

**MINUTES  
TOWNSHIP OF WEST ORANGE  
ZONING BOARD OF ADJUSTMENT  
SPECIAL MEETING  
November 10, 2011**

The West Orange Zoning Board of Adjustment held a special meeting on November 10, 2011 at 8:00 PM at 66 Main Street, West Orange, New Jersey in Council Chambers.

Chairman Phil Neuer 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 October 25, 2011 in accordance with the "Open Public Meetings Act."

Chairman Neuer asked everyone to rise for the Pledge of Allegiance.

Alice Beirne, Esq., Board Attorney, read the Opening Statement.

**PRESENT:** Gregory Bullock, Deborah Gabry, Phil Neuer,  
Bart Quentzel, William Steinhart, Mark Sussman,  
Alice Weiss

**ABSENT:** B. Buechler (excused absence)

**ALSO PRESENT:** Susan Borg, A.I.C.P., P.P., A.I.A.  
Eric Heller, Consulting Engineer  
Board Attorney: Alice Beirne, Esq.  
Board Secretary, Rose DeSena

**ANNOUNCEMENT OF FUTURE MEETING DATES**

**Future Meetings:** November 17, 2011 (Regular Meeting) – 8:00 P.M.  
December 8, 2011 (Regular Meeting) – 8:00 P.M.  
January 19, 2012 ( Regular Meeting) – 8:00 P.M.

**ADOPT MINUTES**

**Adopt minutes: 10/24/11 special meeting for Golda Och Academy**

Ms. Gabry made a motion to adopt and Mr. Bullock seconded.

All were in favor.

**SWEARING IN**

Township Professionals, Planning Director Susan Borg and Township Consulting Engineer Eric Keller were sworn under oath.

## APPLICATION

1. **ZB-11-10/Golda Och Academy, a Solomon Schechter School**  
Block: 79 Lot: 21 Zone: R-4  
122 Gregory Avenue  
Proposed building addition, redesigned parking and traffic patterns  
with two (2) "D" variances and one (1) "C" variance

## EXHIBITS

- A-1 Site Plans (9 sheets) dated 4/27/11 with revisions
- A-2 Colored Rendering (Drawing 3)
- A-3 Architectural Rendering
- A-4 Preliminary Exterior Elevations Sheet P-4 7/11/11
- A-5 Sign Detail (Northfield & Gregory Avenue)
- A-8 Peter G. Steck Report dated 4/29/11

## Pre-marked

- A-6 Lighting Package (3 sheets) – identification purposes only
- A-7 Signage Package (3 sheets)

## DISCUSSION

Joseph Vena, Esq., attorney for the applicant, approached the podium and brought the Board up to date regarding who gave testimony at the 10/24/11 meeting and who would be testifying at this meeting.

Mr. Vena also stated that the applicant's traffic engineer, Harold Maltz, will testify with the traffic testimony at the Zoning Board's regular meeting on 11/17/11.

Mr. Vena asked the Board to set any conditions they may have at tonight's meeting while he has the experts present. Chairman Neuer stated that the Board will discuss conditions at the conclusion of this matter if an approval is to be granted.

Mr. Vena called Anthony Guzzo, architect for the applicant, who was sworn in at the 10/24/11 meeting. Chairman Neuer recognized him as an expert in his field of architecture.

Mr. Guzzo presented a lighting package to the Board. Chairman Neuer asked if this was part of the lighting plan that was in the submission package. Mr. Guzzo replied no. Chairman Neuer stated that Ms. Borg and Mr. Keller must review it before it is allowed as an exhibit so he will allow them to be marked for identification only and they will not be admitted into evidence until after the Board professionals have ample opportunity to inspect and comment. The Chairman stated that this information is supposed to be part of the submission package and Mr. Guzzo did not have enough copies for the board to review tonight.

Mr. Vena stated that there is no change to the lighting plan. He explained that Ms. Borg had a question at the last meeting, regarding the height of the fixture on the plans, so they are presenting a different fixture. Chairman Neuer stated that this plan must be reviewed by the Board's experts and next week the Board will consider whether to approve it.

Mr. Guzzo continued by saying that there was a suggestion at the last meeting, regarding using an alternate fixture, and referred to the lighting package and began describing the fixture. Chairman Neuer stated that the lighting plan, marked A-6, is for identification purposes only.

Mr. Guzzo explained that the previous fixture in the plan was an LED fixture and this fixture is a similar LED fixture but more appropriate and pedestrian friendly. He stated that it is not the blue light that the typical LED has that Mr. Keller raised a concern about.

Ms. Weiss asked Mr. Keller what his thoughts were about this new fixture. Mr. Keller stated that there are new advances with LED lighting and new designs. He continued by saying that the LED's are very small and have much more flexibility to create a slimmer design. Mr. Keller said that the fixture that Mr. Guzzo is presenting tonight is like a Frisbee sitting on a pedestal which illuminates underneath. He said that it has the same full cut-off of the more traditional fixture but just doesn't have the big lamp in it.

Ms. Borg asked if they could see this light somewhere and Mr. Guzzo stated that he didn't know because it's a new fixture. He said that he would check to see if there are any installed somewhere or if he could get a sample.

Mr. Page, engineer for the applicant, approached the podium and stated that they agreed to submit revised plans with whatever style fixture the experts choose. Chairman Neuer stated that if they approve this application it would be based on drawings that were submitted and reviewed. He said that all he wants is to see an alternate plan that eliminates the old fixture and shows the new one. Mr. Page stated that he thought it was at the Township's Planner and Engineer's discretion. Chairman Neuer stated that the Board cannot approve this without looking at a revised lighting plan. He told Mr. Page that he has to submit a revised lighting plan to the Board Secretary by Monday 11/14/11 so that she can distribute it to the Board members. Chairman Neuer also stated that he can send it via email but will need two or three of the revised plans in hardcopy.

Ms. Borg questioned the second picture of a fixture that was included with the lighting packaged they presented. Mr. Guzzo stated that this was a suggestion of a fixture that would replace the floodlights on the building. Chairman Neuer stated that he thought that they would be removing the floodlights. Mr. Page stated that he testified that he would replace them with a similar wall mounted fixture that pointed downward.

Mr. Keller stated that after the last meeting he drove by the school to look at the floodlights. He said that there are nine floodlights on different parts of the building at the roof line and all of them are pointed outwards toward the property lines and neighbors. Mr. Keller suggested that they remove all of the flood lights from the building because they create a glare. He also suggested that they replace them with building mounted fixtures. Chairman Neuer told Mr. Keller to meet with Mr. Page after the meeting to discuss placement.

Mr. Guzzo presented the signage package. It was noted that this was pre-marked as Exhibit A-7 and given to the Board secretary. The package included a combination of exterior elevations and displayed all of the sign details.

Mr. Guzzo detailed where all of the signs will be located and what type of lettering they would use for each sign. He stated that they are proposing individual stainless steel mounted letters on the building and individual stainless steel letters mounted on the existing wall at the Gregory & Northfield Ave. intersection. Ms. Borg questioned the white monument sign and asked what the material was on it. Mr. Guzzo stated it was aluminum. Ms. Borg asked how that would be with the sun reflecting on it.

Mr. Guzzo stated that it is not going to be bright and shiny but more subdued. Mr. Quentzel asked where the monument sign would be located and Mr. Guzzo replied at the Gregory Avenue entrance.

Mr. Guzzo continued by saying the stainless steel lettering on the façade of the school was going to be one to two feet in size. Mr. Keller asked if they are using stainless steel lettering on the white background of the sign on Gregory Avenue. Mr. Guzzo replied yes. Mr. Keller stated that, looking at it from a traffic engineering perspective, he had hoped that there was enough contrast for people to read the sign. Mr. Sussman agreed and stated that it's not going to be readily visible using silver on a white background. He suggested that they might want to change the colors of the lettering or change the background color. Mr. Sussman said that they should consult with Ms. Borg about this.

Mr. Vena stated that, at the last meeting, there was discussion regarding the fencing. He said that some of the fencing on the north and west side of the property was installed within the last few years. Mr. Vena stated that the existing fences on the north and east side of the property appear to be in good shape. He said that there is a portion of green fence on Gregory Avenue that is in disrepair and will be fixed and painted. Mr. Vena stated that there is also a portion of the fence on Northfield Avenue at the south east corner of the property that will be fixed and painted. He said that they will repair or replace any fence along Gregory and Northfield Avenues that is in disrepair to match the existing fence. This will all be subject to Ms. Borg's review.

Chairman Neuer asked if there are any more questions for Mr. Guzzo. Ms. Borg asked Mr. Guzzo if the glass on the building is going to be blue tint. Mr. Guzzo replied no.

Chairman Neuer asked the members of the public if they had any questions for Mr. Guzzo. He reminded them that this is just the time to ask questions and not for comments or opinions.

Getachew Lemma approached the podium and stated he lived at 6 Ardmore Road. Mr. Getachew asked Mr. Guzzo if anyone had discussed the fencing with any of the neighbors. Chairman Neuer asked if anyone spoke to the neighbors on Ardmore Road since the application was filed. Mr. Vena stated that he didn't know the answer to that but said that the applicant contacted everyone on the 200' radius list to meet at a location and discuss the plan. He said that there is someone here tonight who was at this meeting. Chairman Neuer told Mr. Lemma that, prior to the hearing, they had an invitation to come to a meeting and that someone is here tonight who will testify to that. The Chairman told Mr. Lemma that he can ask that person his question.

There were no more questions for Mr. Guzzo.

Mr. Vena called his next witness. Mr. Idan Levin approached the podium and sworn under oath. Mr. Levin stated that he was the facility manager for Golda Och Academy. He said that part of his responsibility is this construction project.

Mr. Vena questioned Mr. Levin about the meeting they had for the residents. Mr. Levin stated that they had sent a letter to all of the neighbors, prior to the second hearing, inviting them to discuss the project and that no one came to the meeting. He stated that the meeting was scheduled for 6:30 pm and, as he was leaving at 7:15 pm, he saw a car coming in and it was the Mr. Lemma. Mr. Levin stated that he and Mr. Lemma had a discussion and Mr. Lemma asked that they consider using fencing that could block some of the noise from the idling buses. He stated that Mr. Lemma was concerned about the buses idling. Mr. Levin stated that was the extent of any conversation with this or any neighbor. Chairman Neuer asked if the notices were sent by regular or certified mail and Mr. Levin said they were sent by regular mail. Chairman Neuer asked Mr. Levin if the issue about the idling buses comes under his authority and Mr. Levin replied that it does not. Mr. Levin stated that the

school sent letters to the independent bus company and advised them not to idle. He said that they were also advised that the police will enforce it if they do. Chairman Neuer said that signs should also be posted about idling. Mr. Vena stated that they will post signs and do whatever it takes to be in compliance. Chairman Neuer stated that he will advise the residents to call the police if they hear the buses idling.

Chairman Neuer asked if there were any questions for Mr. Levin.

Mr. Shreeram Devre approached the podium and stated he lived at 119 Gregory Avenue. Mr. Devre asked Mr. Levin when the letter was sent out to the neighbors about the meeting. Mr. Levin stated it was before the October 24<sup>th</sup> meeting. Mr. Devre stated that he did not get the letter. Chairman Neuer asked Mr. Devre when he purchased his house and he stated 12 years ago. Mr. Vena said that if Mr. Devre has a particular issue that they could listen to his concerns and possibly help him out.

Mr. Getachew Lcmma approached the podium again and began to comment about the discussion he had with Mr. Levin. Chairman Neuer told Mr. Lemma that he would have to wait until the end of the meeting to comment.

Ms. Eleanor Kramer approached the podium and stated she lived at 10 Bakley Terrace. Chairman Neuer asked Ms. Kramer if she was affiliated with the school. Ms. Kramer stated that she is a board member of Golda Och Academy and has a child in the school. Chairman Neuer stated that, because you are a board member, Mr. Vena represents you. Ms. Kramer asked if any parent of the school can ask questions about the project. Chairman Neuer asked the Board attorney, Ms. Beirne, if Ms. Kramer could ask her question and she replied yes. Ms. Kramer asked Mr. Levin if he felt the restoration of the property will make Golda Och a better neighbor and Mr. Levin replied it definitely would.

There were no more questions for this witness.

The Board recessed at 9:20 pm.

The Board resumed at 9:30 pm.

Mr. Vena called his next witness. Mr. Peter G. Steck approached the podium and was sworn under oath. Mr. Steck listed his credentials as a licensed professional planner in the State of New Jersey since 1976. Chairman Neuer asked Mr. Steck if he has testified before this Board before and concerning projects of similar scope and Mr. Steck replied yes. Chairman Neuer accepted Mr. Steck's credentials as an expert professional planner.

Mr. Steck referred to his report dated April 29, 2011. Chairman Neuer asked to have it marked as Exhibit A-8. Mr. Steck began detailing his report stating that this application was originally approved in 2009. He continued by explaining the impervious coverage, the building height and the student population. Mr. Steck stated that this application proposes to expand the facility and the significant change is the circular driveway which will allow for efficient drop off of student. He said that their traffic expert, Mr. Maltz, will discuss that.

Mr. Steck described the area and talked about the signage, drainage and lighting improvements they are proposing. He also described the conditional uses in the R-4 zone that the school is located in. Mr. Steck stated that there is already a "D" variance associated with this property for the height of the building. He said that they also need a variance for conditional use because they do not meet all of the conditions. Chairman Neuer clarified by saying that they are not looking for a new height variance but just for the non conforming use that is being expanded.

Mr. Steck stated that they are increasing the impervious coverage to 68.2%, proposing the assembly area height as 51.4' and described the entire slope areas listed in his report. He continued by stating that the applicant also needs a parking variance because they are proposing 58 spaces and 123 are required. Mr. Steck stated that they are seeking relief for the retaining walls they are proposing because of the height limit and are also seeking variances for the proposed signage.

Mr. Steck continued by stating all of the reasons why the Board should support and approve this application. He stated that all of the improvements are good for the neighborhood and that it is an inheritably beneficial use. Mr. Steck stated that there is no substantial detriment to the neighborhood. He said that it's not unusual for schools to be in a residential zone because all schools in West Orange are situated in residential zones.

Mr. Steck stated that the auditorium will not be used during classes and that it will only be used by the students as a classroom. He also stated that parents will only be there occasionally.

Mr. Steck stated that it is a very large building on a sloping site and that the height is remote from surrounding houses because of this. He stated that the new circular driveway will eliminate the stacking of cars on Gregory Avenue and accommodate the students in a safe way.

Mr. Steck justified the new signs stating that all of the signage is in the interior and there is only one sign on Gregory Avenue and one sign at the intersection of Gregory and Northfield Avenue. He stated that the sign changes are minor to the motoring public and they are beneficial in notifying the public where the school is.

Mr. Steck stated that the significant improvements will protect the neighborhood and most of the improvements are on the interior of the property. He said that the storm water will be adequately addressed and the lighting will be diminished.

There were no questions for Mr. Steck from the Board.

Mr. Keller asked Mr. Steck about the variance for the tree removal on the slopes because he didn't mention that. Mr. Steck stated that they are not disturbing the vegetation and this will be an improvement.

Chairman Neuer clarified by stating that schools are listed as conditional uses in R-1, R-4, OB-1 and Ob-2 zones according to the ordinance.

Chairman Neuer asked for clarification regarding the auditorium only being used by the students and not being used for major functions. There was some discussion amongst the Board and they felt that maybe it would be. Mr. Vena stated that they cannot consent to this and that parents might come into the auditorium.

Chairman Neuer asked if the general public had any questions for Mr. Steck.

Mario Portilla approached the podium and stated he lived at 3 Ardmore Road. He asked Mr. Steck what the current population was at the school and if it is over-crowded. Mr. Vena said that he can have the principal of the school answer those questions. Chairman Neuer stated that this is in Mr. Steck's report. Mr. Steck stated that the population changes all the time but there are currently 260 students. He said that the application has been amended and they are proposing 325 students.

Mr. Portilla asked if he thought it was over crowded and Mr. Steck replied that the traffic engineer will testify to that.

There were no more questions for Mr. Steck.

Mr. Vena called Gloria Kron and she approached the podium and was sworn under oath. Ms. Kron stated that she was the principal of the school. Mr. Portilla asked her what the current student body was and she replied 251 students. Mr. Portilla asked her if they are over-crowded and Ms. Kron replied that, building-wise, they are not and their traffic expert will testify to the parking.

There were no more questions for Ms. Kron.


Mr. Vena stated that was all of the witnesses for this evenings meeting. He asked if the Board would say what conditions would be imposed, if the application was approved, before the next meeting. Ms. Weiss stated that would be doing things backwards.

Chairman Neuer stated that this application is scheduled to continue at the next hearing on November 17, 2011 and no further notice is necessary.

#### ADJOURNMENT

Meeting was adjourned at 10:23 pm

November 10, 2011

  
Rose DeSena  
Zoning Board Secretary