

**TOWNSHIP OF WEST ORANGE
PLANNING BOARD
SPECIAL MEETING MINUTES
May 21, 2014**

The Township of West Orange Planning Board held a special meeting on May 21, 2014 at 7:30 P.M. in Council Chambers, 66 Main Street, West Orange, New Jersey.

Chairman Heller called the meeting to order at approximately 7:34 P.M. It was announced that notice of this meeting was given to the Township Clerk and the West Orange Chronicle on April 24, 2014 and was posted on the Township Bulletin Board in accordance with the requirements of the "Open Public Meetings Act."

PRESENT: Chairman Ben Heller, Robert Bagoff, Jerome Eben, Tekeste Ghebremicael, Gerald Gurland, Lee Klein, Vice Chairman Ron Weston

ABSENT: Joanne Carlucci, Jason Lester, Council President Susan McCartney, William Wilkes II

ALSO PRESENT: Paul Grygiel, AICP, PP, Acting Township Planner, Frank Russo, PE, Omland Engineering, Patrick J. Dwyer, Esq., Board Attorney, Robin Miller, Board Secretary, Kevin Dillon, Audio-Digital Transcription Service, Harvey Grossman, Esq., Public Advocate

PLEDGE OF ALLEGIANCE

Chairman Heller requested all attendees stand for the Pledge of Allegiance.

ROLL CALL

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

ANNOUNCEMENTS

The next Planning Board regular meeting will be held on **June 4, 2014** in Council Chambers at 7:30 P.M.

SWEARING IN

Paul Grygiel, AICP, PP, Acting Township Planner
Frank Russo, PE, PP, Consulting Engineer

APPLICATION

PB-14-05/481 Northfield Associates, LLC

Block: 159.01; Lots: 61.01 and 24; Zone: B-2

481 Northfield Avenue

Preliminary and Final Site Plan with "C" variances for childcare center.

EXHIBITS

- A-1:** Board containing (i) side elevation rendering of existing building, (ii) rendering of playground equipment with specifications sheets (7 pages), and (iii) signage for Tutor Time (two building signs and one "Coming Soon" sign);
- A-2:** Preliminary and Final Site Plan – Sheets CS, A1, A2, A3, A4, A5, A6, A7 prepared by Inglese Architecture & Engineering LLC dated April 15, 2014 (8 sheets); Existing Conditions Planting Plan, and Landscape Plan prepared by A-L Services, Inc. dated May 9, 2014 (2 sheets); Boundary Survey dated August 16, 2012 and Boundary & Topographic Survey dated August 20, 2012 prepared by ZL Land Surveying LLC (2 sheets).

DISCUSSION

Dr. Bagoff stated he did business with the law firm of Mandelbaum, Salsburg, Lazris & Discenza, P.C., but the relationship would not affect his ability to evaluate the Application on its merits; he did not use the services of Mr. Vena. In response to inquiry from Mr. Dwyer, Mr. Vena confirmed he had no objection to Dr. Bagoff evaluating the Application.

Joseph A. Vena, Esq., Mandelbaum, Salsburg, Lazris & Discenza, P.C., attorney for the Applicant, told the Board the Application was for a childcare center to be located in an existing building on the site of a former restaurant. He said there would be very little physical changes to the site property, but some changes to the existing building were proposed; additionally, the Applicant was seeking one "c" variance for a second means of ingress/egress in an existing side yard.

Stephanie Gargiulo stated she was a certified teacher and the owner/operator of a childcare center in Livingston for the past twelve years. In response to questions from Mr. Vena, Ms. Gargiulo said the current enrollment was 135 students; but enrollment varied from 80 to 140 students depending on the time of the year and the economy. The business was licensed by the State of New Jersey; the maximum number of students permitted was 200. The hours of operation were Monday through Friday 6:30 A.M. to 6:30 P.M. The student breakdown was one-third under the age of two; one-third ages 2-3; and one-third ages 3-6. Student drop off was between the hours of 6:30 A.M. and 9:30 A.M. Typically, no more than five children were dropped off at any one time; with an average drop-off time of five minutes or less; the same applied for after school pick-up. There were approximately thirty staff members working on a staggered schedule. Children were served pre-prepared heat-and-eat meals; a microwave oven was used to heat the meals. Referring to Exhibit A-1, Ms. Gargiulo described the proposed permanent signage, the temporary "Coming Soon" signage, and the proposed playground layout and equipment; she stated the playground equipment would meet the childcare safety standards required by the State of New Jersey; the surface material would be a rubberized "Poured-in-Place". Mr. Heller asked Mr. Vena if there was another witness who would be testifying regarding the playground equipment. Vice Chairman Weston said Ms. Gargiulo was able to testify regarding the business operations but she was

not an expert on playground equipment. Mr. Vena said that Ms. Gargiulo was confirming to the Board that the equipment detailed in Exhibit A met safety standards; he said the Applicant's engineer would give further testimony regarding the playground equipment. The door near the playground was required as a second means of egress in case of an emergency; it would also be used as access to the playground; and emergency access to the parking area.

Dr. Bagoff asked if the location would be in addition to the Livingston site. Ms. Gargiulo said no; the business would be moving to West Orange from Livingston.

Vice Chairman Weston said that with an expected number of 200 children to be dropped off in intervals of five drop-offs at a time, there would be a total of 40 drop-off segments; he asked how long was the period of drop-offs. Ms. Gargiulo said that it was generally a three-hour period - 6:30 A.M. through 9:30 A.M. The average drop-off time was three minutes. She said that 200 children were the maximum number permitted; but since the business opened twelve years ago, 140 children had been the maximum enrolled.

Mr. Eben asked about the proposed temporary signage; Ms. Gargiulo said the signage would be erected after the Project Manager had applied for and secured the required permits. Mr. Eben asked if there would be a conflict between the number of parking spaces used by parents for drop-off and staff parking; Ms. Gargiulo said that approximately 18 staff members drove to work, the balance either were dropped off or took public transportation – she noted that there was a bus stop across the street from the new location.

Mr. Russo asked if there would be an increase in the number of staff members if the enrollment increased; Ms. Gargiulo said that depending on the number of students and their ages, to meet the required ratio, there may be an increase of up to four or five staff members.

Anthony Marucci, PE, Marucci Engineering, LLC, was sworn in and confirmed he was a licensed engineer in the State of New Jersey. Chairman Heller stated that Mr. Marucci had appeared before the Board on several occasions; the Board acknowledged him to be an expert in engineering. Mr. Vena advised the Board that Mr. Marucci did not prepare the plans; the engineer who prepared the plans (John C. Inglese, RA, AIA, PE, LEED AP, Inglese Architecture & Engineering, LLC), was unavailable due to a personal emergency; however, Mr. Marucci had worked with Mr. Inglese and was very familiar with the plans. In response to question from Chairman Heller, Mr. Marucci confirmed he had worked with Mr. Inglese on several projects, had reviewed the plans and visited the site, and was prepared to answer questions. Mr. Vena and Mr. Marucci confirmed that Exhibit A-2 was the package of plans submitted as part of the Application; Mr. Marucci confirmed they were the plans he had reviewed. Mr. Marucci said the site was an existing site; with respect to impervious coverage, there were no changes. There would be no changes to the footprint of the building or to the perimeter of the parking area. The alcove area in front would be filled in; the entire building would become a two-story building. The existing refuse area would be moved to the west to allow for a larger playground area; on the easterly side, a set of stairs and walkway would be added for a second means of egress. The tandem parking spaces associated with the former restaurant along the northerly side would be eliminated, reducing the total number of parking spaces. The playground area would be located to the north of the building; it would be screened in by a 6-ft high privacy fence on the sides and the rear. There was a significant elevation to the residential properties to the north, however, there was an existing buffer area that would remain; there was quite a distance before reaching those adjacent residential areas. Parking buffers in the grassy area would be removed; there would be no vehicular access. On the easterly side of the

property, there was an existing driveway that would have curbing installed so that vehicles exiting the adjacent property would not have access to the property. The existing asphalt in the proposed playground area would remain and a special material specific to playgrounds would be installed over the asphalt; Mr. Marucci opined the plan would not affect the grading and drainage. The existing exterior parking lot lighting would not change; the lighting would be on during the hours of 5:30 A.M. to 8:30 A.M and then 4:30 P.M. to 7:00 P.M., significantly less hours than when the restaurant was open.

Chairman Heller asked if the play structures would be surface mounted. Mr. Marucci answered in the affirmative.

Mr. Gurland asked if there were any fire hydrants located on the site. Mr. Marucci said there were not fire hydrants on the property, but the building had a sprinkler system. Mr. Gurland asked if the plans had to be reviewed by the Fire Official. Mr. Marucci said the Fire Official would review the plans during the construction review phase; the Fire Department would make any recommendations regarding fire hydrants.

Mr. Eben asked if one or two shade trees could be planted in the island closet to the building to accommodate the ordinance regarding the required number of shade trees for every ten parking spaces. Mr. Marucci said that a landscape architect would be testifying. There were currently three trees in the area but he had recommended that two additional trees be planted in the island Mr. Eben had mentioned.

Mr. Eben said he was concerned that the garbage pickup would be at the same time that teachers and students were arriving in the morning; was there a way the garbage pick-up could be picked up prior to opening or after hours. Ms. Gargiulo said that her garbage hauler picked up at 5:30 A.M.

Mr. Klein asked Mr. Marucci for details regarding the area between the property and the adjacent Rock Spring Water Company property. Mr. Marucci said that along the easterly side there was a curb cut with an opening that would be curbed to eliminate vehicle access to the property. Mr. Vena said that the Omland Engineering memorandums (dated April 30, 2014 and May 19, 2014) had included the recommendation. Mr. Vena and Mr. Marucci advised the Board that should the Application be approved, the Applicant would agree to all recommendations included in the Omland memorandums.

Referring to Item #10 of the Omland Engineering memorandum dated May 19, 2014, Mr. Vena said he had discussed the consolidation of the lots with Mr. Russo; additionally he had gone to the Tax Assessor's office, which showed two separate lots, but there was only one tax bill. The deed listed the property as one lot. Mr. Vena said that should the Application be approved he would write a letter to the Tax Assessor requesting the tax map be amended to reflect the lots were consolidated to one lot. Mr. Marucci advised the Board that the Township was currently in the process of revising its tax map.

Mr. Grygiel asked Ms. Gargiulo to confirm the hours of operation; would the building be open on weekends. Ms. Gargiulo said the hours of operation would be Monday through Friday only, 6:30 A.M. to 6:30 P.M., no weekend hours. Mr. Grygiel advised Ms. Gargiulo that Township ordinance did not permit garbage pick-up before 6:30 A.M. Ms. Gargiulo said she would speak with her hauler and devise a plan for pick-up that would not conflict with student drop-off.

Dr. Bagoff asked Ms. Gargiulo if she was planning to rent the space out during the evening or weekends. Ms. Gargiulo answered in the negative. Dr. Bagoff recommended a condition of approval include the space would not be rented out during evening hours or weekends.

Mr. Klein asked Ms. Gargiulo if there would be graduation ceremonies or special events planned during regular hours of operation. Ms. Gargiulo said there would be occasional events specific to age categories – approximately thirty students maximum with their family members. She opined there would be sufficient parking during the events. She said that on occasion there might be a Saturday morning staff meeting; there would be sufficient parking for staff members.

Mr. Russo asked Mr. Marucci where the illuminated signage on Northfield Avenue was located. Mr. Vena said the Applicant's Planner would be able to answer the signage question. Mr. Russo asked if the site currently complied with the tree ordinance. Mr. Marucci said that currently there were three trees and that two more trees would be added. Mr. Vena said the finished plan would be in compliance.

The Public Advocate had no questions for Mr. Marucci.

Patricia Furci, 69 Rock Spring Avenue, asked where was the refuse area to be located. Mr. Marucci said the refuse would be located in the back of the building and would be fenced in; he told Ms. Furci she would not be able to see the refuse area from her property.

Stephen Kollmar, Landscape Designer, A-L Services, Inc. was sworn in and stated his credentials. The Board determined that although Mr. Kollmar was an unlicensed professional, he had prepared the Existing Conditions Planting Plan and the Landscape Plan and could testify to those plans as a landscape designer. The Board confirmed with Mr. Dwyer that there was not a problem with allowing Mr. Kollmar to testify. Mr. Kollmar confirmed he had prepared the Existing Condition Planting Plan; he described the current conditions which included shade trees, evergreens and a variety of plantings including oak, pine and an abundance of juniper. It was his opinion that the plantings were generally in good condition. There were hedges along the front of the site. Mr. Kollmar said the proposed landscape plan included the addition of two shade trees on the existing island to meet the ordinance requirement of five shade trees. A variety of plantings including grasses would be added. He agreed to add additional plantings if so recommended by the Board.

Referring to the portion of land located in the longer area of the parking lot in the front; Mr. Eben asked if the twenty-two hollies in the existing plan would remain in the landscape plan. He stated that there was currently a huge gap in the center of the plantings; he asked if the gap would be filled in. Mr. Kollmar said the hollies would remain and the gap would be filled in.

Chairman Heller asked if a tree could be planted between the third and fourth parking spots on the south of the property. Mr. Kollmar said there was a light at that location; a tree could not be planted in that location. Chairman Heller asked Mr. Kollmar to describe the quality of the evergreens located to the north east of the property. Mr. Kollmar said the evergreens were branched up, and there was thick vegetation. Mr. Heller asked if in addition to the installation of the new plantings, would Mr. Kollmar's company be handling the landscaping maintenance. Mr. Kollmar said his company had a maintenance division but was unsure if they would be maintaining the landscaping but that cleaning up and pruning the existing plantings would be part of the new installation.

Mr. Russo stated he had no questions for Mr. Kollmar; he said he had left it up to the Board to determine if there were sufficient existing and proposed plantings for the area around the building.

The Public Advocate and the Public had no questions for Mr. Kollmar.

Joaquin Bouzas, R.A., Inglese Architecture & Engineering, LLC, was sworn in, stated his credentials, and was accepted by the Board to be an expert in architecture. Referring to Exhibit A-1, Mr. Bouzas described the existing conditions and the proposed changes. He said the building currently had different heights; the plan would include boxing out and squaring off the building. There would be a second floor addition over the existing ground floor- making additions "here and there". An existing deck, stairs, and existing exterior freezer enclosure would be removed. The proposed first floor plan included a new lobby, elevator installation, a second interior staircase, a new pantry, multi-purpose room, classrooms with restroom and sink, laundry room and restroom for employees. The second floor plan included five classrooms and a large playroom. Mechanical equipment would be located on the roof with louver screening. A new 600 square foot employee lounge area would be built in the existing basement. The existing exterior had a stucco cement finish; a new insulation system would be installed to the entire building. The existing roofing material was a metal finish that would be kept and continued; and new vinyl windows would be added.

Dr. Bagoff asked if all proposed bathrooms were ADA compliant. Mr. Bouzas answered in the affirmative.

Mr. Gurland asked if any items on the roof would project beyond the roofline. Mr. Bouzas said currently the roof was pitched, but would be flattened; the roof would be a reflective white roof. All mechanical equipment would be screened. Mr. Gurland asked Mr. Bouzas for details regarding building and elevator handicap accessibility. He voiced concern that the employee lounge area was not handicap accessible; he asked if that was legal. Mr. Bouzas stated that handicap accessibility was not required for the 600 square feet employee lounge area or utility area. Mr. Gurland said that since entire interior was being renovated it needed to be handicap accessible; Mr. Bouzas stated the plan met all ADA requirements. Mr. Gurland said he was concerned that the basement lounge area would be rented out; Mr. Vena stated the Applicant would accept as a condition of approval that the basement lounge area would not be leased out.

Referring to Sheet A3 (Exhibit A-2), Mr. Eben asked for clarification regarding Stair #2; Mr. Bouzas said Stair#2 was the new egress stair for emergency access to walkway leading to the front of the building; access to the rear playground area was graded. Referring to Sheet A5 (Exhibit A-2), Mr. Eben asked for details regarding the existing and proposed exterior surface materials for the east side of the building. Mr. Bouzas said the entire area would be stucco effaced; the entire exterior would be repaired, cleaned up and painted.

Mr. Klein said he had calculated the maximum number of children could be as high as 208; Mr. Bouzas confirmed the maximum number allowed was 200 but that Ms. Gargiulo would have a maximum enrollment of 150 children.

Vice Chairman Weston stated that ADA was civil legislation; the Applicant could be subject to a lawsuit if not all spaces were accessible; he advised Mr. Bouzas that the Building Official would determine if the plan was ADA code compliant during the construction plan review process. Mr. Bouzas acknowledged the concern.

Mr. Eben stated he had taken an advanced ADA course; he advised Mr. Bouzas that the business owner could have a written policy that stated if an employee required handicap accessibility for a specific function or need; the space would be provided; it could protect the business owner from liability. The written policy could be provided to the Construction Official.

The Township Professionals and the Public Advocate had no questions for Mr. Bouzas.

Patricia Furci, 69 Rock Spring Avenue, asked Mr. Bouzas for details regarding the nighttime signage illumination; Mr. Bouzas deferred to Ms. Gargiulo; she answered the signage would be backlit and as with the parking lot lighting, all would be on a timer. The timer would be adjusted seasonally.

Craig W. Peregoy, P.E., Dynamic Traffic, was sworn in, stated his credentials, and was accepted by the Board to be an expert in civil and traffic engineering. Mr. Peregoy confirmed he had prepared the Traffic Impact Study prepared by Dynamic Traffic dated May, 9, 2014; he gave a recapitulation of the report which included the existing traffic conditions; existing traffic volumes; traffic characteristics of the proposed use; projected trip generation; trip distribution; and projected future traffic conditions; and his conclusions based on site plan review. He determined the traffic movement was a favorable Level of Service "B". He said there would be more than sufficient parking.

In response to Mr. Vena's request, Mr. Peregoy responded to items #4, #5, #6, #7, #8, and #9 of the Omland Engineering memorandum dated May 19, 2014; he concluded that based on the traffic analysis, it was his opinion the property was laid out well for the proposed business; he reiterated the traffic movement was Level of Service "B". The proposed plan was an improvement over the previous use.

Mr. Klein asked Mr. Peregoy to describe the path a vehicle wanting to go eastbound on to Northfield Avenue would exit the site; Mr. Peregoy said the vehicle would make a left turn out of the property, a right turn on to Northfield Avenue to the Pleasant Valley Way U-turn. In response to Mr. Klein's question regarding deliveries; Mr. Peregoy said that compared with restaurant deliveries; there would be an increase due to the daily heat-and-serve program.

Mr. Grygiel stated that the property was located within a B-2 Zone, which allowed a variety of uses. He asked Mr. Peregoy to discuss the traffic impact of a childcare center as it compared to other permitted businesses such as an office, restaurant or retail space. Mr. Peregoy said the childcare center would be similar to an office use; a restaurant would have a much higher traffic impact during off-peak hours.

Vice Chairman Weston stated that daycare centers were exempt from the Township's parking ordinance; Mr. Peregoy confirmed the exemption.

The Public Advocate had no questions for Mr. Peregoy.

Patricia Furci, 69 Rock Spring Avenue, stated that currently vehicles exiting the property were not permitted to make a right turn on to Rock Spring Avenue; how would that rule be enforced; Mr. Peregoy said directional signage would be installed indicating "No Right Turn". Ms. Furci asked for the citation regarding parking exemption for a daycare center.

George Wheatle Williams, P.P., Nishuane Group, stated his credentials, and was accepted by the Board to be an expert in planning. Mr. Vena advised the Board that Mr. Williams would be offering testimony

regarding the need for a “c(1)” or “c(2)” variance for side yard. Mr. Williams said that Township ordinance required minimum side yard setback of 10 feet; the current setback was 7.48 ft. – already a non-confirming condition. The plan would not enlarge the footprint; the only change would be the introduction of a stairway that was permitted by the code; the stairs would be impossible to see from adjacent properties and would provide a necessary second means of egress for the facility. He opined a “c(1)” variance relief was justified. He said there were other proposed improvements including curbing that would enhance the property to the east.

Vice Chairman Weston asked if the Applicant was requesting a “c(1)” or “c(2)” variance; Mr. Eben opined he did not think a variance was needed because it was already an existing non-confirming condition. Mr. Vena said that while the Applicant concurred that no variance was needed; the Township had imposed the request for the variance. Mr. Dwyer stated that it was the opinion of the Township Planner that the ordinance required the request for variance relief; he advised the Board he agreed with the Planner. Mr. Grygiel said the ordinance allowed for encroachments in the yard, within certain parameters; there was a 6 feet allowance for stairs, as long as the side yard setback was met; he opined the request for a variance was reasonable.

The Public Advocate had no questions for Mr. Williams.

Mr. Vena advised the Board all testimony was concluded; he summarized the information presented on behalf of the Application.

The Public had no comments regarding the Application.

Mr. Ghebremicael opined the business would be a good use for the property and surrounding residential area.

Vice Chairman Weston opined the Applicant met the burden of proof for a “c(1)” variance relief. He stated he did take issue with an unlicensed landscape architect testifying on behalf of the Application and would not take that testimony in to consideration; he suggested that as a condition of approval the landscaping plan be approved by the Acting Township Planner. He opined that in general, the outlined plan would be of benefit to the area and a good use of the property.

Mr. Eben opined the daycare center would be a great use of the property; the limited hours of weekday operation would be a benefit to the surrounding neighborhood.

Mr. Grygiel requested that the final plans incorporate the written list of conditions.

Conditions:

1. The Applicant shall comply with all applicable Township of West Orange, County, State and Federal laws, ordinances, regulations and directives, including without limitation, obtaining all applicable local, state and federal approvals and/or regulatory permits. Without limitation of the foregoing, prior to the signing of the approved site plans, and prior to the commencement of any land disturbance or construction, the Applicant shall submit to this Board, with a copy to the Board Engineer, proof that it has obtained all required governmental approvals.

2. If another governmental entity or agency grants a waiver or variance affecting the plans and/or exhibits submitted by the Applicant, this approval or the conditions attached to it, then the Applicant shall re-apply to this Board respecting the same and this Board shall have the right to view that issue as it relates to this approval and these conditions and modify and amend same, if appropriate.
3. In the event that any other required regulatory approval conflicts with the terms and conditions hereof, or materially alters the same, or the terms and conditions hereof are materially altered by any change in applicable law or regulation other than those municipal regulations for which change is prohibited by the Municipal Land Use Law (MLUL), or in the event Applicant or its successors or assigns construct or attempt to construct any improvement in conflict with or in violation of the terms of this approval, the Board hereby reserves the right to withdraw, amend or supplant the instant approval.
4. All construction, use and development of the property shall be in conformance with the plans approved herein, all representations and stipulations of the Applicant and its witnesses during the public hearing, all exhibits introduced by the Applicant, and all terms and conditions of this resolution.
5. The Applicant shall pay all outstanding taxes, tax liens, application fees and technical review fees, as well as any inspection fees that may be required hereunder.
6. Applicant shall comply with the requirements for affordable housing compliance, if any, which apply, including any amendments or revisions thereto, as the same may require the creation of low and/or moderate income housing or contribution therefore as a result of this approval.
7. Applicant is granted a c(1) variance for the construction of a stairway to provide access to the first floor in a side yard that is 7.48 feet setback from the lot line to the building at its closest point.
8. All notes included in the approved plans, including notes required by this Resolution, shall be deemed conditions of approval having the same force and effect as conditions expressly set forth in this Resolution.
9. That the applicant shall comply with all other applicable governmental authorities regarding this development and/or with any exceptions granted, if any, by such authorities.
10. Applicant shall install curbing along the common property line with lot 61.02.
11. Site Plan shall reflect all existing conditions, including landscaping.
12. Lots 24 and 60.01 in Block 159.01 shall be consolidated.
13. Playground materials to be properly identified on Site Plan and appropriate details published.
14. Applicant shall comply with the following comments in Omland Review letter dated May 19, 2014: Items 1, 2, 3, 11, 12, 13, 14, 16 and 19.
15. No other tenants, subtenants, licensees or occupants shall use the building.

16. The landscape plan shall be subject to the review and approval of the Board professionals, and shall include (i) five (5) shade trees in the parking area, and (ii) plantings to fill in the gap along the westerly side of the property line above the words "22 Holly" on the Existing Conditions Planting Plan.
17. Sheets CS, A1 and A2 shall be changed to delete the word "Leaseable" in the lower left hand corner adjacent to the word "Basement." All of these conditions of approval shall be noted on the plans.
18. Applicant shall comply with Township ordinance regarding solid waste pickup.
19. Applicant to provide an estimate of construction costs and provide engineering inspection fee escrow.

The Board voted on the Application as follows:

Motion: Chairman Heller

Second: Mr. Eben

Bagoff: Yes	Carlucci: Absent	Eben: Yes	Ghebremicael: Yes
Gurland: Yes	Klein: Yes	Lester: Absent	McCartney: Absent
Weston: Yes	Wilkes: Absent	Heller: Yes	

Mr. Vena requested the Board vote on the Resolution to memorialize the approval; thus allowing the Applicant the ability to submit the construction plans to the Building Department for review within the next week to help facilitate the timing involved with a projected September 1, 2014 opening date.

The Board voted on the Resolution as follows:

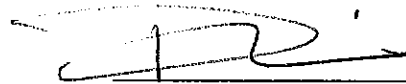
Motion: Chairman Heller

Second: Dr. Bagoff

Bagoff: Yes	Carlucci: Absent	Eben: Yes	Ghebremicael: Yes
Gurland: Yes	Klein: Yes	Lester: Absent	McCartney: Absent
Weston: Yes	Wilkes: Absent	Heller: Yes	

MEETING ADJOURNED at approximately 10:01 P.M.

Minutes adopted September 3, 2014



Robin Miller, Planning Board Secretary
Township of West Orange

**THE NEXT REGULAR MEETING OF THE PLANNING BOARD WILL BE
WEDNESDAY OCTOBER 1, 2014 AT 7:30 P.M. IN COUNCIL CHAMBERS**