

**TOWNSHIP OF WEST ORANGE
PLANNING BOARD
MINUTES
May 2, 2012**

The Township of West Orange Planning Board held a regular meeting on May 2, 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 requested all persons in attendance stand for the Pledge of Allegiance.

PRESENT: Chairman Bagoff, Joanne Carlucci, Jerome Eben, Tekeste Ghebremicael, Vice Chairman Ben Heller, Lee Klein, Jason Lester, Councilwoman Susan McCartney, William Wilkes II, Ron Weston

ABSENT: Gerald Gurland

ALSO PRESENT: Susan Borg, Planning Director
Leonard Lepore, Engineering 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 April 4, 2011 Planning Board meeting were unanimously adopted.

ANNOUNCEMENTS

The next regular Planning Board meeting will be held on June 6, 2012 in Council Chambers at 8:00 P.M.

SWEARING IN

Director Borg was sworn in.

Director Lepore was sworn in.

RESOLUTION(S)

PB-12-04/7-Eleven Inc.

Block: 10; Lot: 19; Zone: B-1

516 Valley Road

Preliminary and final site plan with bulk variances and soil removal permit for a new retail convenience store.

EXHIBIT

A-11 – Sign Detail.

DISCUSSION

Chairman Bagoff announced the Resolution and requested Mr. Dwyer advise the Board its status.

Mr. Dwyer said the Planning Board had approved the Application at the April 4, 2012 meeting but denied the variance for the proposed freestanding sign. At that meeting, the Board directed the Applicant to present a signage plan for a freestanding monument sign and directional signs at the next Technical Review Committee meeting on April 19, 2012. Additionally, the Applicant would submit revised landscaping and fence details.

Director Borg gave a brief summary of the April 19, 2012 Technical Review meeting. She said the Applicant had presented the revised signage plan as requested; at the Tech meeting, the Committee had questioned the dimensions of the directional signs. The Applicant was told the signage plan must indicate the dimensions of the directional signs to scale. Councilwoman McCartney agreed that the sign plan presented at the Tech meeting was not presented as scale and the Applicant had been told the plans needed to indicate the correct dimensions.

Antimo A. Del Vecchio, Esq. Beattie Padovano, LLC, attorney representing Applicant, 7-Eleven, Inc., addressed the Board. Mr. Del Vecchio said he had left the last Planning Board meeting with the understanding that a plan for a monument freestanding sign and directional signs would be presented at the Technical Review meeting. As the Board had requested, and both parties had agreed, the signage plan had been presented and accepted by the Technical Review Committee.

Chairman Bagoff asked Councilwoman McCartney if she could confirm that the signage plan, (Exhibit A-11), reflected what was agreed to at the April 19, 2012 Technical Review meeting.

Robert P. Freud, PE, PP, InSite Engineering, LLC, was sworn in. Mr. Freud discussed the details of the freestanding monument sign on the revised plans. The directional sign on Central Avenue was 4 feet, the Valley Road sign was 3 feet.

The Board, Mr. Del Vecchio and Mr. Freud discussed the base, size and appearance of the directional signs. Chairman Bagoff said the directional symbol must be larger than the 7-Eleven logo otherwise it would appear to be an advertisement.

The Board determined the freestanding sign would be no larger than thirty (30) square feet in size and located at a height subject to the review and approval of the Planning Director. The directional signs could be installed no more than three (3) feet in height; the upper portion of the sign with the 7-Eleven logo would be no larger than 1'3" x 1'3".

After a brief discussion regarding the remaining conditions for approval, 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: Yes	Eben: Yes	Ghebremicael: Yes	Gurland: -
Heller: Yes	Klein: -	Lester: Yes	McCartney: Yes
Weston: Yes	Wilkes: -	Bagoff: Yes	

APPLICATION

PB-12-08C/County of Essex-South Mountain Recreation Complex

Block: 163; Lot(s): 1, 2, 5, 6 & 13; Zone: R-1

9 Cherry Lane & 560 Northfield Avenue

Courtesy Review Application for Safari-themed Pavilion, floating dock with boat launch and walkway.

EXHIBITS

A-1 - Color Print Aerial Conceptual Layout

A-2 - Entitled Boat Launch Area

A-3 - Boat Launch Elevation

A-4 - Safari Pavilion

A-5 – Safari Pavilion Elevation

A-6 – Turtle Back Zoo Parking Area

DISCUSSION

Mark L. Fleder, Esq., Connell, Foley, LLP, was sworn in. Mr. Fleder said he was the attorney appearing on behalf of Essex County. Mr. Fleder said the County proposed three improvements including a floating dock, a pavilion, and a landscaped walkway in the parking lot area leading to the reservoir.

Michael J. Piga, C.L.A., R.L.A, French & Parrello Associates, P.A. Consulting Engineers was sworn in; stated his credentials; and was accepted by the Board to be an expert witness.

Mr. Piga described the proposed improvements to the Board. He noted that the reservoir was owned by the City of Orange; the City would need to approve the plan before the floating dock could be constructed.

Referring to Exhibit A-1 (Aerial View), Mr. Piga identified the areas that were part of the Application. Referencing Exhibits A-2 through A-6, Mr. Piga described each proposed improvement. The plan included a small boathouse for ticket sales and small equipment storage and a paddleboat launch. To compliment McLoone's Boathouse Restaurant, the area would have a nautical theme. The pavilion area would have a Safari theme, to compliment the miniature golf area. The pavilion would have a thatched roof, with old-fashioned looking industrial lighting and African mask décor. The pavilion would accommodate approximately 250 people; with pedestrian access only. Mr. Piga said Exhibit A-5 appeared to be a suspension bridge, but was really a raised deck over a detention area that would have a large amount of new landscaping.

Mr. Piga said the parking lot improvement behind the Arena would be in the southwest area of the lot. The new walkway would give patrons safe access to the water and the miniature golf course. There would be no loss to the number of existing parking spaces. Mr. Piga concluded his testimony.

Sangeev Varghese, Director, Essex County Public Works and County Engineer was sworn in.

The Board discussed the proposed plan with Mr. Piga and Mr. Varghese. The Board had questions about the design of the pavilion, the detention basin, landscaping details, the types of boats to be used and their storage, the hours of operation, and emergency vehicle access to area.

Harvey Grossman, Esq. Public Advocate addressed the Board. Mr. Grossman said residents had voiced concern that the Reservation should remain wild and underdeveloped. The County was presenting new projects for the space and should consider if less development was better development. Mr. Grossman said that West Orange was a green space; the County should be sent a message of restraint from all the projects.

Chairman Bagoff asked if members of the Public had questions.

Marilyn English, 97 Pease Avenue, Verona. Ms. English said she had been to a past Planning Board meeting about County projects in the Reservation and did not get answers to questions. Chairman Bagoff explained that this meeting was for a courtesy site plan review only; this was for land use only; complaints about other issues not pertinent to the Application would not be heard. He suggested she contact the office of the County Executive or address the County Board of Freeholders.

Robert Raskin, 35 Oakcrest Road. Mr. Raskin asked if the dam at the south end of the reservoir would be used in the proposed plan; how deep was the reservoir; was there a walkway around the entire reservoir; was a traffic study done; would there be environmental monitoring of the site because he had encountered the smell of fumes in the Cherry Lane area. He also wanted to know if food would be sold at the pavilion, would that be competing with the existing McLoone's Restaurant. Mr. Raskin was advised that the dam was not included in the plan and the reservoir was approximately 4 1/2 feet deep. Chairman Bagoff advised Mr. Raskin to contact the County or the State regarding his environmental concerns. Mr. Varghese said that a new traffic study had not been done. Mr. Piga said food would not be sold at the pavilion.

Suzanne Robinson, 34 Dogwood Drive. Ms. Robinson asked the Board to define a courtesy review because Essex County had already advertised for bids on the project. Chairman Bagoff advised Ms. Robinson to refer her question to the County Executive's office.

Mr. Bagoff asked for any statements from the Public.

Mrs. English stated her displeasure with the actions of the Board and made other statements not pertinent to the Application. Chairman Bagoff and Mr. Dywer advised that the Board had limited authority when hearing County applications.

The Board had no further questions or comments.

Chairman Bagoff called for a vote on the Application.

The Board voted on the Application as follows:

Motion: Chairman Bagoff

Second: Vice Chairman Heller

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

Chairman Bagoff called for a short recess at 9:35 P.M. The meeting reconvened at 9:45 P.M.

DISCUSSION

Director Lepore gave a summary description of the current Steep Slope and Natural Features Ordinance; he said he liked the current ordinance because it was more stringent than in the past, with the new ordinance - the steeper the feature - the more it should not be disturbed. Director Lepore described effective lot area and gave examples of natural features including wetlands. The Board and Director Lepore discussed the ordinance.

MEETING ADJOURNED at approximately 10:05 P.M.

Minutes adopted June 6, 2012



Robin Miller, Planning Board Secretary

****THE NEXT REGULAR MEETING OF THE PLANNING BOARD WILL BE
JULY 11, 2012 AT 8:00 P.M. IN COUNCIL CHAMBERS ****