yes.
- K. Alper asked if it is likely that the close proximity of West Essex Highlands, the proposed projects at Green Hill Retirement and the Wilshire, and also the one that was previously approved at 200 PVW will increase that problem. Ms. Carballo said that for the West Essex Highlands, they are not connecting to the sewer that goes through Howell Drive, because that sewer goes through the Verona sewage treatment plant. Instead, they're going to be connected to the township's sewer main. There was a meeting with the developer, as well as the consulting engineer in regards to upgrading the existing sewer lines in order for it to handle the flows.
  - K. Alper asked if we would need to do additional upgrades for 103, 200, and for 350 PVW, if all 3 of those came online. Ms. Carballo said she wouldn't be able to answer that question without more accurate mapping data.
  - Chairman Bagoff asked Ms. Carballo how do we go about getting the mapping, what is the process that has to be started now to do that. Ms. Carballo said the township needs to adopt this in their capital budget. They will need to allocate funds to do a mapping plan. Once you map it, which is required by the DEP for the stormwater and you have all the different drainage areas or sub-areas of how much water and sewage go into each one, you will have to have a consulting company, do the study, and figure out how much does the existing pipes can handle based on their slope, size, and whether or not it's even feasible.
  - Chairman Bagoff asked Ms. Carballo if she knows the last time this mapping was done. Ms. Carballo said West Orange doesn't have a map.
  - L. Klein asked Ms. Gruel that the number of units that she says should go in a certain location, we've got to be concerned about traffic, gas, electric, water, sewer, everything, so the numbers that were come up with, does that take into account. Ms. Gruel said while these are all legitimate concerns, for the years that affordable housing has been in the courts and been determined that it's a constitutional obligation, the courts time and time again, have said, if there are issues addressing affordable housing, like infrastructure, deal with it.
  - L. Klein asked Ms. Gruel if it's a planning board application and it's an as-of-right development, you don't really get them on off-site improvements for traffic and things like that, is that the same situation with this plan. Ms. Gruel answered it hasn't been zoned yet.
  - L. Klein asked Ms. Gruel before we zone it, will we do a traffic or sewer study. Ms. Gruel said that is up to the board.
  - L. Kapferer asked Ms. Gruel if there is a mechanism by which we can tell the developers that if capacity improvements are needed and if we need to update the storm sewer system or the sanitary to convey the flow from their site, can we ask them to pay for it. Ms. Gruel answered that normally happens when you're doing site plan review, and they have to prove that they can develop the site and accommodate what is necessary.
  - Councilperson Scarpa Ms. Carballo asked what is the approximate cost of this mapping and this capital project that we might have to undertake. Ms. Carballo said to finish mapping the stormwater, it's probably going to cost about \$350,000. The sanitary is going to be about the same, if not more.
  - Councilperson Scarpa asked Ms. Carballo, how quickly would we need to do it. Ms. Carballo said in a year, the stormwater information could be collected, mapped. After that, you need a consultant to analyze it.
  - Councilperson Scarpa asked Ms. Gruel given that this is an unfunded mandate, shouldn't we be looking at creating more localized density for all of these affordable

- housings, more in one area. Ms. Gruel, there are different positions on that, some people felt that there was too much concentrated in certain areas. What they have tried doing is to disperse.
- K. Alper asked Ms. Gruel if the CVS can't go larger and be more units than it currently is set for. Ms. Gruel said possibly, and maybe that's something that the planning board would want to look at in a little bit more depth.
  - K. Alper asked Ms. Gruel on, 20 Main Street, the older Rite Aid site at Northfield in Main, it's a corner that's kind of alive as it is,
  - F. Noborine asked Ms. Carballo, regardless of how this affordable housing plan goes, that mapping and that sewage and the consulting, that all needs to be done. Ms. Carballo said it definitely needs to be done for the stormwater to fulfill our stormwater permit requirements. As far as the sanitary, there's nothing in writing that says that it has to be done, but it's for the best interest of the township that we do map it.
  - F. Noborine asked if that information would make this next process easier. Ms. Carballo said it would make it easier for everybody.

### **BOARD COMMENTS**

- Mayor McCartney said they did not pick and choose the properties on Pleasant Valley Way. These are privately owned properties that have come before the administration seeking to develop. What they're trying to do with this affordable housing plan is to limit what it is that they're asking them to do on the property.
- Chairman Bagoff said this is the fourth round, so that means the board has done these 3 previous times. As we look around town, there are multiple areas of affordable housing. These are just more infill places that we're looking at, so this is not the first time; it's not that they're picking one section. In other rounds, they've had other sections that had more affordable housing and they're working as hard as they can. If this plan is adopted tonight, tomorrow more can be added. People sold properties, people moved, and properties became available. These things happen over the course of the time that they have to do these projects.
- Mayor McCartney added that they have met with the owners of the properties on the corner of Valley Road, Northfield, Main Street, the whole intersection and they do want to develop that property and they own the store strips along the front, so though we do want to see something happen there, it would displace all of those business owners while that gets developed.

### **PUBLIC COMMENTS**

- Paul Trachtenberg (96 Sullivan Drive, West Orange) asked whether the planner is familiar with and used in preparing the draft report and the update, the Fair Share Housing Center December 2024 Guide. Ms. Gruel said she is aware of that.
- Paul Trachtenberg (96 Sullivan Drive, West Orange) asked Ms. Gruel if she applied to the fourth-round plan, including the amendments, the site's suitability standards, as outlined in that guide at page 23. Ms. Gruel said absolutely, and it's in the plan. Each one of those criteria is specifically laid out.
- Paul Trachtenberg (96 Sullivan Drive, West Orange) asked, including the references, the quotes in the Fair Share Housing Center guide to the Supreme Court guidelines, like there has to be an accommodation between affordable housing and sound planning and environmental protection. Ms. Gruel said, of course, that's always been the case law.
- Paul Trachtenberg (96 Sullivan Drive, West Orange) asked Ms. Gruel, in her

- professional opinion, whether the fourth-round proposals reflect both sound planning and take into account the environmental impact of those proposals. Ms. Gruel said yes.
- Paul Trachtenberg (96 Sullivan Drive, West Orange) asked Ms. Gruel if she considered, in preparing the fourth-round plan, that the hotly contested West Essex Highlands development from the third round might not be approved or built in a timely way, which would mean 100 additional, affordable housing units. Ms. Gruel said she will not answer that. That is in front of the planning board as a site plan application
  - Paul Trachtenberg (96 Sullivan Drive, West Orange) said that highlights one of his concerns, which is the jurisdictional lines that are being drawn. He appreciated the township engineer's cogent and honest report, but it does raise his concern, as he understood the report, she indicated that there are problems with stormwater, sewage, potable water, utilities, traffic, and with schools. Mr. Trachtenberg hopes that somebody in the municipality will substantially address all those concerns before we proceed with developing.
  - Sally Malenga (Ridge Road) spoke in opposition due to it not reaching their goals, as this is a luxury apartment plan with a small number of affordable housing units. She also states it violates the intent of our master plan, which clearly recognizes that not every available forest is a building site. She also adds that this proposal ignores key planning and engineering fundamentals, site suitability, flood mitigation, traffic capacity, and school enrollment.
  - Ann Studholm, Esq (Post Pollock in Roseland) , their group represents Pedro Gomez, and he is here with his partners, Tony Marcuris and Laz Vastardos, who are from the family that owned the Essex House restaurant for decades. They own the site at 525 Northfield Avenue. As to, proposing it as an affordable housing mechanism, it's in the B2 zone. The B2 zone and its conditional mixed use does not have a limit on how many units of housing would be there. The units were reduced from 115 to 105, and now it's shown as a mechanism in the plan for 60 units. Ms. Studholm requests that the plan be amended, because otherwise they are down-zoning a site that can yield a lot more affordable credit. Ms. Studholm asked her client the following questions:
    - o What was the interaction with the 115-unit plan that went down to 105? Mr. Gomez answered that they met with the town over the course of 6-7 months. Originally, they wanted to build a project that was a lot higher, and they were told that that was unlikely to happen. They started closer to 150 units and then it kept coming down. They had no amenities, they added over 10,000 square feet of amenities, now they have 2 courtyards, and they have a 2,000 square foot co-working space.
    - o In the 105-unit plan, how many actual units of affordable housing would generate? Mr. Gomez answered currently, it would generate 21 units and 84 market rate units.
  - Ann Studholm added they're concerned that if this plan gets adopted tonight, it will be, in effect, a downzoning of an affordable housing mechanism.
  - Mr. Gomez added that they were compliant with the requests and took the time and invested that time to please the residents of West Orange.
  - Jacqueline Endy (6 Beverly Road) spoke in opposition stating she rejects that this is a fair share plan. She says she doesn't understand how they're getting 1,000 new apartments, and only getting 158 affordable.
  - Jennifer Arorio (Bellevue Terrace) said she reviewed the plan and recently had the privilege of walking through the community with one of its residents. During the

- visit, she saw more than infrastructure concerns. She saw the community at risk, aging maintenance, unmaintained gas leaks, erosion, and only one way out of the development. She added that the roads are so narrow that in the event of a fire or an emergency, it would be nearly impossible for the first responders, specifically fire trucks, to reach the families in time due to the narrow roads in the community. Ms. Arorio said this is not just a safety issue, but there would be less space in our schools.
- Philip Litvinoff (Linden Avenue, West Orange) spoke in opposition stating the developers are making a risky decision at the expense of the township. He adds that it's wrong to have the developers put such a small number of apartments available for the people who need the help. Also, if you're trying to help people who don't have the money to live properly, give them the opportunity to live in an area where there is transportation. There is no transportation on Pleasant Valley Way.
  - Robert Rosenstad (148 Marion Drive), president of the Condominium association that 148 is part of, came to this meeting to discuss 177 Marion Drive, which is an ARC residence, and is now being listed as a two-unit addition to the fair housing.
  - Rachel Klein (Howell Drive) spoke in opposition and asked why approve this plan in this form tonight? Why are none of these single-family homes being offered for development? Why are they all rentals? Who will benefit from this benefit? Why are we being forced to urbanize?
  - Joseph Pannullo (Essex Fells), President of We Care NJ, spoke in opposition and wanted to ensure that an email and a package of information was sent on September 19th to Susan Gruel, members of the Planning Board, the Council, Essex Council Planner, and Fair Share Housing, which document why this site does not meet eligibility criteria under Affordable Housing, NJAC 5, column 97-3.13. It is not approvable, it is not developable, and it is not suitable. Two documents he wants to add include the Essex County Board of Commissioners resolution, which on October 22nd adopted a resolution recommending that this town deny this plan and preserve this site due to its environmental sensitivity, and a sign-on letter that's been signed by at least 30 different NGOs in the state of New Jersey, environmental organizations, 5 mayors, and at least 10 environmental commissions that are recommending that this town preserve the last core forest in the county that is unprotected with natural resources.
  - Seth Weissleder (resident of West Orange) spoke in opposition, one of his concerns is the rezonings of 103 Pleasant Valley Way and the 350 Pleasant Valley Way. They're an eighth of a mile apart. Combined with the 496 units at Essex Highlands that is being proposed just another half, one and a half miles away, the concentrate that they're adding is another 1,000 apartments into one small corridor without a realistic plan for impacts. He added this is one of the least walkable, least transit-served, most congested parts of town.
  - Justin Goldsman (14 Morin Road) spoke in opposition and said part of our affordability conversation, we should be having deeper conversations with the county. We have county property that we are not allowed to touch, nor should we touch, but that should be considered into the factor of available land that we have. In April, the town passed a stormwater ordinance, but there isn't a stormwater utility or sewage map. Mr. Goldsman added that there's a climate and energy master plan that this town should be operating under that has to do with our ability to have environmentally friendly policies, utility costs, and water and stormwater runoff concerns. He says you cannot do any of that to the inherent spirit of a plan without having a map of where our sewage and water runoff
  - Joseph Nalieth (33 Ridgeview Ave) spoke in opposition and hopes that whatever plan

- is adopted ends up not developing over any existing tree coverage in West Orange, and that we instead look into smarter development and redevelopment of existing properties.
- Dave Frescue Verona spoke in opposition and stated the Planning Board has to look for consistency with the master plan for any proposed development. And then, in doing so, looking to weigh the benefits versus the detriments to the town. He wants the Board to please consider what the overall benefit is to the town and to the citizens.
  - Joe Krakoviak (Grandview Avenue), a member of the Town Council, spoke in favor stating this plan is an improvement, to the extent that it can be an improvement. His first recommendation to the public is to spend as much time as you can allow to learn about the law. Another suggestion is to come to the West Orange application hearings whenever they are here, because that's when you're going to make your voice heard. Last, you need to know what your legislator representative votes for.
  - Joyce Rudin, a member of the Council, spoke in opposition and does not agree with what her Council colleague said. Ms. Rudin doesn't want to see this plan being rushed and without considering the needs of the residents and quality of life. She states that two properties, 103 and 1155 Pleasant Valley Way, don't adhere to the 20% affordable mandate of our own town's ordinance. She added that the residents need a nice downtown to support thriving commerce and to showcase our rich history and our diversity. This plan does none of those things.
  - Michelle Casalino (Valley Way), a member of the Town Council, spoke in opposition due to the difficulties her family members had in finding affordable homes. She states that single-family homes need to be incorporated in this plan.
  - Seth Weissleder said we need a more balanced and creative approach to meet our housing needs in the town of West Orange.

### **BOARD COMMENTS**

- Mayor McCartney said from what she heard from public comment, we need to preserve as much as we can, and in many cases, we have always attempted to do that with every application. All of the properties that are in this plan are privately owned. They are all projects that have already come before the planning office to be reviewed. We still do have 22 acres that the township owns on Main Street, behind the Thomas Edison National Historic Park. The board is still looking to put 10 film production studios on 10 of those acres, and the other 10 acres, the Council has already looked at a residential plan, so there is potential for even more development on Main Street with the existing infrastructure that's there and close to transportation, repurposing what's already there. Mayor McCartney added that while we do want to preserve as much as we can, when the sites are not for sale, they're already in the plan as potential development.
- L. Kapferer said she appreciates everyone who made the time to come out here and share their thoughts. She thinks it's a very complex issue and appreciates what Mr. Krakoviak said about encouraging us to look at the law and understand it. She echoed what many others have said about encouraging development in the area of Main Street.
- Vice Chairman Guarino said that when you talk to the general public, a lot of the people don't understand what affordable housing is. The first thing that comes to their mind is, it's poor people, Section 8 housing, but it's not. To get affordable housing is based on a calculation. It's to make affordable housing and welcome people into our wonderful community.
- J. Cardoza thanks the public for coming out, advocating, and making their voices

heard. He concurred with Ms. Kapferer's statement that these are complicated issues. He added that hearing the public perspectives directly adds a great deal of context to the Board's deliberations, and the weight of the Board's decisions is not lost on its members.

- Councilperson Scarpa thanked everyone for coming out and shares many of their concerns. She states this plan is a missed opportunity to develop our downtown, and it overburdens Pleasant Valley Way infrastructure, traffic, and our schools. She adds it lacks strategic vision and an opportunity for positive impact for all of our township residents. She says we need a plan that would strengthen our tax base and facilitate business development throughout our town, particularly on Main Street.  
Councilperson Scarpa asked if you want our town to become a city of apartment dwellings, or do we want to preserve the beautiful suburban township we live in?
- F. Noborine thanked the other board members for their thoughtful and differing viewpoints and engagement and commitment to this process. He also thanked the public for their passion, their engagement, and their time spent also reviewing all these documents. He states the public's viewpoints carry a lot of weight, and it's important to hear them.
- Chairman Bagoff thanked every member of the public who attended, and everybody on Zoom who was watching. He said their comments did not go unnoticed, because they're here for the second meeting.

**Motion: Mr. Guarino**

**Second: Mr. Cardoza**

|                         |            |                         |           |
|-------------------------|------------|-------------------------|-----------|
| <b>Alper:</b>           | <b>N</b>   | <b>Mayor McCartney:</b> | <b>Y</b>  |
| <b>Bagoff:</b>          | <b>Y</b>   | <b>Morgan:</b>          | <b>--</b> |
| <b>Cardoza (Alt.2):</b> | <b>---</b> | <b>Noborine:</b>        | <b>Y</b>  |
| <b>Guarino:</b>         | <b>Y</b>   | <b>Scarpa:</b>          | <b>N</b>  |
| <b>Kapferer:</b>        | <b>---</b> | <b>Wilkes:</b>          | <b>N</b>  |
| <b>Klein:</b>           | <b>Y</b>   |                         |           |

• **PB-24-01 West Essex Highlands, Inc**

Block: 179 Lot: 32 Zone: IH-1

Warner Road

The applicant is proposing to develop a 496-unit inclusionary multifamily residential development on a vacant 120-acre property in the northwest corner of the Township.

**\*The transcript below of the hearing dated November 10, 2025, is the full record of the hearing and is attached hereto as the minutes of the meeting. \***

[PB-24-01 West Essex Highlands - Transcript from 11-10-25 Compressed](#)

**\*The Application has been carried to the next Planning Board regular meeting on December 3, 2025, without further notice\***

[O31---Email-from-Essex-Fells-Mayor-Dated-10-29-25](#)

[O32---Resolution-adopted-by-the-WOPB-on-November-9-1984](#)

[O33---Agreement-among-WO-Essex-Fells-West-Essex-Developers-and-the-Essex-Fells-Country-Club](#)

[O34---Essex-Fells-Ordinance-adopted-August-18-1987](#)

[O35---March-9-2006-Letter-from-Essex-Fells-Borough-Administrator-to-the-WO-Township](#)

**ADOPTED:**

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Jamilet Baquerizo Vite  
Planning Board Secretary