

**TOWNSHIP OF WEST ORANGE  
PLANNING BOARD  
MINUTES  
March 7, 2012**

The Township of West Orange Planning Board held a regular meeting on March 7, 2012 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 4, 2012 in accordance with the requirements of the "Open Public Meetings Act".

Chairman Bagoff asked all persons in attendance to stand for the Pledge of Allegiance.

**PRESENT:** Chairman Bagoff, Tekeste Ghebremicael, Gerald Gurland, Vice Chairman Ben Heller, Lee Klein, Councilwoman Susan McCartney, Ron Weston, William Wilkes

**ABSENT:** Joanne Carlucci, Jerome Eben, Jason Lester

**ALSO PRESENT:** Susan Borg, Planning Director  
Debbie Dillon Audio Transcription Service, LLC  
Patrick Dwyer, Esq., Board Attorney  
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 February 1, 2011 Planning Board meeting were unanimously adopted.

**ANNOUNCEMENTS**

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

**SWEARING IN**

Director Borg was sworn in.

**RESOLUTIONS**

**PB-11-04/John Galante**

Block: 177.5; Lot: 6; Zone: R-5  
739 Prospect Avenue  
Minor subdivision with six (6) variances.

**DISCUSSION**

Director Borg gave a brief recap of the Application and the proposed Resolution.

The Board had no questions or comments.

Chairman Bagoff called for a vote on the Resolution.

The Board voted on the resolution as follows:

Motion: Chairman Bagoff

Second: Vice Chairman Heller

Carlucci: -	Eben: -	Ghebremicael: -	Gurland: Yes
Heller: Yes	Klein: No	Lester: -	McCartney: Yes
Weston: Yes	Wilkes: -	Bagoff: Yes	

**PB-12-01T/449 West Orange, LLC**

Block: 157; Lot(s): 8.01, 8.05; Zone: B-2  
449 Mount Pleasant Avenue  
Technical Site Plan for Medical Offices.

**DISCUSSION**

Chairman Bagoff gave a brief description of the Application. He advised the Board the Application had been approved at the February 9, 2012 Technical Review Subcommittee meeting.

Director Borg read the conditions listed on the proposed Resolution:

- (1) The driveway apron shall be replaced and reconstructed;
- (2) The parking lot shall be resurfaced or patched and the parking spaces shall be re-striped;
- (3) The grass-strip along Route 10 and the parking lot shall have low vegetation plantings;
- (4) The dumpster and recycling area shall be screened by fencing;
- (5) Broken windows in the rear of the building shall be replaced and damaged storm window guards shall be replaced;
- (6) There shall be plantings along the rear wooden fence area to the west of the property;
- (7) The drop-off on the west side of the property shall have a railing or hedges;
- (8) The existing building mounted light fixtures shall be replaced by shoe-box type light fixtures and shall be shielded so as not to shine onto adjacent properties;

- (9) The canopy elevation shall be of sufficient height to allow emergency vehicle access;
- (10) The HVAC apparatus shall be relocated to the westerly side of the building and shall be screened by slatted fencing;
- (11) Trees shall be trimmed from the bottom; and
- (12) "Do Not Enter" and "Exit Only" signs shall be mounted on a canopy post as shown on plans.

The Board discussed whether Essex County had to sign off since Mt. Pleasant Avenue was a County road. It was determined that since there were no proposed changes regarding the property's ingress/egress; County approval was not necessary.

Mr. Gurland asked for information regarding the basement plan; he wanted to know what the proposed use of the basement would be, and what its means of ingress/egress were. The Board discussed adding a condition to the Resolution that the basement use would be for storage only.

Joseph Vena, Esq., attorney for the Applicant was sworn in. Mr. Vena and the Board discussed the basement means of ingress/egress. Mr. Gurland asked if there was a second means of egress for the basement. Mr. Heller said the Applicant would be replacing exterior stairs and install new interior stairs on the western side of the building.

Mr. Vena requested the opportunity to contact the Applicant's architect by telephone. Chairman Bagoff said the Board would temporarily pass on the discussion regarding Application PB-12-01T to allow Mr. Vena the opportunity to discuss the site plans with the Applicant's architect. (Approximately 8:19 P.M.)

Chairman Bagoff announced the next agenda item:

**PB-12-02T/Wolff & Samson PC**

Block: 107; Lot: 1.03; Zone: OB-2

1 Boland Drive

Technical Site Plan for interior expansion and renovation of law offices.

**DISCUSSION**

Chairman Bagoff gave a description of the Application to the Board. The law firm of Wolff & Samson was taking additional office space in the building they already occupied. The additional offices formerly belonged to an accounting firm. The renovations were standard, with the installation of new carpeting, wall coverings, ceilings and lighting. There would be no changes to means of ingress and egress. A new door would be installed for an employee training room. There would be no changes to the exterior of the building. The Technical Review Sub-Committee approved the Application with conditions. Director Borg gave a brief summary of the proposed Resolution including her recommendations upon site visit as conditions:

- Trees on the North side of property facing Boland Drive were to be pruned; dead vegetation to be removed;
- The dumpster on the West side of the building to be screened.

The Board had no questions or comments.

Chairman Bagoff called for a vote on the resolution.

The Board voted on the resolution as follows:

Motion: Chairman Bagoff

Second: Mr. Ghebremicael

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

**PB-12-03T/Main Street Counseling Center**

Block: 84.01; Lot: 37; Zone: B-2

8 Marcella Avenue

Technical Site Plan for interior alterations to lower level.

**DISCUSSION**

Chairman Bagoff gave a brief description of the application. The Application was for interior renovations to the lower level of office space. Renovations were for the lower level only, which was approximately 1,200 square feet. The work would include gutting out old partitions and re-configuring office layout. Chairman Bagoff said Technical Review Sub-Committee approved the Application with conditions. Director Borg gave a brief summary of the proposed Resolution including her recommendations upon site visit as conditions:

- Removing the free-standing sandwich sign at the corner of Prospect Avenue and Marcella Avenue;
- The dumpster in the rear of building should be secured and screened;
- The wooden fence on the West side of parking lot should be replaced or repaired.

The Board discussed the requirements for ADA compliance for refitting a building. It was determined the Rehab Sub-Code is determined by the (monetary) percentage of work done. Mr. Dwyer said the dollar amount of renovation triggers the ADA compliance. Councilwoman McCartney said the threshold is \$25,000. The Board briefly discussed the history of the ADA compliance.

The Board had no further questions or comments.

Chairman Bagoff called for a vote on the resolution.

The Board voted on the resolution as follows:

Motion: Mr. Weston

Second: Councilwoman McCartney

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

Chairman Bagoff announced Mr. Vena was ready to continue his testimony regarding:

**PB-12-01T/449 West Orange, LLC**

Block: 157; Lot(s): 8.01, 8.05; Zone: B-2

449 Mount Pleasant Avenue

Technical Site Plan for Medical Offices.

Mr. Vena referred to Sheet A-1 – Proposed Ground Floor Plan (Peter Ricci, A.I.A.). Mr. Vena said interior stairs would be installed from the first floor to the second floor and the stairs would provide access to the lower basement level. Mr. Weston said the drawing did not show the staircase properly. Mr. Gurland said the staircase plan is a very critical matter. He asked that the applicant submit proper plans, and he would not accept the Application without them. Mr. Weston said the Application was for interior renovation only, but it was necessary for all final plans to indicate proper means of ingress and egress. Mr. Klein said the current plans indicated the exterior fire escape and did not indicate elevations.

Mr. Vena said all final plans would indicate proper means of ingress and egress.

Chairman Bagoff said the members of the Board had many questions regarding this Application. He suggested that the Resolution be tabled and the Application go back to the Technical Review Subcommittee for further review. He asked the Board to list all items to be addressed. Mr. Vena agreed to submit revised plans to the Technical Review Subcommittee as follows:

- Drainage;
- Ingress/egress on the west side of building;
- Grading for handicap accessibility;
- Details of interior handicap accessibility (how will they maneuver throughout the building);
- Footprint of basement;
- Details for all interior stairs;
- Elevations on all sides;
- Plans must indicate two means of ingress/egress for all public levels;
- Interior and exterior plans must correctly reflect means of ingress/egress.

Chairman Bagoff said if all items were properly addressed at the Technical Review meeting on March 15, 2012, the Resolution would be adopted at the April Planning Board meeting.

## **DISCUSSION**

### **Downtown Redevelopment Update**

Chairman Bagoff said that Director Borg would give a brief update of the Edison Village Redevelopment.

Director Borg said (this) discussion was not a hearing. Chairman Bagoff stated the discussion tonight was not about an Application, but rather a briefing to those Board members who had not been able to attend the public meeting(s) the Town Council held to

inform the public of the status of the Downtown Redevelopment.

Councilwoman McCartney said the Council would next have a presentation at the March 20, 2012 Council meeting.

Director Borg referenced the Redevelopment handout prepared by the Planning Department. She said the developer, Prism Partners, had worked carefully with the West Orange Historic Preservation Commission. She said one of the biggest changes in the forthcoming plan would be changing the for-sale units to rental units.

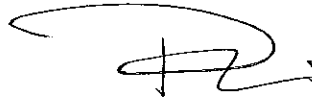
Director Borg encouraged all Board members to review the Redevelopment documents that were available on the Township's website. She gave a brief summary of the items listed on the website and said those documents were the core of what the Council was considering for approval.

Chairman Bagoff recommended that all Board members visit the Edison site to get a feel for the area. He suggested that this would give members a better understanding of the area and give them the opportunity to formulate questions for the re-developer when the revised plan came before the Board. Director Borg said that the Planning Board would have a narrower focus than the Council. For the Planning Board, ground rules would be put in place regarding items for discussion, so as not to distract the Board's function.

Director Borg said that the current approved plan was in the Planning Department office and Board members should take the opportunity to review them.

MEETING ADJOURNED at approximately 9:22 P.M.

Minutes adopted April 4, 2012



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Robin Miller, Planning Board Secretary

**\*\*THE NEXT REGULAR MEETING OF THE PLANNING BOARD WILL BE  
MAY 2, 2012 AT 8:00 P.M. IN COUNCIL CHAMBERS \*\***