MINUTES
TOWNSHIP OF WEST ORANGE
PLANNING BOARD MEETING
July 1, 2026, 7:30 P.M.

The Township of West Orange Planning Board held a special meeting on July 1, 2026, 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 Planner Board regular meeting will be held **Wednesday, August 12, 2026 at 6:30 p.m** via Zoom.

ROLL CALL

PRESENT: Dr. Robert Bagoff; Mr. Ken Alper; Mr. Christopher Morgan, Sr.; Mayor Susan McCartney; Mr. Frank Noborine; Council president Susan Scarpa; Ms. Lori Kapferer; Mr. Jerry Guarino (9:25 PM);

ABSENT: Mr. John Cardoza; Mr. Lee Klein; Mr. William Wilkes

ALSO PRESENT: Diana P. McGovern, Esq., Planning Board Attorney; Jamilet Baquerizo Vite, Planning Board Secretary

SWEARING IN

- The Township Professionals: Mr. Ryan MacNeil (Consultant Engineer) and Ms. Apte (Consultant Planner) were sworn under oath.

MINUTES & RESOLUTIONS

5-6-26-WO-PB-Draft-Minutes

Motion: Chairman Bagoff
Second: Mr. Morgan

Alper: Y	**Mayor McCartney: Y**
Bagoff: Y	**Morgan: Y**

Cardoza (Alt.2): ----	**Noborine: Y**
Guarino: ----	**Scarpa: Y**
Kapferer: Y	**Wilkes: ----**
Klein: ----	

APPLICATIONS

- **PB-23-04 Redwood LLC**
  200 Pleasant Valley Way
  Block: 151 Lot: 33 Zone: IHO-2
  Applicant proposes to construct a four (4) story/142-unit residential rental community with luxury amenities and on-site parking for 338 vehicles.

BOARD QUESTIONS

- Council president Scarpa asked if the applicant is using the board's updated stormwater ordinance. Chairman Bagoff explained that the application predated the updated stormwater ordinance. He stated that the applicant was asking for an extension without changing the previously adopted resolution.
  - Ms. McGovern stated that the resolution was first adopted on July 5, 2023. She stated the applicant is allowed three one-year extensions of time, provided there is good reason for the extension.
  - Ms. Gabrielle Bambersky, Esq, on behalf of the applicant, explained that the Essex County Planning Board required installation of a traffic light. She stated that the traffic light had been installed, but the applicant was waiting for approval from the County Planning Board.
- Council president Scarpa asked whether, if the Board did not continue to grant the approvals and the applicant had to come back, the applicant would then have to use the enhanced stormwater ordinance. Ms. McGovern responded yes.

PROFESSIONAL COMMENTS

- Ms. McGovern stated that she had prepared a draft resolution because she saw that the application was coming close to its expiration date if the extension was granted. She stated that she had adjusted the draft because she had expected Mr. Dimin to appear and revised it accordingly. She stated that the date of memorialization could then be inserted.

Motion: Chairman Bagoff
Second: Mayor McCartney

Alper: Y	**Mayor McCartney: Y**
Bagoff: Y	**Morgan: Y**
Cardoza (Alt.2): ----	**Noborine: Y**
Guarino: ----	**Scarpa: N**

Kapferer: Y	**Wilkes: ----**

Motion: Chairman Bagoff
Second: Mayor McCartney

Alper: Y	**Mayor McCartney: Y**
Bagoff: Y	**Morgan: Y**
Cardoza (Alt.2): ----	**Noborine: Y**
Guarino: ----	**Scarpa: N**
Kapferer: Y	**Wilkes: ----**

- **PB-25-09 Perez**
  68 Whittlesey Avenue
  Block: 129 Lot: 58 Zone: R-T
  The applicant proposes to subdivide the property into two 50-foot lots, convert the existing single-family dwelling to a two-family dwelling, and construct a new two-family dwelling on the subdivided lot.

The application will be carried to the next planning board regular meeting on August 12, 2026, without further notice at 6:30 P.M.

- **PB-25-11 525 Northfield Ave LLC**
  525 Northfield Avenue
  Block: 159.04 Lot: 1.01 Zone: B-2
  The applicant is proposing a 4-story mixed-use building containing 1,200 sq. ft commercial space on the ground floor and 95 residential units on the upper floors, and 165 off-street parking spaces.

The application will be carried to the next planning board regular meeting on August 12, 2026, without further notice at 6:30 P.M.

- **PB-26-01 15 Ridgeway LLC**
  15 Ridgeway LLC
  Block: 158 Lot: 28.01 Zone: R4
  The applicant is seeking a minor subdivision with bulk variance approval to create an additional building lot from an oversized lot

The application will be carried to the next planning board regular meeting on August 12, 2026, without further notice at 6:30 P.M.

- **PB-25-12 262 & 270 Main Street Realty LLC**
  262 & 270 Main Street
  Block: 114 Lot: 50 & 55 Zone: B-1

The applicant proposes to construct a two-story supermarket building consisting of 13,934 square feet on the first floor and 5,810 square feet on the second floor, for a total of 19,744 square feet.

The application will be carried to the next planning board regular meeting on August 12, 2026, without further notice at 6:30 P.M.

- **PB-26-03 Crestmont Country Club**
  750 Eagle Rock Avenue
  Block: 174 Lot: 1.01 Zone: R-2
  The applicant is proposing the installation of a traffic signal at the intersection of Eagle Rock Avenue and Oval Road. Modifications to the existing driveway and parking area are also being proposed.

PRESENTATION

- The attorney, Richard Schkolnick, appeared on behalf of the applicant.
- Mr. Schkolnick stated that the applicant has a permitted use.
- Mr. Schkolnick reiterated information from the June meeting and stated that the applicant is not proposing any new buildings.
- The proposal consists of new driveways, a parking area, grading, and the proposed signal to create a new and safer four-way intersection with Oval Road.
- Mr. Schkolnick stated that the application began on June 3rd.
    - Exhibit A1, an aerial photo, was marked
    - The civil engineer, John Cote, testified briefly
    - The Board then heard testimony from Dana Cancellero, Crestmont's general manager and COO.
        - Ms. Cancellero discussed the Country Club's need for the project and why the project makes sense.
        - She discussed safety improvements, the new driveway, the four-way intersection and the advantages that it would bring, as well as the additional parking and how it would help solve issues faced by the Country Club.
    - Carl Penke, a traffic expert, full testimony was completed, but cross-examination had not yet occurred
- Mr. Cote's remaining testimony would address grading, trees, and stormwater.
- Mr. Schkolnick stated that he would then conclude with the applicant's planner, Sean Moronski of Langan, who had approximately 20 minutes of testimony.
- Mr. Schkolnick noted that they have the review letters from the board's professionals.
    - He stated that the applicant did not have any issues addressing the concerns raised in the review letters and believed that the concerns were technical in nature.
    - He also stated that, if the Board was inclined, the concerns could be handled as conditions of approval in a resolution.
- Mr. Pehnke began by sharing his screen and identifying the plan he was referencing. He stated that it was a plan submitted as part of the record and part of the plan set for improvements along Eagle Rock Avenue. He identified the document as the "Signing and Striping Plan," Sheet 14 of 22, dated 3-12-2026.
- Mr. Pehnke briefly summarized the application, explaining that it involves improvements within Crestmont Country Club, including:

    - Expansion of parking
    - Improvement of internal circulation
    - Relocation of the existing egress drive, which currently approaches Eagle Rock Avenue at an acute angle
    - Realignment of the egress drive opposite Oval Road
    - Improvement of the grading on the approach to Oval Road by flattening the approach in accordance with design standards
    - Widening Eagle Rock Avenue toward the project site to separate left-turn movements onto Oval Road from through movements, which Mr. Pehnke identified as providing a public safety benefit
    - Installation of a traffic signal that would control vehicular movements and provide full pedestrian crossings
- Mr. Pehnke reported that, since the previous meeting, the applicant had an opportunity to participate in a pre-application meeting with Essex County.
- Mr. Pehnke stated that the County agreed that the proposed improvement was appropriate for the location. He said the County liked the proposed traffic signal and believed that it was needed today.
- Mr. Pehnke explained that the County identified pedestrian crossings in the area as challenging.
- He stated that, over the last five years, the County had probably faced approximately 200 pedestrian incidents involving people crossing a road.
    - He said the County therefore viewed the signalization of this location as providing a positive benefit from a pedestrian safety standpoint.
- Mr. Pehnke stated that the County also supported the relocation of the driveway and had actually suggested the relocation a few years ago. He explained that the relocation would:
    - Eliminate the acute angle of the existing driveway
    - Improve drainage, which currently flows down onto Eagle Rock Avenue
- Mr. Pehnke identified two requests made by the County:
    - The applicant must remove the old pavement associated with the old driveway. Mr. Pehnke stated that the applicant had assured the County this would be done.
    - Equipment must be added to the Laurel Avenue intersection and the proposed intersection so that the two intersections are coordinated and "talked to each other." Mr. Pehnke stated that this was already part of the design, as he had testified at the previous meeting.

BOARD QUESTIONS

- Ms. Kapferer asked him to review the proposed crosswalks and whether they would connect to any existing sidewalk. Mr. Pehnke explained that the sidewalk system ends near Wakeman Street. He stated that there was evidence of a path just to the west of that location. He explained that, in the area of the proposed signal, the signal would include:
    - Connecting sidewalks on the quadrants
    - Handicap ramps
    - Crosswalks themselves
    - A crossing specifically intended to provide a safe crossing of Eagle Rock Avenue.
- Chairman Bagoff asked whether the applicant would have a sidewalk from Laurel Avenue down to the easterly aspect of the property. Mr. Pehnke stated that the applicant had not proposed a sidewalk in that section as part of the application.

    - Chairman Bagoff stated that once the Board was finished discussing the matter, his recommendation would be for a sidewalk from Eagle Rock Avenue to the easterly side of the property, all along Eagle Rock Avenue.
    - Mr. Schkolnick clarified that the applicant could not agree to perform work on other property. Chairman Bagoff clarified that the sidewalk would be on the applicant's property.
- Mayor McCartney asked whether there was a bus stop along the path. Mr. Pehnke stated that there was not a New Jersey Transit bus stop. He explained that he had been advised that paratransit occurs in the area. He stated that he could not find evidence of a formal, signed bus stop but had been told through the years that paratransit does occur at that location.
- Chairman Bagoff asked whether the proposed design is consistent with what the RSIS recommends. Mr. Pehnke stated that RSIS would not apply in this instance.
- Chairman Bagoff asked whether intersections are generally better when they are located across from each other. Mr. Pehnke answered absolutely. He clarified that this principle is not coming from RSIS but is instead embodied in engineering design manuals.

PUBLIC QUESTIONS

- Ms. Shana Toscano asked whether the 3 major reasons for the traffic light being proposed are to make it easier for Country Club members to get in and out, to prevent pedestrian crossing accidents, and drainage. Mr. Pehnke stated that he had walked through multiple existing conditions that were challenging and impacted public safety. He stated that it was a "multitude of items" being addressed.
- Ms. Toscano referenced a three-page letter regarding the preliminary site plan and asked whether the applicant was asking for exceptions on all seven items, including the minimum distance, number of parking spaces, setback, required feet, and other requirements. Mr. Pehnke explained that Mr. Cote and Mr. Moronski would address each of those items.
- Ms. Toscano asked what alternatives had been proposed or researched other than the plan that requires multiple exceptions for the Crestmont Country Club. Mr. Pehnke responded that the application before the Board that evening was the proposed improvement.
- Ms. Toscano clarified whether any other alternatives had been explored. Mr. Pehnke stated that there was no other alternative for consideration.
- Ms. Toscano asked whether alternatives had been explored and rejected or whether this was the first idea that had been developed. Mr. Pehnke stated that he had not explored any other alternatives because he was in design and permitting for this project
- Ms. Toscano asked whether anyone else on the applicant's team knew if Crestmont Country Club had explored any other ideas or alternatives. Mr. Pehnke stated that they were not aware of anyone
- Mr. Kevin Malanga, at Ridge Road, asked whether he was familiar with an application made by the applicant in 2017 for an expansion of its parking lot. Mr. Pehnke stated that he was not familiar with that application. He said he was aware that there had been prior applications as Crestmont Country Club had proceeded through the years and addressed its needs.
- Mr. Malanga stated that he understood Mr. Pehnke was not familiar with the fact that Crestmont had made an application for a parking lot expansion based on the needs of its members but had not requested that a traffic light be constructed at the location presently proposed. Mr. Pehnke responded that this application is before the Board, based on Crestmont Country Club's current proposal.

- Mr. Malanga asked what factors resulted in the need for the traffic light at the end of the parking lot and driveway. Mr. Pehnke stated that this had been testified to by the Country Club manager at the previous meeting.
- Mr. Malanga asked whether anyone had provided Mr. Pehnke with that information other than through that testimony. Mr. Pehnke stated that substantial testimony had been given regarding the application, its relationship to the needs of the Country Club, and the signalization of the intersection, which he stated was also a desire of the Township.
- Mr. Malanga asked whether the driveway at Laurel Avenue was the entrance to the club. Mr. Pehnke confirmed that it was.
- Mr. Malanga asked whether there was no means of egress from the Laurel Avenue driveway. Mr. Pehnke confirmed that there was no egress from that driveway.
- Mr. Malanga asked whether consideration had been given to converting the Laurel Avenue driveway to provide both ingress and egress. Mr. Pehnke stated that this had not been considered.
- Mr. Malanga asked why. Mr. Pehnke explained that the applicant had an established circulation pattern on the site and that its porte-cocheres were oriented to receive traffic from that driveway.
- Mr. Malanga suggested that the proposed traffic light was therefore really for the convenience of the applicant. Mr. Pehnke stated that he would not say it was the convenience of the applicant and explained that there was “a host of factors” driving the proposal.
- Mr. Malanga asked, in Mr. Pehnke's professional opinion, whether it would be possible to construct a driveway at Laurel Avenue that provides both ingress and egress. Mr. Pehnke stated that it would not be possible.
- Mr. Malanga asked why. Mr. Pehnke explained that the Laurel Avenue driveway is too close to the intersection with Eagle Rock Avenue.
- Mr. Malanga returned to Mr. Pehnke's testimony concerning discussions with Essex County and asked whether “pedestrian incidents” was the term Mr. Pehnke had used. Mr. Pehnke confirmed that it was.
- Mr. Malanga asked Mr. Pehnke to describe what those pedestrian incidents were and where they occurred. Mr. Pehnke explained that the incidents were countywide. He stated that the County had indicated in their conversation that, over the previous five years, there had been over 200 pedestrian hits.
- Mr. Malanga asked whether there had been any discussion specifically of pedestrian incidents on Eagle Rock Avenue between Laurel Avenue and the proposed traffic light. Mr. Pehnke stated that there had not.
- Mr. Paul Trachtenberg, at 96 Sullivan Drive, followed up on Mr. Malanga's question concerning pedestrian crossings near the proposed traffic signal. Mr. Trachtenberg asked whether Mr. Pehnke or anyone else had conducted a count of how many pedestrians try to cross that area. Mr. Pehnke stated that they had not specifically conducted a pedestrian count. Based on observation, he said he would suspect that pedestrian activity was relatively light.
- Mr. Trachtenberg asked whether Mr. Pehnke had conducted any study of how many pedestrians walk up and down Eagle Rock Avenue in the vicinity of the traffic signal. Mr. Pehnke stated that he had not.
- Mr. Trachtenberg asked whether the turning numbers and other indicators used in the analysis had taken into account traffic proposed by the West Essex Highlands development. Mr. Pehnke stated that the design considered both existing traffic at the intersection and increased traffic. He specifically stated that the design was intended to

accommodate increased traffic, including traffic from the West Essex Highlands project should that project advance.

- Mr. Trachtenberg noted that the Planning Board had denied the West Essex Highlands application and that it appeared that there would be no additional traffic from that development in the near future. He asked whether that affected Mr. Pehnke's analysis. Mr. Pehnke stated that it did not.
- Mr. Trachtenberg asked whether, in Mr. Pehnke's judgment, the traffic signal was required whether or not the additional development occurred. Mr. Pehnke confirmed that it was.
- Mr. Trachtenberg asked Mr. Pehnke to elaborate on his earlier statement that the signal at Laurel Avenue and Eagle Rock Avenue could communicate with the proposed new signal. Mr. Pehnke explained that, when traffic signals are located along an arterial corridor, the goal is to coordinate them. He explained that this is currently done by installing GPS units, essentially clocks, that tie into satellites so that all signals or controllers operate at the exact same time. Mr. Pehnke stated that, once the signals are synchronized, their operations can be coordinated to maintain progressive flow along Eagle Rock Avenue.
- Mr. Trachtenberg asked about his understanding that there was an engineering principle or traffic signal rule requiring signals to be at least 1,000 feet apart and asked whether he was stating that accurately. Mr. Pehnke stated that this was incorrect. Mr. Pehnke explained that traffic signals can be as close as a couple hundred feet apart and that there are examples of this throughout the area.
- Mr. Tractenberg asked whether, in Karl Pehnke's professional opinion, having two traffic signals on Eagle Rock Avenue within approximately 800–820 feet would be an issue. Mr. Pehnke responded that it would not be an issue. He stated that the additional signal would improve traffic flow and safety in the area.
- Mr. Tractenberg asked whether, in Mr. Pehnke's professional opinion, the major reason for signalizing the intersection is public safety rather than the convenience of the Country Club and its members. Mr. Pehnke responded that there are a multitude of reasons.
- Seth Weisleder, at 17 Howe Drive, asked what current operational problems exist with the existing driveway. Mr. Pehnke referred to his testimony from the previous meeting and explained that the existing driveway:
    - Comes down onto Eagle Rock Avenue at an acute angle.
    - Has a final section that is relatively steep, approximately 7–8%, as it approaches Eagle Rock Avenue.
    - Enters Eagle Rock Avenue just to the west side of a bend in the road.
    - Has restricted sight lines due to existing tree lines and vegetation.
    - Makes it difficult for drivers to look left and back up Eagle Rock Avenue because of the acute angle.
- Mr. Weisleder asked how many crashes had occurred at the current driveway during the previous five years and whether this had been evaluated. Mr. Pehnke stated that he had not done that analysis.
- Mr. Weisleder asked whether there was a documented safety problem today, beyond Mr. Pehnke's testimony. Mr. Pehnke responded that they had not researched or evaluated the location based on particular accident data.
- Mr. Weisleder asked whether Essex County had requested that the driveway be moved. Mr. Pehnke explained that several years ago, before his involvement, the issue had arisen in connection with the West Essex Highland application, which is off Oval Road.
- Mr. Weisleder asked whether Pehnke's analysis evaluates the future 2027 build, including the West Essex Highlands development. Mr. Pehnke confirmed that it does.

- Mr. Weisleder asked whether, when evaluating the driveway in its existing location, did he evaluate restricting left turns, right-in/right-out access only, and limiting event traffic. Mr. Pehnke answered no.
    - When Mr. Weisleder asked about right-out access, Mr. Pehnke clarified that there is no inbound access at the existing driveway and that it is an egress driveway only.
- Mr. Weisleder asked whether internal circulation changes had been evaluated. Mr. Pehnke stated that there are internal circulation changes associated with the application.
- Mr. Weisleder asked whether a formal site-distance analysis had been performed with regard to the proposed signal. Mr. Pehnke explained that once the signal is in place, the sight-line issues are obviated. He stated that the sight-line issues are readily apparent when driving through the intersection.
- Mr. Weisleder asked whether crest vertical curves were evaluated. Mr. Pehnke stated that site distance is not significantly impacted by vertical curves in this area.
- Mr. Weisleder asked whether stopping distances were calculated. Mr. Pehnke responded no, there's no reason to.
- Mr. Weisleder confirmed that the application also proposes 32 additional parking spaces. Mr. Pehnke confirmed this and stated that Mr. Cote would address the issue further.
- Mr. Weisleder asked whether, if the application were recommended for the additional 32 parking spaces without additional development in the area, the proposed traffic light would essentially be serving the Country Club. Mr. Pehnke disagreed and stated that the signal also serves Oval Road and controls traffic along Eagle Rock Avenue.
- Mr. Weisleder asked whether the number of vehicles associated with the 32 additional parking spaces would warrant a full traffic signal with pedestrian crossings, particularly because the other intersection does not have the same pedestrian crossings. Mr. Pehnke responded that the Country Club itself does not warrant the signal. He stated that Oval Road traffic warrants the signal.
- Rachel Klein, at Howell Drive, questioned the repeated references to Essex County wanting or believing the project is needed. She asked whether the county wants the improvement for Crestmont or because of the potential additional traffic from West Essex Highlands. Mr. Pehnke explained that the issue is a funding priority issue.
    - He stated that government entities have restrictions and limited funding available.
    - He characterized the project as something that "rises to the level of a capital improvement by a government agency."
    - However, he stated that it probably does not rise high enough on the county's list of priorities.
    - He explained that the county has many other priorities addressed on a yearly basis.
    - Mr. Pehnke stated that the county's inability or lack of funding to move forward with the project does not change its desire to have the improvement completed.
    - In this case, he stated that the county has the ability to have the improvement completed at a private entity's cost.
- Ms. Klein asked whether Essex County does not have the money to put a traffic light at Oval Road and Eagle Rock Avenue if it wanted one. Mr. Pehnke clarified that it would depend on whether the project rose to the level of priority among the county's long list of priorities.
- Ms. Klein characterized Mr. Pehnke's explanation as meaning that the improvement is a large enough priority for Essex County to want it, but that the county was essentially waiting for someone else to fund it. Mr. Pehnke responded that the improvement is something the county considers desirable and that the county sees the benefit of it.

- Ms. Klein asked what other private clubs Mr. Pehnke had used as a basis for making this type of change to a major road. She questioned whether changing the roadway was being justified primarily to accommodate the Country Club's driveway and additional parking spaces. Mr. Pehnke responded that the Country Club driveway itself would not warrant the signal. He stated that the signal is warranted at its current location and that the driveway is being moved to where the signal is appropriately placed.
- Ms. Klein stated that Crestmont Country Club had previously come before the board three other times when it wanted to put in a traffic light. She noted that those applications did not propose placing the signal at this location, despite Oval Road having existed for approximately 40 years. Mr. Pehnke responded that those applications were made "for whatever reason they were made."
- Ms. Klein asked whether anyone had polled the public who actually uses Oval Road to determine whether they wanted a traffic light or believed one was needed. Mr. Pehnke responded that the current hearing is the public meeting and public input.
- Ms. Klein asked how often Pehnke drives through the intersection. Mr. Pehnke stated that he had been through the intersection quite a few times over the last two years to observe conditions.
- Lori Hassell, at 61 Lapis Circle, asked whether there is a parking shortage problem associated with the current application. Mr. Pehnke stated that Mr. Cote would address the matter in greater detail. He explained that the Country Club is looking to provide some additional parking because it is experiencing a little bit of a struggle during their peak periods.
- Ms. Hassell asked how many peak periods there are and how many total parking spaces the Country Club currently has. Mr. Pehnke deferred both questions to the manager's prior testimony and Mr. Cote's upcoming testimony.
- Ms. Hassell asked for additional clarity regarding whether a right-turn-only egress had been investigated. Mr. Pehnke responded no
- Ms. Hassell asked whether Mr. Pehnke felt that the light was more for the benefit of Crestmont members than for the community using Oval Road and Eagle Rock Avenue. Mr. Pehnke disagreed. He reiterated that the proposal is a substantial public improvement that benefits the community living off Oval Road. He acknowledged that it also provides Crestmont Country Club with an opportunity to improve its egress and safety.
- Keith Sly, representing Pleasantdale Chateau, located at 757 Eagle Rock Avenue. Mr. Sly stated that he noticed a median shown on the proposed site plan on the Pleasantdale Chateau side of Oval Road. He asked how the proposed median would affect left turns into Pleasantdale Chateau's main entrance. Mr. Pehnke walked through the Pleasantdale Chateau frontage on the plan. Mr. Pehnke explained that what appears as a median is essentially still a double yellow line. Mr. Pehnke stated that there would be no restriction or change in movements into or out of Pleasantdale Chateau.
- Mr. Sly clarified that both areas where the driveways lead to the gatehouse are entrances only. He stated that, based on the diagram, it appeared that the median could affect oncoming traffic attempting to turn left into the property. Mr. Pehnke responded that there is no change to the driveway access. He stated that the driveway remains accessible across the painted area and that the movement is permissible.
- Mr. Sly asked whether, in Mr. Pehnke's professional opinion, the proposed design could add confusion for the average motorist because it appears to be a median. Mr. Pehnke responded no, this is a typical situation on arterial roads and that there is nothing prohibitive about the design.

- Mr. Sly asked whether the proposed signal could affect or require movement of existing power lines on the Pleasantdale Chateau property. Mr. Pehnke responded that there should be no impact on the power lines on the property.
- Mr. Sly asked how the proposed signal would affect queuing and the ability of vehicles to turn into the Pleasantdale Chateau property or gatehouse. Mr. Pehnke responded that the situation depends on the time of day. He stated that, for the most part, the intersection is showing "excellent operations" and good levels of service along the main line.
- Mr. Sly asked Mr. Pehnke, to help him understand the amount of traffic flow currently exiting the Crestmont Country Club property. Mr. Pehnke explained that the traffic volume varies because the Country Club also has event-type traffic, which occurs based on different factors and has some seasonality.
    - On a typical day, Country Club membership traffic is relatively low in the morning as the day starts.
    - As the afternoon progresses, the Country Club sees approximately 50 to 60 vehicles per hour egressing the property.
    - During those same hours, Oval Road experiences variations in volume ranging from approximately 90 vehicles per hour to 120 vehicles per hour.
    - Eagle Rock Avenue itself experiences in excess of 900 vehicles per hour.
    - He explained that on a typical day, the morning is a little lighter than the evening.
    - Mid-morning traffic drops off, mid-afternoon traffic drops off, and then traffic comes back up.
    - Event-type traffic on a Saturday or in the evenings generally occurs when roadway traffic flows are down.
- Mr. Sly asked whether Mr. Pehnke was saying that a range of 50 cars in an hour was what all of the proposed changes were being pursued for. Mr. Pehnke explained that the application is addressing conditions at the Country Club that include:
    - Some parking;
    - Internal circulation; and
    - A driveway that the Country Club would like to improve the safety of.
- Mr. Sly asked whether Mr. Pehnke felt that advantaging one business in the area should be done "at the sake of another." Mr. Pehnke stated that he did not think anybody was being advantaged with the application.
- Joseph Panullo, at Holton Lane, Essex Fells, asked who had discretion over the proposed four-way intersection where the traffic signal is proposed: the Town of West Orange or Essex County. Mr. Pehnke stated that Essex County is the jurisdictional agent along Eagle Rock Avenue. He explained that the Planning Board has jurisdiction over the site plan and the layout of the egress as part of the application. However, the signal improvements, intersection improvements, and signal operation all fall within the jurisdiction of the County.
- Mr. Panullo asked who has discretion over crosswalks and sidewalks on all four sides of what would be a signalized intersection. Mr. Pehnke stated that this would be the County.
- Mr. Panullo asked whether Essex County ultimately has discretion over what the final form of all four sides of the intersection would look like should the project go forward. Mr. Pehnke confirmed that the County will review and provide comment and input to the design plans. He explained that those comments and input will be incorporated into the final design plans as part of the County's review and approval process.
- Mr. Panullo asked whether any of that design for crosswalks or sidewalks on all sides was included in the current plan. He asked whether anything else had been submitted. Mr. Pehnke stated that the preliminary plan set had been submitted to the Planning Board.

A more full plan set had just been submitted to the County to start its approval and review process.

- Mr. Panullo stated that he believed Chairman Bagoff had asked that sidewalks be added on both sides of the driveway on the Crestmont side of Eagle Rock Avenue. Mr. Panullo asked whether that was correct. Mr. Pehnke confirmed that this was what Chairman Bagoff had requested.
- Mr. Panullo asked whether the requested sidewalks were anticipated in the drawing currently displayed. Mr. Pehnke stated that they were not.
- Mr. Panullo then asked whether adding the sidewalks would encroach on the existing Crestmont frontage. Mr. Pehnke explained that the sidewalks would fall within the area that had already been graded and was intended to be dedicated to the County.
- Mr. Panullo asked whether, if the sidewalks were put into place, they would affect the relief sought in the application. He specifically referenced the depth of the slope and setbacks of improvements. Mr. Pehnke answered, no.
- Mr. Panullo asked whether the design, crosswalks, and related elements were at the discretion of Essex County. Mr. Pehnke clarified that the intersection is under the jurisdiction of Essex County.
- Mr. Panullo asked whether the traffic coming into the intersection from any direction, including ingress and egress from all four sides, is material to whatever is engineered from a design standpoint. He specifically referenced level of service, sacking, and other related considerations. Mr. Pehnke confirmed that it is all taken into consideration.
- Mr. Panullo asked what changes, if any, would need to occur to Oval Road to accommodate the application. Mr. Pehnke stated that there would be no widening on Oval Road. He explained that there would be:
    - Regulatory signage
    - Updated striping
    - A stop bar associated with the signal rather than a stop sign
    - Removal of the stop sign
    - Pedestrian crosswalk striping.
- Mr. Panullo asked whether a traffic study was done to determine how much traffic leaving Oval Road during peak times goes east, goes west, and goes south toward Route 280. Mr. Pehnke confirmed that a traffic study was done.
- Mr. Panullo asked for the date of the study. Mr. Pehnke stated that the study submitted with the application is dated January 2026.
- Mr. Panullo referred to the prior application across the street involving the Highlands and the application from Walter Lubanecki from 2018–2019. He stated that he believed the County would require another study for that side. Mr. Panullo asked Mr. Pehnke whether he agreed. Mr. Pehnke stated that the study had already been done and was documented within the January 2026 study he had referenced.
- Mr. Panullo confirmed that the study referenced by Mr. Pehnke took into account all four sides, including traffic coming out of Oval Road. Mr. Pehnke confirmed that it did.
- Mr. Panullo asked approximately how many feet it is from Oval Road turning right onto Eagle Rock Avenue to the Laurel Avenue traffic signal. Mr. Pehnke stated that it is roughly 800 to 900 feet.
- Mr. Panullo asked how many cars leaving Oval Road head south. Mr. Pehnke initially stated that it depends on the time of day and was asked to reference the worst case. He explained that they had taken the opportunity to obtain a new traffic count before schools closed, at the beginning of June.

- Mr. Panullo asked whether the new traffic count was on the record and whether it was in the file or on the agenda. Mr. Pehnke clarified that it was not in the file because the data had just been collected.
    - He stated that the new data was consistent with the data already in the record and documented in the traffic study.
    - Mr. Pehnke described the new count as "very, very similar" to the data in the existing record.
    - Mr. Schkolnick asked Mr. Pehnke to reference the information contained in the January 21, 2026 report.
- Mr. Pehnke referenced the Oval Road approach.
- He explained that the heavier peak periods generally occur in the morning.
- From 6:00 to 7:00 a.m., approximately:
    - 89 vehicles were making a right turn; and
    - 69 vehicles were making a left turn.
- The following hour dropped to:
    - 66 vehicles making a right turn; and
    - 45 vehicles making a left turn.
- During the evening hours, particularly 5:00 to 6:00 p.m., the volumes were approximately:
    - 63 vehicles making a right turn; and
    - 38 vehicles making a left turn.
- Mr. Pehnke emphasized that the volumes vary throughout the day.
- Mr. Panullo then asked how many of the vehicles making a right turn are actually intending to go south, meaning they would eventually turn left onto Laurel Avenue and get across three lanes to do so. He asked how many of the vehicles exiting Oval Road are intending to go south rather than simply traveling east or west. Mr. Pehnke explained that they do not trace the travel path as vehicles leave the site.
- Mr. Panullo clarified that his question was what it would take for cars, and how many cars, to make the right turn onto Eagle Rock and get across three lanes to the left-turn lane for Laurel Avenue in order to head toward Route 280. Mr. Pehnke explained that vehicles are doing the same thing today, except that under the traffic signal they could directly turn into the appropriate lane and continue down because there would be no opposing traffic.
- Mr. Panullo asked whether Oval Road would remain one lane in and one lane out. Mr. Pehnke stated that they are looking at restriping the wide approach to provide a left-turn lane and a through/right-turn lane on Oval Road.
- Mr. Panullo asked whether that would require widening the road. Mr. Pehnke stated not at all. He explained that the road is substantially wide today.
- Mr. Panullo referred Mr. Pehnke testimony about average daily trips generated by the proposed development. He stated that, since the prior application did not take into account average daily trips in total, but the purpose of the signal was also justified in that application, he believed there would be approximately 5,300 trips. He asked how the traffic would be handled in one lane. Mr. Pehnke stated that the analysis has always taken into account the potential development of the Highlands. He stated that the analysis is a peak-hour, hourly analysis reflected in the submitted study. He stated that the Highlands development is considered in the analysis.
- Ms. Joyce Rudin, at Woodland Avenue, asked whether 63 vehicles exiting during peak hours is considered significant. Mr. Pehnke stated that he was not sure of the origin of the 63

- Ms. Rudin clarified that Mr. Pehnke had mentioned 63 vehicles exiting during an hour in his study. Mr. Pehnke explained that he had discussed a variation in traffic and had provided specifics regarding right turns and left turns. In general, he stated that coming out of Oval Road, volumes are between approximately 90 and 120 vehicles per hour. Regarding the Country Club, on a typical day, volumes are very low in the morning. As the afternoon progresses, the Country Club sees approximately 40 to 60 vehicles per hour during the evening hours. Mr. Pehnke again emphasized that the volume varies by hour.
- Ms. Rudin asked whether the police, fire department, and EMS had reviewed the proposal. Mr. Pehnke stated that he could not speak to what the Town's professionals may have reviewed.
- Ms. Rudin asked whether adding the traffic light could affect emergency response times. Mr. Pehnke stated that it would not.
- Ms. Rudin asked what evidence demonstrates that the traffic signal is the "absolute best and least intrusive solution" to the problem. Mr. Pehnke stated that least intrusive is not a criteria. He explained that the goal is to solve multiple concerns at the intersection. These concerns include:
    - Volume operation
    - Substandard geometry
    - Some questionable sight lines
    - Operations.
- Ms. Rudin asked why the engineers did not look at getting traffic off of Eagle Rock Avenue and evaluate an exit at Laurel Avenue. Mr. Pehnke stated that Laurel is just as heavy a county road. He said there is therefore no advantage to trying to concentrate all of the traffic there.
- Ms. Rudin stated that there is a lot of land on Laurel and a lot of land that could potentially be exited from Laurel. She asked whether any other rerouting of internal traffic patterns had been considered. Mr. Pehnke stated that the application before the Board is the application being evaluated. He referred to testimony from the last meeting and from the Country Club manager. He explained that the application is also associated with the intent to improve the intersection of Oval Road.
- Ms. Rudin asked what the total cost of installation for the traffic light would be. Mr. Pehnke stated that he had not calculated it.
- Ms. Rudin asked who would be responsible for paying for all of the improvements. Mr. Pehnke stated that the application carries the burden of the costs.
- Ms. Rudin asked who the application was being paid for by. Mr. Pehnke stated the applicant, Crestmont Country Club, and that Crestmont is coordinating with West Essex Highlands.
- Ms. Rudin asked whether there are annual maintenance and electricity costs associated with the traffic signal. Mr. Pehnke confirmed that there are such costs.
- Ms. Rudin asked who would bear those expenses. Mr. Pehnke explained that, generally, in a situation such as this, the County will enter into a developer's agreement with the property owners. The agreement would apportion those costs between the County and the property owner as they see fit.
- Ms. Rudin asked Mr. Pehnke whether he had said that Laurel Avenue is "just as bad as Eagle Rock." Mr. Pehnke clarified that Laurel is also a heavily traveled county road.
- Ms. Rudin asked whether it would be safer to drive some of the traffic to Eagle Rock rather than pushing it onto Laurel or "circuiting it through Laurel." Mr. Pehnke responded, not necessarily.
- Ms. Rudin asked what he meant by "not necessarily." Mr. Pehnke explained that the impacts would have to be studied. He stated that this had not been done. He also stated

that there was no reason to do that because it was not the application before the Board that evening.

- Ms. Rudin asked why that study was not done. She stated that if the concern was that there is a lot of traffic coming out of the Country Club, which is a very large land mass, she questioned why another study was not done on another egress that could be constructed. Mr. Pehnke stated the application arises from a requirement of West Essex Highlands. He explained that the requirement comes from a settlement agreement with the Township. Under that settlement agreement, West Essex Highlands is required to pursue traffic signalization.
- Ms. Rudin asked whether Mr. Pehnke was testifying that the whole application was really not being driven by Crestmont Country Club. Mr. Pehnke stated that it was both, but that it was also being driven by another application, which the Board had recently rejected.
- Dr. Deborah Fruchtman-Butensky, at 11 Rapley Court, asked Mr. Pehnke whether he had ever done a traffic study to prove, "beyond the shadow of the doubt," that traffic on Oval Road would actually be improved rather than impeded by having the proposed traffic light there. Mr. Pehnke responded that the traffic studies they had done and prepared show that the intersection would be substantially improved as part of the application.
- Dr. Fruchtman-Butensky asked whether the study also demonstrated that the traffic signal would not cause traffic backup during school hours and in the morning, and asked how that was done as a hypothetical. Mr. Pehnke clarified that it was not done as a hypothetical. He explained that there are analysis procedures available to engineers that are used nationwide and are accepted by the transportation industry.
- Dr. Fruchtman-Butensky asked whether there was also a traffic study done to assess how the light would affect traffic going into and out of Pleasantdale Chateau. Mr. Pehnke stated that this was included in the analysis. He said that people coming out of the Chateau would have the advantage of the traffic signal and reiterated that, in his opinion, ingress to the Chateau would not be impacted.
- Dr. Fruchtman-Butensky stated there is no longer bus service going down and east-west on Eagle Rock Avenue because the DeCamp line is gone. Dr. Fruchtman-Butensky then questioned how many traffic accidents had occurred at the site referenced in the five-year study and whether there had been a two-year study. Mr. Pehnke stated that they did not have pedestrian accident data, but stated that the proposed improvement provides an opportunity for and a safe crossing location at an appropriate location along Eagle Rock Avenue that does not exist today.
- Dr. Fruchtman-Butensky asked where the public could see the traffic studies that Mr. Pehnke was referring to. Mr. Pehnke stated that the study is in the record and is available for inspection.
- Dr. Fruchtman-Butensky asked why a right-turn-only egress had never been evaluated so that the traffic light would not be needed. Mr. Pehnke deferred to the record from the last meeting, which he said laid the foundation for the overall objectives of the project. He explained that the project is not just about the driveway and ties into the improvements at Oval Road, making it a "bigger package."
- Dr. Fruchtman-Butensky questioned how they could know that the project was an improvement and not a detriment. Mr. Pehnke responded that there are identifiable substandard conditions, which he had walked through during the last meeting. He stated that these conditions are readily observable by an engineer as well as the public.
- Dr. Fruchtman-Butensky then asked whether there was a difference between improvements for the Country Club people and improvements for residents who reside at the Grand and the Highlands. She specifically asked whether Mr. Pehnke had considered the impact to the residents alone, rather than statements about improving egress and

ingress to the Country Club. Mr. Pehnke responded absolutely. He stated that the improvements provide safety improvements and operational improvements "without a doubt" to the motoring public traveling along Eagle Rock Avenue through the intersection. He further stated that traffic signal control would provide improved and enhanced operation for the ability to egress Oval Road and the Country Club under signal protection.

- Dr. Fruchtman-Butensky suggested that the Planning Board hire an independent traffic assessor to assess the "veracity" of Mr. Pehnke's studies. Mr. Pehnke responded that this is done through the county engineer and county traffic engineer, whose jurisdiction includes the intersection. He stated that they conduct a full review in accordance with the same standards that he utilizes.
- Dr. Fruchtman-Butensky questioned whether Mr. Pehnke was saying that he was "totally objective" and that there were no "ulterior motives." Mr. Pehnke clarified that, in terms of the design, identifying safety improvements, evaluating the operation of the intersection, and considering the benefits it provides, he did not agree with the suggestion that his analysis was based on ulterior motives.
- Dr. Fruchtman-Butensky stated that the study was incomplete because Mr. Pehnke had not done a before-and-after comparison of the past five years versus the past two years, when there was no longer a bus going down Eagle Rock Avenue. Mr. Pehnke responded no and stated that a bus going up and down Eagle Rock Avenue has no impact on the analysis.
- Mr. Justin Goldsman noted that Eagle Rock had recently been repaved and that residents had experienced traffic delays on Eagle Rock. Mr. Goldsman asked whether there had been any consideration as to why the application did not seem to take advantage of the timing of the recent repaving and traffic delays. Mr. Goldsman then asked whether an increase in traffic delays caused by a new stop sign or traffic light could lead to subsequent changes in traffic patterns. Mr. Pehnke responded that they do not control the timing. He explained that there is a process involved with progressing plans, approvals, and permits that the applicant and engineers do not control. Regarding impacts on traffic patterns in the area, Mr. Pehnke stated that the signal would not have any impact on traffic patterns in the area. He said it would provide for safe control of the egress movements from Oval Road and from the Country Club.
- Mr. Goldsman said he believed Mr. Pehnke had testified that sidewalks might be a recommendation suggested by the Chairman. Mr. Goldsman asked whether they would cause any decrease in the width of Eagle Rock or impede the dimensions of the road. Mr. Pehnke responded that sidewalks would not change any of the designs discussed.
- Mr. Penullo asked Mr. Pehnke to confirm that the lights between the new proposed light and Laurel Avenue would be synchronized. Mr. Pehnke confirmed that they would be synchronized.
- Mr. Penullo asked whether synchronization of the two lights would be for traffic coming out of either side of what would be the existing Oval and the new driveway, or whether it would also take into account traffic that meets at Laurel Avenue and Eagle Rock. Mr. Pehnke explained that the design prioritizes the flow on the main line, which is Eagle Rock Avenue. He stated that it would be done by analysis, setting up a "platoon and progression" to make sure traffic progresses along the corridor "as close to, as… or better than what it does, today."
- Mr. Penullo raised the issue of eastbound traffic on Eagle Rock turning onto Laurel Avenue. He stated that the right-turn lane can become blocked by two cars and that people making a right onto Laurel in the right lane, when two cars deep, cannot make the right turn. Mr. Penullo explained that some of that traffic proceeds to make a left into the

existing entrance to the Crestmont Country Club. He stated that when that traffic gets onto Laurel and stops to make that left, it encounters traffic heading north on Laurel into Eagle Rock. Mr. Penullo asked whether that interaction would be taken into account in the signalization that synchronizes the two lights. Mr. Pehnke responded that it would be taken into account.

- Mr. Penullo then asked about a bus stop. He stated that he believed one had originally been proposed, at least on the eastbound side of Eagle Rock, as a possibility, and asked whether that was correct. Mr. Pehnke stated that the applicant was prepared to install a bus stop.
- Mr. Penullo asked whether, in that event, there might be a westbound bus lane or a way to take traffic in the alternate direction. Mr. Pehnke responded that passengers would be able to disembark either before or after the intersection and use the crosswalks at the signal.
- Mr. Penullo clarified that he was asking about traffic going westbound on Eagle Rock. Mr. Pehnke responded that if a westbound bus chose to stop, it would probably stop on the near side of the intersection, and passengers would then be able to use the crosswalks through the intersection.
- Mr. Penullo asked whether the bus stop would occur in the existing right lane or whether there would be additional space added to allow the bus to stop without impeding traffic. Mr. Pehnke clarified that bus stops are always in the curb lane.
- Mr. Penullo asked whether that meant the right lane or whether new space would be added to allow the bus to stop without impeding traffic. Mr. Pehnke stated that they would not be installing any pull-outs.
- Mr. Penullo then confirmed that Eagle Rock would not have to be widened at any location to accommodate bus traffic in two different directions. Mr. Pehnke confirmed that there would be no widening for the bus stops because the stops are always from the live lane.
- Mr. Penullo asked how this would be accommodated from a traffic-management standpoint and how the situation would be accounted for after the fact if bus service returns. Mr. Pehnke explained that it would depend on the operations and frequency of the bus. He stated that it would be a matter of properly signing the bus stop location and providing an accommodation from a sidewalk standpoint. Mr. Pehnke stated that there would be no changes or impacts on any of the design features of the traffic signal.
- Mr. Penullo then referenced the prior application and testimony concerning Oval Road and whether it would need to be widened. He stated that Mr. Pehnke had previously represented Essex Fellows Country Club, and that under no circumstance would Oval Road need to be widened. Mr. Penullo asked whether that remained the case. Mr. Pehnke stated that it remained true.
- Mr. Weisleder asked whether Mr. Pehnke's recommendation for a new traffic signal was not based on documented crashes, pedestrian studies, or alternative analysis. Mr. Pehnke corrected that the recommendation is based upon an engineering study, which includes volume analysis and volume warrants. He also stated that the recommendation is based upon observations of the existing conditions at the intersection, including sight lines and acute angles.
- Mr. Weisleder asked whether, given that this is a Crestmont Country Club application for Crestmont Country Club involving the parking lot and other things, Mr. Pehnke had taken into account or conducted a traffic study of the number of cars actually going in and out of Crestmont Country Club alone. Mr. Pehnke stated that he has volume data in his records that will be used for the design of the final traffic signal timing.

- Mr. Weisleder asked whether, during those times when Country Club traffic is lower, the traffic flow on the surrounding roads is also lower in the morning. Mr. Pehnke confirmed that this would be correct.
- Mr. Weisleder then said he was confused about the fact that the project had been discussed as being started because of the potential West Essex Highlands development, or now hypothetical development. He asked how that potential development would impact the rest of the design inside the Country Club, excluding the traffic light. Mr. Pehnke explained that the light itself is not the impactful part. Rather, it is the associated improvements considered by engineers when changing the control of an intersection.
- Mr. Weisleder clarified that his question was not about how the development impacts the light, but how it impacts the rest of the application. Mr. Pehnke explained that the obligation being advanced is to signalize the intersection, which involves the Country Club.
- Mr. Weisleder sought clarification about an earlier question from Mr. Keith Sly. Mr. Weisleder asked what the area with the diagonal striping is called. Mr. Pehnke explained that it is a "gore area" and that there is no prohibition against crossing the gore area into a private driveway.
- Mr. Weisleder asked whether the area was intended to look like a median. Mr. Pehnke clarified that it is a gore area and a transition area, and reiterated that there is no prohibition against crossing it.
- Mr. Weisleder asked whether, if he made a left turn when the project was completed, he would receive a ticket. Mr. Pehnke confirmed that he would not.
- Ms. Fruchtman-Butensky asked to go through the traffic route with her. She explained that she currently enters and exits through Oval Road to get to her house at the Grand. Ms. Fruchtman-Butensky explained that when traveling north on Laurel Avenue, she waits at the traffic light, makes a right turn, and approximately 800 feet later reaches another traffic light where she makes a left turn onto Oval Road. She asked whether, under the proposed plan, she would have to wait again at the next traffic light to make the left turn onto Oval Road. Mr. Pehnke explained that there will be a traffic light at that location, but, as she does today, she will queue to make a left instead of waiting for a gap in opposing traffic.
- Ms. Fruchtman-Butensky confirmed that there would be a left-turn arrow allowing eastbound traffic on Eagle Rock Avenue to make the left turn onto Oval Road. Mr. Pehnke confirmed that this was correct.
- Ms. Fruchtman-Butensky then asked for an explanation of the coordination between the traffic light at Laurel Avenue and Eagle Rock Avenue and the proposed traffic light at Oval Road. Mr. Pehnke explained that when designing a new traffic signal on a corridor, the goal is to allow traffic traveling eastbound on Eagle Rock Avenue to proceed through the Laurel Avenue intersection on a green light and then continue through the next intersection without interruption. Mr. Pehnke stated that the signal timing is designed to establish continuous progression of traffic flow along the predominant movements through the two intersections.
- Ms. Fruchtman-Butensky asked whether there is a computerized system on the road that measures how much traffic is traveling at a particular time of day and whether there is variability in the coordination of the two signals. Mr. Pehnke explained that traffic flow is relatively consistent, allowing the engineers to establish a timing directive that is somewhat responsive to traffic flow.
- Ms. Fruchtman-Butensky asked whether there are sensors in the road that allow the system to change during peak traffic flow and different times of day. Mr. Pehnke explained that sensors in the road are "a past technology" and that Essex County uses

video detection. He confirmed that video detection is used to identify when a vehicle is present and to provide green indications based upon the underlying established timing program.

- Mr. Sly explained that, presumably, a large portion of Pleasantdale Chateau's clientele arrive from Route 280 along Laurel Avenue, turning right when the light is green onto Eagle Rock Avenue and heading toward Pleasantdale Chateau. Mr. Sly explained that those vehicles would then have to cross over to the left lane of traffic and arrive at the proposed traffic light at Oval Road. When that light turns green, the vehicles would proceed another 100-plus yards, as outlined by Mr. Pehnke, and then turn left into the Pleasantdale Chateau area. Mr. Sly asked what the remedy would be for the safety and convenience of Pleasantdale Chateau's clients when they may be left waiting before being able to allow the remainder of traffic traveling in the opposite direction to pass so they can make the left turn into the driveway. Mr. Pehnke responded that the situation would be no different from what is experienced today. He stated that the left turn is currently uncontrolled and unsignalized, requiring drivers to choose a gap in the same opposing traffic that will exist with or without the traffic signal.
- Mr. Sly questioned Mr. Pehnke's certainty, explaining that traffic would then be stopped by the signal, potentially allowing traffic to build. He stated that the advantage of free-flowing traffic without a light is that there are more gaps and traffic does not pile up because it continues to flow in both directions. Mr. Sly stated that with the addition of the light, traffic would build up in both directions and could make it more difficult to turn left, and potentially right, into the Pleasantdale Chateau lot. Mr. Pehnke stated that, for the most part, the experience drivers have today is what they will experience with the signal. Mr. Pehnke explained that traffic would only stop on Eagle Rock Avenue when there are calls from the side street of Oval Road and/or the Crestmont Country Club, in coordination with what is happening at Laurel Avenue. Mr. Pehnke stated that he therefore did not see a substantial change in ingress to Pleasantdale Chateau.
- Mr. Sly asked Mr. Pehnke to refer him to the specific study that identified this conclusion. Mr. Pehnke stated that he had not specifically done that study and that his conclusion was based upon the location of the Pleasantdale Chateau driveway and how it generally interacts with a traffic signal.
- Mr. Sly asked whether this was solely Mr. Pehnke's expert opinion or where he was gathering the information. Mr. Pehnke explained that the engineers follow standards.
- Ms. Klein referred to Mr. Pehnke's statement that traffic signals and driveways are 100 feet apart and asked whether this applies to all driveways or specifically to driveways that could take in 500 cars in a span of 30 minutes because of an event. Mr. Pehnke explained that the standard basically applies to commercial driveways. He stated that the relationship is between a commercial private driveway and a traffic signal and does not depend on whether the property is a shopping center, gas station, or another type of commercial private property.
- Ms. Klein then questioned why Mr. Pehnke seemed particularly focused on Oval Road, stating that Oval Road "has really nothing to do with Crestmont Country Club." She asked why so much attention was being directed toward Oval Road instead of the actual impacts related to the Crestmont site. Ms. Klein asked who decided Oval Road should be included in the analysis and whether Mr. Pehnke's conclusions would have changed if Oval Road had been excluded from the data. Mr. Pehnke deferred to testimony provided by the Country Club manager at the previous meeting, stating that the testimony set the groundwork for the reason for the application and why they were there that evening.
- Ms. Klein asked whether the analysis was being conducted preemptively to support a project that had been denied twice by the same Board, rather than really being for

Crestmont. Mr. Pehnke stated that testimony regarding this issue had been placed into the record the previous month concerning the obligations under a settlement agreement with the Township for West Essex Highlands and the Country Club's involvement in working with it.

- Ms. Klein asked whether the plan, as it stood at that moment, was consistent with Safe Streets and Vision Zero. Mr. Pehnke stated that the plan incorporates all the "toolbox-type" improvements that would be consistent with Safe Streets and Vision Zero.
- Ms. Klein asked whether there was a written determination from the County stating that the traffic signal was warranted or whether the conclusion was based only on conversations. Mr. Pehnke stated that there is an application with the County and that the applicant had a pre-application meeting with the County. He stated that the County had indicated its concurrence that it believed this was an appropriate location for traffic control and should be controlled, and that the applicant fully expected the County to approve the application.
- Mr. Paul Tractenberg asked Mr. Pehnke whether, if the County were to deny the traffic signal, that would mean the project would be abandoned by the Country Club or whether there would be something the Country Club could choose to salvage. Mr. Pehnke responded that he could not speak to what the Country Club may or may not do based on that hypothetical.
- Ms. Luisa Casar, at 59 Davy Road, asked Mr. Pehnke whether he was aware of a massive apartment/townhouse development currently being built on Harrison Avenue in Roseland, New Jersey. Ms. Casar explained that the development is split into two primary residential phases and one future designated development. She stated that the proximity of the development to Eagle Rock Avenue is a concern because it will "undoubtedly contribute adversely" to an already high traffic volume. Ms. Casar asked whether Mr. Pehnke had taken this development into consideration because of its size. Mr. Pehnke stated that the development is taken into consideration through the growth factors that the County and State require engineers to use to accommodate regional growth patterns.
- Ms. Casar asked what those factors were. Mr. Pehnke explained that growth factors are published by the Department of Transportation on a yearly basis and are used to project traffic forward.
- Ms. Casar asked for an example. Mr. Pehnke stated that, for example, on arterial roads in Essex County, he believed the current growth factor was an anticipated 1.75% per year. He stated that this number is updated every year based upon traffic count data.
- Ms. Casar clarified that Eagle Rock Avenue is a County road, not a highway. Mr. Pehnke agreed.
- Ms. Casar stated that she wanted to understand how the development would impact Oval Road. Ms. Casar stated that she believed the development needed to be taken into consideration because the traffic pattern is already "incredible," especially during rush hour, and that adding the traffic light and congestion would further exacerbate the problem. Mr. Pehnke disagreed and stated that it would actually be the opposite. He explained that growth of traffic along Eagle Rock Avenue would make it more and more difficult for residents on Oval Road and the Crestmont Country Club to exit onto Eagle Rock Avenue.
- Ms. Jennifer Sharret asked whether there would be digging or other work on the other side of the roadway, right above Edgemont. Mr. Pehnke stated that he was not sure he understood what she meant by digging.

- Ms. Sharret clarified that she was asking whether areas near Edgemont, Beachwood, or Sherwood, including areas with trees, would be cleared to make room for the traffic light. Mr. Pehnke stated that they would not.
- Ms. Sharret asked whether the project therefore consisted only of physically installing the traffic light, with nothing else being done to the surrounding area. Mr. Pehnke clarified that there would be widening into the Crestmont Country Club frontage to provide the turn lanes and the required geometry of the intersection. He stated that this impacts the Crestmont Country Club property only.
- Ms. Sharret asked whether trees would be removed as part of that work. Mr. Pehnke confirmed that trees would be felled and stated that this was part of the application.
- Ms. Sharret asked how many trees would be felled. Mr. Pehnke deferred to his partner, who was handling the site plan application and would be testifying next.

PUBLIC COMMENTS

- Lawrence Cohen, at 20 Lincoln Ave., asked Chairman Bagoff to consider rescinding the condition requiring a sidewalk going toward Laurel Avenue.
    - Mr. Cohen stated that he is a hiker and knows the area by walking on foot.
    - He said he rarely sees anyone walking in that area and noted that Crestmont Country Club workers would make a right turn and travel east on Eagle Rock toward the bus stop at Pleasant Valley Way and Eagle Rock.
    - He argued that the other direction where the sidewalk was requested is a rural or suburban area that goes toward the highway, and that "nobody's walking there."
    - Mr. Cohen characterized the sidewalk as potentially "urbanizing" a suburban area that does not need one and called it a waste.
    - He then discussed the concern about traffic lights and suggested that if the light at Laurel and the proposed light at Oval were synchronized, the signals should not interfere with traffic flow.
    - Mr. Cohen stated that he appreciated the opportunity for people to cross the road with a light.
    - Based on his experience walking across Eagle Rock from the south side to the north side, he described the crossing as "a difficult crossing."
    - He stated that pedestrian crossings would be beneficial for Crestmont Country Club workers and anyone else who would need to cross the road.
- Mr. Sly stated that Pleasantdale Chateau has operated for approximately 30 years without complaints or issues involving people exiting via Oval Road.
    - He explained that most of Pleasantdale Chateau's business is as an event facility and that the bulk of its business occurs at 5 p.m. or after, when traffic volume is high.
    - He reiterated concerns about the volume of traffic on Eagle Rock Avenue.
    - Mr. Sly expressed concern that because the driveway is within approximately 100 feet of the stop bar, it would not take many cars to cause traffic to back up into the driveway.
    - He stated that this could potentially inconvenience Pleasantdale Chateau's guests and create additional difficulty in accommodating guests, including with valet operations.

PRESENTATION

- Mr. Schkolnick asked the Board to confirm that Mr. Cote was qualified as an expert. He stated that Mr. Cote had already been qualified and that he wanted to make sure this was recognized for the record.
- Dr. Bagoff confirmed that everything done at the previous meeting continued to apply.
- Mr. Cote explained that he would go through the site civil plan set that was delivered in conjunction with the testimony of Ms. Cancellari and Mr. Pehnke.
- Mr. Cote began with the drawing presented at the previous hearing, identified as Exhibit A1 for reference. He stated that the drawing was labeled "Project Aerial Map," with drawing number EX05, dated June 1, 2026.
- Mr. Cote explained that, with north shown to the right of the site, the area containing the bulk of the proposed improvements is located between Laurel Avenue and Eagle Rock Avenue.
- Mr. Cote stated that he would go through the components of the on-site improvements and then switched to the site plan set proper.
- Mr. Cote explained that the site plans are divided into an east and west side for purposes of the sheet layout.
- He stated that, in terms of orientation, the Laurel Avenue and Eagle Rock Avenue intersection is shown on the westerly sheet, while Oval Road and the Crestmont Country Club driveway are shown on the easterly side.
- Mr. Cote began describing the westerly portion of the site. He stated that one of the improvements is the addition of a stormwater basin located at the intersection of Laurel Avenue and Eagle Rock Avenue.
- Mr. Cote explained that the stormwater basin will serve multiple purposes, including water quantity and water quality treatment for the site.
- Mr. Cote then described the entrance from Laurel Avenue. As one progresses into the site through the Laurel Avenue entrance toward the portico and main entrance to the building, the proposal includes an additional parking area adjacent to the existing parking.
- Mr. Cote stated that he would refer to this as the "upper level parking" in reference to the next drawing.
- The proposed upper-level parking area would contain 39 parking spaces and two EV parking spaces and would connect to the existing parking lot as an addition, essentially extending the parking area toward the north of the site.
- Mr. Cote also addressed comments from the engineers' and planners' letters. He explained that one of the EV spaces would be required to be an ADA EV space.
- Mr. Cote stated that the ADA EV space would be provided by using the existing ADA space on the site and accommodating the requirement for one EV space to be an ADA space.
- Mr. Cote then returned to the orientation of the western side of the site, where the stormwater basin and parking lot are shown together.
- Mr. Cote then identified the widening of Eagle Rock Avenue as another component of the improvements.
- Mr. Cote explained that part of the widening involves grading Eagle Rock Avenue in accordance with Mr. Pehnke's testimony to level off the area adjacent to the roadway and provide a level area.
- Mr. Cote stated that a wall is proposed along the frontage and that it will run along the length of Eagle Rock Avenue from Laurel Avenue into the proposed new intersection.
- Mr. Cote then switched to the easterly site plan sheet.
- Mr. Cote explained that the easterly partial site plan shows the intersection discussed in Mr. Pehnke's earlier testimony, including Eagle Rock Avenue and the on-site improvements associated with the new egress drive.

- Mr. Cote stated that the new egress drive begins at the upper-level parking lot and progresses down to the new intersection with Oval Road.
- The proposed egress roadway would be 24 feet wide and would provide two lanes, including left and right movements and a through movement, exiting onto Eagle Rock Avenue.
- Mr. Cote then described the underlying parking area, which he referred to as the "lower level." He explained that the lower-level parking lot is being modified and reconfigured to create a 64-space parking lot.
- The lower-level parking lot will connect to the new egress drive while maintaining the existing connection to the upper-level parking lot along the south-central portion of the lower lot.
- Mr. Cote stated that the lower-level lot will also include an area for water quality measures, including forest pavement, along the northern portion of the lot.
- He explained that this area will tie into other water quality measures being provided for the site.
- Mr. Cote noted that, for purposes of the variance, there is a location where a fence/guide rail is located less than 5 feet from a parking space. He explained that this configuration is based upon the previously approved modular structure that was built there to provide separation between the parking spaces and pedestrian movements to that building. He identified this as one element of the variance being requested.
- Mr. Cote then discussed the eastern edge on the northern side of the site, where another detention basin is being proposed. He explained that, similar to the basin at the corner of Eagle Rock Avenue and Laurel Avenue, this detention basin will treat both water quality and water quantity for purposes of balancing stormwater and achieving compliance with the stormwater regulations.
- Mr. Cote pointed out that, based on the combination of the two site plan sheets, the existing site currently has 256 parking spaces. He stated that the prior variance granted for the site was actually based on 252 spaces, but a physical count of the existing spaces yielded 256.
- Mr. Cote explained that, based upon the 256 existing spaces, the application is adding 36 spaces. He stated that there are 32 physical spaces being added in total, representing the net between the revisions to the new parking lot and the reconfiguration of the lower lot.
- Mr. Cote explained that four of the total spaces are referred to as EV credits. For each EV space, there is a credit of one additional parking space that counts toward parking compliance, and those credits are part of the calculation.
- Mr. Cote stated that, physically, there will be 288 parking spaces built when the additional spaces are completed. The additional four spaces included in the parking count for purposes of the variance request, bringing the total to 292, are EV credit spaces.
- Mr. Schkolnick clarified that when they refer to a variance request, there is already an existing deficit and that the proposal is reducing the existing deficit.
- Mr. Cote agreed and explained that the increase in parking spaces reduces the current relief previously granted for the site. He stated that the site is going from 252 spaces previously approved under a prior site plan variance, against the 700 spaces that the ordinance would require, to 292 spaces, thereby reducing the relief previously granted on the site.
- Mr. Cote then discussed the roadway layouts, standard parking spaces, 24-foot drive aisles, and the configuration of the connection previously referenced.
- Mr. Cote moved to the fire truck circulation plan and explained that the plans route emergency vehicles through the new features being added to the site to demonstrate that they can maneuver, access the various locations, and progress through the site.

- On the westerly side, Mr. Cote showed the fire truck circulation through the new parking facility, based upon the dimensions of the West Orange ladder truck that had been provided for purposes of supporting the area.
- Mr. Cote explained that there are a number of locations where the project is overcoming existing conditions and grades. He stated that one of the driving factors behind where the walls have been placed, and the reason for the walls, is to help minimize the number of trees removed.
- To provide perspective on the elevations, Mr. Cote explained that if Eagle Rock Avenue is at approximately elevation 547 in the area he was pointing to, the upper parking lot is at approximately elevation 566.
- Mr. Cote explained that the stormwater and grading associated with the project are designed to control all runoff from the site through a combination of the small-scale basins previously discussed, including one in the northwest corner and one at the east/northeast end of the site.
- Mr. Cote stated that a swale is also being provided at the top of the wall to direct water rather than allowing it to sheet flow onto Eagle Rock Avenue. The water will progress into the system and into a controlled drainage conveyance system, including the piping network that conveys the flow from the site.
- Mr. Cote stated that, as part of the discussion regarding safety on Eagle Rock Avenue, the stormwater on Eagle Rock Avenue was also evaluated. He explained that the existing system was found to be deficient and that the applicant is upgrading the system along Eagle Rock Avenue to accommodate the flows.
- He stated that this will improve the drainage aspects of Eagle Rock Avenue by controlling the sheet flow that is uncontrolled today, as well as providing the flow reductions necessary to comply with the stormwater regulations.
- Mr. Cote then discussed the second sheet on the east side of the site and again referenced the upper parking lot configuration to provide a sense of the elevations.
- Mr. Cote stated that the upper lot ranges from approximately elevation 560 to 558 at the top end and then rises to approximately elevation 564 toward the top of the new exit driveway.
- Mr. Cote explained that the new exit driveway begins at approximately elevation 564 and runs down toward Eagle Rock Avenue, which is approximately elevation 538.
- Mr. Cote stated that, in order to transition from elevation 564 to approximately 538 at Eagle Rock Avenue, the driveway needs to be at an 8.5% grade.
- Mr. Cote further explained that, in addition to the 8.5% transition needed to reach Eagle Rock Avenue, walls are required to support the changes in grade, maintain the upper-level parking lot grades adjacent to the slope leading down to Eagle Rock Avenue, and allow for a stormwater basin to be constructed on the site.
- Mr. Cote explained that the 21.5-foot wall occurs where the lower-level basin is located. He stated that the basin is at a level compatible with reaching street grade, dealing with the Eagle Rock Avenue discharges, supporting the upper-level parking, and creating the transition at the northern end.
- Mr. Cote stated that the walls along Eagle Rock Avenue, resulting from the pullback of the grades previously referred to by Mr. Pehnke, will create an approximately 8- to 9-foot-high wall along Eagle Rock Avenue from the corner of Laurel Avenue and Eagle Rock Avenue to the new egress drive.
- Mr. Cote then discussed the existing driveways. He stated that the existing driveway that had been referred to multiple times as the “acute angle driveway” is being removed in its entirety.

- Mr. Cote explained that the slope conditions associated with that driveway will therefore be eliminated. However, the existing 10.5% drive connecting the lower-level and upper-level parking lots will remain.
- Mr. Cote stated that the variance therefore also addresses the existing 10.5% driveway slope. He explained that the driveway is being slightly modified but will not be made steeper, in order to maintain the connection between the two parking lots.
- Mr. Cote then discussed the area associated with both detention basins and their role in handling the parking lots and the new driveway. He moved to the drainage plan and discussed the small-scale bioretention basin.
- Mr. Cote explained that the small-scale bioretention basin will provide water quality and water quantity reduction. Drains that previously allowed water to sheet flow off the site will be connected, with the goal of getting everything into pipes rather than allowing it to sheet flow over Eagle Rock Avenue.
- Mr. Cote stated that this would help address potential icing conditions and similar safety concerns on Eagle Rock Avenue.
- Mr. Cote explained that the eastern side of the site has a similar small-scale bioretention basin. One basin will be planted with woody vegetation, which will be part of the landscaping discussion.
- Mr. Cote stated that the bioretention provides water quality treatment in conjunction with the porous pavement proposed in the parking lot.
- Mr. Cote emphasized that the detention basins, porous pavement, and other measures have been tied together to achieve compliance with the current stormwater regulations.
- Mr. Cote then moved to the tree count and tree removal and replacement and switched to the partial tree removal plan.
- Mr. Cote explained that the partial tree removal plan identifies trees within the limit of disturbance that are being removed. Replacement calculations are based upon the town's requirements and the diameters of the existing trees.
- Mr. Cote stated that 313 trees are being removed. Based upon the replacement ratios required by the town ordinance, the project will replace those trees with a total of 486 trees.
- Mr. Cote then modified that number by 11 trees. He explained that the plan had counted 11 trees toward compliance with the landscaping and parking lot requirements, and that the applicant would not take credit for those 11 trees as replacement trees.
- Mr. Cote stated that the applicant would therefore add 11 more trees, resulting in a total of 597 trees for purposes of the replacement tree count.
- Mr. Schkolnick asked Mr. Cote what sheet he was on. Mr. Cote responded that he was on the partial tree removal plan, sheet LD101.
- Mr. Schkolnick clarified that Mr. Cote was making an oral amendment to the application to comply with the review letter and add 11 additional trees because of the way the calculation had been done.
- Mr. Cote confirmed this and explained that, based on the ratios, the count was 586, but the trees are being replaced in a combination of locations throughout the site.
- Mr. Cote stated that there is a summary table on the plan identifying the 586 trees and their placement relative to areas where bulk improvements are being made, including along Eagle Rock Avenue and Laurel Avenue and in the parking areas being reconfigured.
- Mr. Cote explained that additional trees will also be planted throughout the Crestmont property as a whole. He stated that 303 trees will be placed along the frontage area and an additional 239 trees will be placed on the overall Crestmont property.

- Mr. Cote stated that, to reach the full count of 586, the applicant had proposed 44 trees off-site in coordination with the town forester. As a result of the oral amendment, the 44 off-site trees will become 55 trees in order to provide the additional 11 trees.
- Mr. Cote then discussed where the trees are being removed based on the limits of disturbance of the property.
- Mr. Cote addressed the question of why walls are being proposed in steep slope areas. He explained that, by using the wall configuration and grading proposed, the applicant has been able to minimize the number of trees that need to be removed.
- Mr. Cote stated that if the walls along Eagle Rock Avenue or at the base elevation of the upper-level parking improvements and increased parking had been eliminated, additional trees that are currently outside the disturbance area would have had to be removed as a function of the grading.
- Mr. Cote explained that the walls serve two purposes: to consolidate the development limits and minimize disturbance, and to eliminate the removal of additional trees.
- Mr. Cote then moved to the planting plans and reviewed the easterly sheet.
- Mr. Cote explained that, on the easterly portion of the site, trees being removed are associated with the areas of disturbance. Trees outside the limit of disturbance will be subject to tree protection measures consistent with the requirements of the town forester and the ordinance.
- Mr. Cote then reviewed the planting plan and discussed the total number of trees being placed on the site as a whole.
- Mr. Cote stated that the 303 trees proposed along the frontage area, which he described as the northerly portion where the predominant improvements are being proposed, will consist of a combination of different types of trees.
- Mr. Cote stated that he would not discuss the specific species of trees because those are identified on the plans. He noted that substitutions will be made in accordance with the review comments received, and that the plan will be made consistent with those comments.
- Mr. Cote explained that the replacement planting will include a combination of shade trees and ornamental trees. He also identified evergreen trees, shrubs including evergreen and deciduous shrubs, ornamental grasses, ground covers, and perennials as part of the planting program.
- Mr. Cote described the planting program as substantial and stated that the small-scale bioretention basin will also be planted in compliance with DEP standards.
- Mr. Cote stated that 40 trees will be planted within the bioretention basin. He explained that these trees will be “whips.”
- Mr. Cote clarified that the 40 whip trees do not count toward the restoration calculation and are not being used to offset the trees removed and trees restored. However, he stated that they will grow into additional trees over time and should become a substantial feature of additional trees as they grow.
- Mr. Cote described the existing trees along Eagle Rock Avenue as being in various conditions, with substantial scrub and other growth located on the embankment slope.
- Mr. Cote stated that the applicant will clean up the area to create the streetscape area previously discussed. The walls will be imposed along the area to allow the grades to be pulled back.
- Mr. Cote explained that, adjacent to Eagle Rock Avenue, there will be significant replacement planting in areas where trees were removed and will now be replaced by new trees.

- Mr. Cote stated that a similar scenario will occur at the east end of the site along Eagle Rock Avenue and within the islands being reconfigured as part of the existing lower-level parking area.
- Mr. Cote characterized the planting plan as an extensive planting scenario.
- Mr. Cote explained that additional trees are also being planted elsewhere on the property to reach the tree count for the property as a whole, with the exception of the 55 trees proposed off-site.
- Mr. Cote then moved to the tree restoration plans. He identified the tree restoration plan as sheet LP201 and explained that it shows the "big picture" of where additional planting areas are located.
- Mr. Cote identified areas A through H throughout the site as locations where additional trees can be planted.
- Mr. Cote explained that these areas were coordinated with the golf course operations staff. The applicant walked the entire site with golf course operations personnel to identify locations where additional trees could be planted without interfering with golf operations or the golf experience.
- Mr. Cote stated that the purpose was to provide supplemental tree plantings and fill in areas where there was an opportunity for additional trees.
- Mr. Cote explained that these areas extend from the northerly Eagle Rock Avenue location through the southern portion of the site and throughout the property located within the West Orange limits.
- Mr. Cote then returned to the plant set and discussed lighting as another element being added to the project.
- Mr. Cote identified the lighting plan as sheet LL101 and explained that it shows the partial lighting plan associated with the westerly portion of the site.
- Mr. Cote stated that fixtures are being provided in the new parking lot area and along Eagle Rock Avenue.
- Mr. Cote addressed comments regarding the two different mounting heights. He explained that on-site lighting will use an 18-foot mounting height, consistent with the ordinance.
- Mr. Cote stated that off-site lighting will work with the existing layout of the poles that are currently there, which operate at a 27-foot height.
- Mr. Cote explained that these are standard "cobra head-type lights" and that the lighting along Eagle Rock Avenue will be within the county's jurisdiction.
- Mr. Cote clarified that the applicant is not proposing 27-foot-high lighting on the property and therefore does not view the 27-foot height as a variance because it will be under the county's jurisdiction. He stated that the difference in mounting heights was being noted for the record.
- Mr. Cote then moved to the easterly lighting drawing, sheet LL102. He stated that lighting is being provided in the upper parking lot area and down the access drive.
- Mr. Cote noted that, at the end of the access drive, there is a potential variance regarding a foot-candle intensity of 3.5 at the property line where the driveway exits.
- Mr. Cote explained that the driveway is being lit for purposes of the county's review and stated that he was not certain whether it would be considered a variance because it would be under county jurisdiction for lighting.
- Mr. Cote then referred to the detail sheet, LL501, and explained that the pedestrian fixtures are "post top pedestrian lights," with fixture heads mounted at the 18-foot height required by the ordinance.
- Mr. Cote stated that along Eagle Rock Avenue there will be "cobra head" lights, which he described as similar to the lighting currently existing along Eagle Rock Avenue.

- Mr. Cote then returned to the overall site plan and stated that he wanted to enumerate the requested variances for the record.
- Mr. Cote identified the first variance as Section 25-12.1.B, concerning the minimum distance from the parking area to fencing, screening, or a structure.
- Mr. Cote explained that this variance occurs in proximity to the recently constructed modular structure and that the fencing is being used as a protective measure while still allowing pedestrian access adjacent to the modular building.
- Mr. Cote identified the next variance as the minimum number of parking spaces. He stated that 700 spaces are required, and the application is reducing the current variance from 252 spaces to 292 spaces.
- Mr. Cote then identified the variance under Section 25-28.0.8.0.f.11, concerning the maximum retaining wall height of four feet.
- Mr. Cote stated that the applicant is proposing a 21.5-foot wall. He explained that this is specifically related to the area where the upper lot improvements are being combined with the lower-level detention/retention small-scale bioretention basin needed to meet water quality and water quantity requirements for stormwater management.
- Mr. Cote then discussed the variance requests related to steep slopes. He referred to the steep slope exhibits contained in the plan set and identified the partial steep slope analysis with site plan overlay as drawing EX04.
- Mr. Cote explained that EX04 identifies the various areas of the site and the extent of the slopes within those areas.
- Mr. Cote explained that, from the overall perspective, the site has a transition in topography between the upper-level parking lot, lower-level parking lot, and Eagle Rock Avenue.
- Mr. Cote stated that the elevations change by approximately 20 to 30 feet over portions of the site.
- Mr. Cote explained that, in order to minimize disturbances, the applicant is imposing a wall along portions of the steep slopes. He stated that the walls will be designed and will have to be approved by the Building Department for purposes of construction.
- Mr. Cote then discussed the transition from the upper-level parking lot to the lower-level parking lot. He explained that the project traverses a slope and that, in order to smooth the slope and create a drivable exit maneuver, walls and roadway improvements are required through portions of the steep slopes.
- Mr. Cote similarly discussed the area along Eagle Rock Avenue where the project is leveling the steeper slope that currently exists from the curb line to the top of the slope.
- Mr. Cote explained that the applicant is pulling that slope back and imposing a retaining wall along the length of the area to create a safe zone adjacent to the roadway.
- Mr. Cote stated that, from a steep slopes perspective, 0.38 acres of disturbance are associated with the total of 3.8 acres of areas containing slopes of 25% or greater.
- Mr. Cote explained that the disturbance is associated with minimizing disturbance, allowing roadway access to proceed through the site, and allowing for the proper design of the off-site roadway, Eagle Rock Avenue.
- Mr. Cote then identified the last variance as the maximum driveway slope under Section 25-28.f.8.
- Mr. Cote stated that 6% is allowed, while the proposal includes a combination of 8.5% and 10.5% grades. He explained that the 10.5% grade is the existing condition and the 8.5% grade is on the main driveway.
- Mr. Cote explained that the difficulty on the site is connecting the grades at a county-compliant access point to Eagle Rock Avenue.

- Mr. Cote stated that the grades range from approximately 5% coming off the intersection, through 8.5%, and then back to the grades that tie into the upper-level parking lot.
- Mr. Cote explained that this creates the 8.5% condition, while the 10.5% condition is existing.
- Mr. Cote then referenced Section 25-14.1 concerning lighting. He stated that, if the lighting is determined to require a variance, the applicant will request it if necessary. He explained that the lighting is being provided for safety for both vehicular and pedestrian movements through the intersection.
- Mr. Cote also identified requests for a site plan waiver regarding the removal of trees on slopes of 10% or greater.
- Mr. Cote stated that there are a significant number of areas with 10% slopes. He explained that the trees being removed are also being replaced using the multiplier required by the town for the restoration component.
- Mr. Cote stated that the tree removals are associated with the grading needed from Eagle Rock Avenue and with efforts to minimize grades and impacts associated with the new parking lot and driveways.
- Mr. Cote explained that the trees being removed in those areas are associated with the need to place the various improvements while attempting to minimize impacts.

The application will be carried to the next planning board regular meeting on August 12, 2026, without further notice at 6:30 P.M.

ADOPTED:

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Jamilet Baquerizo Vite
Planning Board Secretary