

**TOWNSHIP OF WEST ORANGE
PLANNING BOARD
MINUTES
December 7, 2011**

The Township of West Orange Planning Board held a regular meeting on December 7, 2011 at 8:00 P.M., in Council Chambers, 66 Main Street.

Chairman Bagoff called the meeting to order at approximately 8:00 P.M. It was announced that notification of this meeting was given to the Township Clerk, the West Orange Chronicle and posted on the Township Bulletin Board on January 13, 2011 in accordance with the requirements of the "Open Public Meetings Act".

PRESENT: Chairman Robert Bagoff, Joanne Carlucci, Gerald Gurland, Vice Chairman Ben Heller, Lee Klein, Councilwoman Susan McCartney, Ron Weston, William Wilkes

ABSENT: Jerome Eben, Tekeste Ghebremicael, Jason Lester

ALSO PRESENT: Susan Borg, AICP, PP, AIA, Planning Director
Debbie Dillon Audio Transcription Service, LLC
Patrick Dwyer, Esq., Board Attorney
Leonard Lepore, Township Engineer
Robin Miller, Board Secretary

ROLL CALL

Chairman Bagoff, Joanne Carlucci, Jerome Eben, Tekeste Ghebremicael, Gerald Gurland, Vice Chairman Ben Heller, Lee Klein, Jason Lester, Councilwoman Susan McCartney, Ron Weston, William Wilkes.

ADOPT MINUTES

The minutes of the November 9, 2011 Planning Board meeting were adopted unanimously.

ANNOUNCEMENTS

The next regular Planning Board meeting will be held on January 4, 2012 in Council Chambers at 8:00 P.M.

SWEARING IN

Director Borg was sworn in.
Director Lepore sworn in.

RESOLUTION

PB-11-20H/Theresa Arjoon

Block: 37; Lot: 11; Zone: R-6

Home Occupation Child-Care Center.

DISCUSSION

Director Borg told the Board that the application for a Home Occupation Child Care Center was reviewed and approved with conditions at the November 10, 2011 Technical Review Sub-Committee meeting.

The Board voted on the resolution as follows:

Motion: Chairman Bagoff

Second: Ms. Carlucci

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|----------|---|-----------|---|--------------|---|
| Carlucci | Y | Eben | - | Ghebremicael | - |
| Gurland | Y | Heller | Y | Klein | - |
| Lester | - | McCartney | - | Weston | Y |
| Wilkes | - | Bagoff | Y | | |

APPLICATION

PB-11-18/Falcon Associates for South Mountain Realty Associates, LLC

EXHIBITS

- A-1 – 1st Floor and 2nd Floor Addition Plan**
- A-2 – Building Front Elevation Plan**
- A-3 – Free-standing Sign Schematics**
- A-4 – Storefront Sign Schematics**
- A-5 – Site Layout Plan**

DISCUSSION

Savino Russoniello, Esq., attorney for the applicant, introduced the application. Mr. Russoniello said that all former tenants at the site were failed restaurant businesses. The applicant had been unable to find a tenant since the last restaurant closed. The applicant planned to build an addition of approximately 2,875 square feet to the west side of the existing building, and a second-floor addition of approximately 4,725 square feet to the existing building. Mr. Russoniello said the only variance necessary was for an increase in the existing lot coverage; 60% required, 70.5% proposed. Mr. Russoniello stated there were already enough parking spaces. The number of parking spaces at the front and back of the building would not change. The current drive-through area would be eliminated.

Mr. Russoniello called his first witness, Anthony J.C. Church, AIA. Mr. Church was sworn in and accepted as an expert witness by the Board.

Mr. Church referred to Exhibit A-1; he described the existing building dimensions. Mr. Church said that five feet will be added to the back of the existing building for the installation of a new elevator. A second floor addition of approximately 4,200 square

feet for office space will be built. Mr. Church said that the existing drive-through space will be eliminated. The majority of the first floor will be raised. The construction materials will be of steel frame with tan stucco finish on the exterior. There will be ledge stone veneer below the windows. The color of the stucco will be tan, with darker tan on trim. The standing seam will be green on metal frame. Mr. Church referred to Exhibit A-2. He said All-Signs did the sign graphics. The elevations will be torn down and rebuilt.

Mr. Russoniello referred to Director Borg's November 28, 2011 Planner's Report. He said the existing freestanding sign will remain, and all the signs will have individual lettering as per Director's Borg recommendation. The fencing on eastern side of the property will be replaced with a new fence.

Mr. Weston said that the rest rooms did not appear to be ADA compliant; he said the final plans must indicate that the rest rooms were ADA compliant. Mr. Weston asked Mr. Church for rest room window details; he also asked Mr. Church to explain the window details along the right side of the building, stating there should be uniformity to their placement; the current plan indicated a haphazard window placement. Mr. Weston said the plans indicated one staircase; he wanted to know if one staircase only was compliant. Mr. Church said that the final plans would indicate the building was ADA compliant. He said that the plan schematics were conceptual, and the windows would be determined by incoming tenant requirements.

Chairman Bagoff inquired that if so much of the plan schematics were conceptual, then how exactly would be the final plans change. Mr. Church said the plan was for four first level stores and six offices on the second floor.

The Board discussed the need to have the basement square footage included in the plans. Mr. Weston said the basement square footage was an issue that may affect the number of parking spaces. Mr. Church said the basement would only be used for storage.

Harvey Grossman, Public Advocate, asked for more information regarding the design of the front entrance and the lighting details. He wanted to know the height of the fixtures and the type of the fixtures to be installed. The Board discussed the need to see plans with greater lighting details.

There were no questions from the public.

Anthony Marucci, PP, PE was sworn in and accepted as a professional witness.

Mr. Marucci said he had prepared the field survey for the application. He discussed the existing conditions. Mr. Marucci said the addition will remove the drive-through area, but everything else will stay the same. The impervious surface will remain the same; and there is more than enough parking.

Mr. Russoniello referred to Director Lepore's comments from his Engineer's Report dated November 28, 2011:

Director Lepore's report indicated more information was needed regarding the rear parking lot; the drainage; the lighting plan; the parking area conditions; traffic

information; and sanitary sewage and bulk sanitation. Mr. Marucci said that the rear parking area will be repaved and stripped. No landscaping will be removed, however, the drive through area will be eliminated and new lighting will be installed in that area. All the grading will remain the same. Mr. Marucci said that the grease trap will remain and the dumpster area will be screened with a slatted fence. There will be no change to the traffic pattern on Northfield Avenue. No trees will be removed from the front area.

Councilwoman McCartney asked about the landscaping in the front, and the front sides of the building. Mr. Marucci said that both sides were fully landscaped already, and will remain unchanged.

Mr. Weston asked about the parking spaces. He asked if the number of parking spaces took the square footage of the basement into consideration. Mr. Marucci said he did not know there was a basement but that area will be for storage only. Mr. Marucci said all calculations were based on the first and second-floor square footage; the basement square footage had not been included in the calculation.

Mr. Gurland asked about the lighting on the western side of the building. Mr. Marucci said that there will be no need for lighting on that side of the building. Mr. Church said three lights were incorporated in the plans.

Director Borg asked about the exterior lighting details. Mr. Marucci said there will be shoe-box fixtures no more than twenty-feet high. The lights will not spill over on to adjacent property. Currently, there was a standing pole on the easterly side and one on the westerly side. Chairman Bagoff requested that Mr. Marucci provide a more detailed lighting plan including fixture details.

Mr. Lepore asked Mr. Marucci about the addition going to the westerly property line and wanted more details about the grading and drainage, and the roof leaders. Mr. Lepore and the applicant discussed the Northfield Avenue traffic flow to-and-from the property.

Mr. Weston asked Mr. Church about second-floor exit requirements. Mr. Weston stated that if more than twenty-nine employees were on the second-floor, then two means of exit would be required. He cautioned that the current plans might not comply with code.

Mr. Gurland wanted to know the height of the HVAC units on the roof. Mr. Church said that they would not be visible from the street.

Councilwoman McCartney and Mr. Church discussed Green design elements. Mr. Church said all elements incorporated in the design had been determined by current building code specifications only; LEEDS design considerations had not been incorporated in the project.

There were no more questions from the Board.

The Public Advocate had no questions for Mr. Marucci. Mr. Grossman told the Board he encouraged them to approve the application; but he was concerned about the lack of first floor entrance details and the lighting details of the current plan.

The Public had no questions for Mr. Marucci.

Chairman Bagoff called for a five-minute recess at 9:12 P.M.

Chairman Bagoff reconvened the meeting at 9:17 P.M.

Mr. Dwyer said that the ordinance includes basement square footage for parking calculations and must be included in the application, and the revised increased total square footage required a parking variance. The Board calculated that a C2 variance for 22 parking spaces was needed.

The Board discussed how many employees could potentially be on the second floor and if it was necessary to have an additional second floor exit. The Board decided that the Building Department would determine if an additional second floor exit was necessary.

Chairman Bagoff stated that the Applicant would agree to all requirements set forth in Director Lepore's Engineer's Report:

- The plan to include more information indicating how the rear of the property behind the parking lot and the southerly portion of the property next to the proposed one story addition will be graded and landscaped;
- To eliminate any increase in peak rates of runoff and the need for storm water detention, the impervious area shall not change from current levels;
- The plan shall indicate how roof runoff will be disposed;
- All deteriorated curb and pavement will need to be repaired or replaced;
- All lighting plan with foot-candle levels shall be submitted;
- The number of parking spaces shall be based on the gross square footage of the building. The number of handicap accessible parking spaces to be determined by the Barrier Free Sub code of the New Jersey Uniform Construction Code;
- The plan to indicate left turns are prohibited out of driveway;
- The plan to indicate the grease trap will remain and there will be no building flow from non-restaurant areas;
- The building additions are subject to the Township's supplemental sewer fee;
- An enclosure is required for trash and recycling receptacles;
- A tree removal permit is required if applicable;
- Details are required for curb, pavement, sidewalk and lighting.

The Board agreed that all revised plans were to be submitted no later than December 23, 2011, ten days before the January 4, 2012 Planning Board meeting.

Conditions:

1. Applicant to provide revised lightning plan including type of fixture; height and illuminations;
2. Applicant to provide all-roof drainage plan;
3. Applicant to submit a basement plan;
4. The basement to be used exclusively for storage and mechanical equipment;
5. The grease trap will not be removed; it will be used for kitchen drainage only;
6. All HVAC equipment to be located on the roof and hidden from view;

7. The revised plans will include the having the windows on the eastern side of the second floor evenly spaced;
8. The revised plans will be approved by the Township Engineer;
9. The revised plans must be reviewed by the Building Department;
10. East side windows details to show them evenly spaced;
11. C2 variance for 22 parking spaces is approved; current ordinance requires 83 spaces, 61 parking spaced requested;
12. C variance for lot coverage is approved; 60% is required by current ordinance, 68.9% currently exists; 68.9% requested.

The Board voted on the application as follows:

Motion: Chairman Bagoff

Second: Mr. Gurland

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| Carlucci | Yes | Eben | - | Ghebremicael | - |
| Gurland | Yes | Heller | Yes | Klein | Yes |
| Lester | - | McCartney | Yes | Weston | Yes |
| Wilkes | Yes | Bagoff | Yes | | |

Mr. Gurland told the Board the Historic Preservation Committee would like to speak at the April Planning Board meeting to discuss the Committee's goals and its interaction with the Planning Board.

The Board discussed the possibility of an Environmental Commission as a function of the Planning Board. It was decided that the issue would be researched and discussed at the next Planning Board meeting.

MEETING ADJOURNED at approximately 9:48 PM

Minutes adopted January 4, 2012



Robin Miller, Planning Board Secretary

****THE NEXT REGULAR MEETING OF THE PLANNING BOARD WILL BE
FEBRUARY 1, 2012 AT 8:00 P.M. IN COUNCIL CHAMBERS ****