

**MINUTES
TOWNSHIP OF WEST ORANGE
PLANNING BOARD MEETING
July 6, 2022 7:30 P.M.**

The Township of West Orange Planning Board held its regular meeting on July 6, 2022 at 7:30PM 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* asked everyone to stand for the Pledge of Allegiance.

ANNOUNCEMENTS

- The next Planning Board regular meeting will be held **August 3, 2022 at 7:30 P.M.**

ROLL CALL

PRESENT: Dr. Robert Bagoff; Mr. Jerry Guarino;
Mr. Christopher Morgan, Sr;
Mr. Ken Alper; Mr. Peter Smeraldo; Mr. William Wilkes;
Council President Susan McCartney; Mr. John Cardoza;
Mr. Lee Klein; Mr. John McNair

ABSENT: Mr. Sal Jensen

ALSO PRESENT: Diana P. McGovern, Esq., Planning Board Attorney;
Paul Grygiel, Town Planner (8:01PM);
Mr. John Hess, Planning Board Engineer;
Sarabraj Thapar, Esq., Public Advocate
Diana L. Chandler, Interim Planning Board Secretary;
Jamilet Baquerizo Vite, Acting Planning Board Secretary

MINUTES

- Planning Board June 1, 2022 Regular Meeting Minutes

Motion: Chairman Bagoff

Second: Council President McCartney

Alper:	Y	McNair:	Y
Bagoff:	Y	Morgan:	Y
Cardoza (Alt.2):	Y	Smeraldo:	Y
Guarino:	Y	Wilkes:	Y
Jensen (Alt. 1):	----	Yes ; Absent	
Klein:	Y		
McCartney:	Y		

SWEARING IN

- The Township Professionals *Mr. Paul Grygiel, Township Planner* and *Mr. John Hess, Planning Board Engineer* were sworn in.

APPLICATIONS/ORDINANCE REVIEW

1. PB-22-05 West Orange Public Schools

289 Main Street

Block: 125.01 Lot: 40 Zone: R-T

Replacement of retaining wall and Temporary Classroom Unit (TCU) installed.

PRESENTATION

- Marina Stinely, attorney on behalf of the West Orange Board of Education, entered on the record and stated that this application is a municipal courtesy review.
- Mr. Robert Walsh and Mr. Michael Wozny were sworn under oath and the credentials were accepted by the Board.
- Mr. Robert Walsh began his testimony by describing that the TCU will be 64ft by 28ft and it will be place 15ft from the southern property line next to the auto rental shop and 35ft from the property line adjacent to the new retaining wall. The materials that will be used for the new retaining wall will be reinforced concrete and a chain link fence on top of the retaining wall.

BOARD QUESTIONS

- Mr. Lee Klein asked if they were going to tear down the existing retaining wall or place the new retaining wall in front of the existing one. Mr. Walsh answered by saying that they will be tearing down the existing wall.
- Council President McCartney asked if there will be safeguards in the parking lot. Mr. Walsh answered that on the proposed site plans shows the cross walk and ADA ramp. Also, Council President McCartney asked, regarding the retaining wall, if the school needs to comply with the steep slope ordinance that was recently approved by Town Council. Mr. Walsh said no because they are not changing or impacting the slope.

- Mr. Lee Klein asked what material will be used for the fence. Mr. Walsh said that it is going to be a black vinyl chain link fence which is replacing the old fence.
- Chairman Bagoff asked what the current height of the retaining wall and fence is and what will be the height of the new retaining wall and fence will be. He also asked if trees will be removed. Mr. Walsh responded by saying that the current fence is 16ft high and the wall is 8ft. and the proposed wall and fence will be 8ft high. No trees will be removed.

NO PROFESSIONAL QUESTIONS

NO PUBLIC ADVOCATE QUESTIONS

NO PUBLIC QUESTIONS

NO PUBLIC COMMENT*

PRESENTATION

- Mr. Michael Wozny entered on the record and began his testimony by describing that the TCU will have 2 classrooms, a small vestibule, which will have access to both classrooms, and there will be one entrance to the school side. The TCU will be ADA compliant and it will have bathrooms inside. On the school side there is handicap ramp egress access in the backside of each classroom. The TCU will have utilities such as power, water and sanitary.
- The TCU is estimated to be in place for 3 years based on the school district lease, it can be extended until permanent solutions are in place regarding having space in the school building. The TCU will act as a normal classroom, it will have fire alarms, intercom and every health and safety issue. There are no currents plans to replace the backstops. The TCU and the retaining wall will be done by the start of the next school year which is September. There will be a temporary construction fence to protect anyone using the TCU or play area if the construction goes beyond the beginning of school.

BOARD QUESTIONS

- Chairman Bagoff asked how will an ambulance access the building in case of an incident. Mr. Wozny answered by saying that the ambulance can pull up in front of the building. Also, Chairman Bagoff asked where the dumpster will be located. Mr. Walsh said that the dumpsters will be relocated to the northern end of the new retaining wall. They are presently located on the secondary egress access and there is currently no enclosure.
- Mr. Alper asked about the decision of putting the TCU on the proposed site. Mr. Wozny said that they did look for other options but because of setbacks and a man hole slope on the school property, it made it difficult to find another location.
- Mr. Guarino asked if the two former trailers are still in front of the school. Mr. Walsh replied yes.
- Mr. Smeraldo asked if the fire alarm connection will be tied to a generator panel. Mr. Walsh said that he was not sure, but it will probably be attached to the general annunciator.

NO PROFESSIONAL QUESTIONS
NO PUBLIC ADVOCATE QUESTIONS
NO PUBLIC QUESTIONS
NO PUBLIC COMMENT*

Motion: Chairman Bagoff

Second: Mr. Guarino

Alper:	Y	McNair:	Y
Bagoff:	Y	Morgan:	N
Cardoza (Alt.2):	----	Smeraldo:	Y
Guarino:	Y	Wilkes:	Y
Jensen (Alt 1):	----	Yes ; Absent	
Klein:	Y		
McCartney:	Y		

Note:

2. PB-22-04 IMMC993

993 Pleasant Valley Way

Block: 172.02 Lot: 6 Zone: B-2

Internal modifications and re-stripe the parking lot and relocate the primary entry door.

PRESENTATION

- Dereck Orth entered on the record, on behalf of applicant, and began his testimony by stating that they are seeking minor site plan approval and as part of the applicant's improvement to the site they will also be repaving and restriping the existing parking lot, remove the existing main entrance facing Mt. Pleasant Avenue and relocate the entrance to the northern side of the structure. He stated that, regarding the parking lot, they are proposing a total of 20 physical spaces with one additional space for an electric vehicle charging station.
- Applicant Dr. Elyon Krok entered on the record and was sworn under oath. He stated that the business is going to be for outpatient services with hours of operation from 9AM to 5PM except for the first Monday of every month the office will be open until 8PM, which is known as "Late Night Monday." Regarding the waste removal, Dr. Krok stated that their dumpster will be pick-up monthly since they don't generate a lot of waste as they are paperless and deliveries will happen once every two weeks from vans and/or mail trucks. Based on Dr. Krok's statement, he wants to make the parking lot more accessible and safer for patients. There will be no monument signs; only a sign attached to the side of the building which will follow township codes and guidelines.

BOARD QUESTIONS

- Mr. Guarino asked if the applicant will be able to prevent other business from using the parking lot. Dr. Krok answered by saying that if people are being disrespectful about using the parking lot, he will take matters to ensure that people don't park illegally and it is only use by the staff and patients.
- Mr. Smeraldo asked about how the medical waste will be handled. Dr. Krok said that they have a separate service that will pick-up the medical waste annually.
- Mr. Kelin asked about how many staff will be at the building and how many patients will be treated at a time. Dr. Krok answered that there will be 4 or 5 staff members and one to two patients will be scheduled every 45 minutes.
- Mr. Wilkes asked if the applicant expects a heavy flow of patients on "Late Night Monday" since they are open until late. Mr. Drok said that everything will be the same, the only difference is that the staff will come into the building late.
- Council President McCartney asked if the building will have outdoor lighting during the "Late Night Monday." Dr. Krok said that there is already outdoor lighting and they will provide additional lighting.
- Dr. Bagoff asked where the medical boxes will be placed. Dr. Krok answered by saying that they will position them out of sight of patients and probably inside with lock and key.
- Mr. Klein asked if the applicant is also going in front of the Board for permission to use the building from restaurant to medical building. Diana McGovern answered by saying that they don't need permission because the building is in a zone where medical offices are permitted.

NO PROFESSIONAL QUESTIONS

NO PUBLIC ADVOCATE QUESTIONS

NO PUBLIC QUESTIONS

NO PUBLIC COMMENT*

PRESENTATION

- Architect, William Gentile entered on the record, was sworn under oath, and his credential were accepted by the Planning Board. He started his statement by presenting Exhibit 1 – IMMC Layout Parking Update (Dated 7/6/2022), he stated that they are proposing to improve the parking lot and provide landscaping. Mr. Gentile also presented Exhibit A-3 which shows where the new entrance is going to be with a canopy over it. He stated that they are trying to take advantage of the parking lot as much as possible since it is an irregular lot. Mr. Gentile stated that this property is very difficult to get in and out of, but are making recommendations that traffic coming from Pleasant Valley Way going towards Mount Pleasant Avenue will only be able to make right turns into the facility and only right turns coming out of the facility and from the Mount Pleasant side entrance, traffic will be making a right turn into the property lot and be able to circle around and make another right turn to go out. To exit the building all traffic needs to make a right turn towards Mount Pleasant Avenue. In the parking lot will be 5 compact car parking spaces and the rest will be standard parking spaces, in the front of the building there will

one van parking space, an electric car charging station and a handicap parking space. Mr. Gentile also detailed in Exhibit-2 that they will be relocating the two-trash receptacles they have so that it is accessible for the garbage truck to come in and pick-up. Mr. Gentile is concern about the possibility of a crash into the building from either traffic coming down Pleasant Valley Way or traffic making turns in Mount Pleasant Avenue, so he in the plans he included lighted bollards across the front of the building to protect the corner.

BOARD QUESTIONS

- Dr. Bagoff asked about the steps going from the applicant's building to the strip mall next to it. Mr. Gentile said those stairs will be gone, since there is no easement. Dr. Bagoff also asked if the existing retaining wall belongs to the applicant or the property next to it. Mr. Gentile confirmed that the retaining wall belong to the applicant and does not require any repairs.
- Mr. Wilkes asked about the height of the lighted bollards. Mr. Gentile said that the ones in the front will be 36 inches above grade and the bollards in the back will be 42 inches. Also, Mr. Wilkes asked if the emergency vehicles will have space to go into the property with vehicles parked in the parking lot. Mr. Gentile answered by saying that he is not sure if that will be an issue.
- Mr. Alper asked if the cars are able to make a U-turn inside the parking lot. Mr. Gentile said that they will not be able to and the cars will need to make the U-turn out of the parking lot.
- Mr. Klein asked about how Mr. Gentile came up with a total of 5 compact parking spaces, since it is covering 25% of the parking lot. Mr. Gentile answered by saying that cars are getting smaller and based on the limited number of patients and staff, he thinks that they will not be inadequate parking spaces.
- Dr. Bagoff asked how many square feet are in the building and how many treatments room will be inside the facility. Mr. Gentile said that there are 2,700 square feet and there will be 3 treatments rooms that will be 100 square feet.
- Council President McCartney asked about the height of the retaining wall on the west side of the building. John Hess said that the wall is existing and they have no information on the conditions but if the application is approved, they would need an engineering certification. Dr. Bagoff suggested that instead of a certification that a letter would suffice.
- Mr. Klein suggested to remove parking space #1 and parking space #9, since the facility only needs 18 spaces not 20 spaces as proposed on the site plans.
- Dr. Bagoff suggested to stripe parking space #1 for emergency vehicles only.
- Mr. Smeraldo asked if the applicant needs to go in front of the County Planning Board, since they have county roads around them. Chairman Bagoff answered that they do need to go in front of the county Planning Board for signage approval.
- Mr. Smeraldo asked if the ADA parking space can be used for handicap parking space. Mr. Orth said that the applicant is complying with the ADA requirements and the applicant wouldn't want to lose another parking space for regular cars.

- Mr. Smeraldo made the statement that the fire trucks will be able to go into the property parking lot with no issues, especially if the parking space #9 is removed and becomes a fire zone.
- Chairman Bagoff wanted to go over the revision letter from Mr. John Hess, to see if all the items were satisfied. Mr. Orth went over each item on the letter, in which Mr. John Hess agree with the plans, including that the request for waivers for a topographic map, drainage plan and designating all existing streets, watercourses, flood plains and wetlands within 200 feet. Mr. Hess also indicated he was satisfied with a partial waiver for existing right of ways, proposed utility infrastructure plans, sight triangles and vehicular and pedestrian circulation patterns. As to the requirement that Applicant comply with COAH, Mr. Hess agreed that could be submitted if needed and that a letter detailing an existing or proposed deed restrictions would suffice.
- Diana McGovern mentioned the conditions that the applicant needs to show on the final site plans, such as the lock box for any medical pick-up with signage complying with the ordinance. Must obtain an engineer letter or report on the conditions of the westerly retaining wall. Designate parking space #15 for employees only, designate parking space #1 for emergency only or ambulance parking only. Must repair the sidewalk if necessary. Any planning review, if needed for right turn only signs. Stripe fire lane on parking space #9 and contemplate making parking space #5 a full-size spot.

NO PROFESSIONAL QUESTIONS
NO PUBLIC ADVOCATE QUESTIONS
NO PUBLIC QUESTIONS
NO PUBLIC COMMENT*

Motion: Chairman Bagoff

Second: Mr. Smeraldo

Alper:	Y	McNair:	Y
Bagoff:	Y	Morgan:	Y
Cardoza (Alt.2):	----	Smeraldo:	Y
Guarino:	Y	Wilkes:	Y
Jensen (Alt 1):	----	Yes ; Absent	
Klein:	Y		
McCartney:	Y		

Note:

Chairman Bagoff made a motion that the Ordinance Review is carried to the August 3, 2022 Regular Meeting, it was second by Mr. Guarino.

Meeting adjourned at 10:55PM by *Chairman Bagoff* Seconded by *Mr. Wilkes.*

ADOPTED:

Jamilet Baquerizo Vite,
Acting Planning Board Secretary