

**TOWNSHIP OF WEST ORANGE
PLANNING BOARD
MINUTES
June 6, 2012**

The Township of West Orange Planning Board held a regular meeting on June 6, 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, Jerome Eben, Gerald Gurland, Vice Chairman Ben Heller, Lee Klein, Councilwoman Susan McCartney, William Wilkes II, Ron Weston

ABSENT: Joanne Carlucci, Tekeste Ghebremicael, 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 May 2, 2011 Planning Board meeting were unanimously adopted.

ANNOUNCEMENTS

The next regular Planning Board meeting will be held on July 11, 2012 in Council Chambers at 8:00 P.M.

Application PB-12-09/Prism Green Urban Renewal Associates IV, LLC has been carried to the July 11, 2012 Planning Board meeting. No further notice is required.

SWEARING IN

Director Borg was sworn in.

ORDINANCE UNDER REVIEW

Ordinance #2357-12 - An Ordinance to amend and supplement Chapter XXV, "Land Use Regulations", Chapter XXXI, "Trees", and Chapter XXXII, "Land Subdivision", of the Revised General Ordinances of the Township of West Orange in order to implement land use recommendations as set forth in the Re-Examination of the Township's Master Plan.

DISCUSSION

Director Borg discussed the history of the ordinance review; there have been three presentations to the Township Council; overhauling the ordinance is a large task. The Mayor had charged the Committee with making the document more user-friendly, and lenient. Director Borg said ZORC had approximately twenty-five discussions with various Boards, it was a long process, and while the revisions were not perfect, it was a good start. The ZORC Committee had advised the Council that the revisions were a start; and that it would take the Council over a year to go through the entire document. Director Borg told the Board that Paul Grygiel, Esq. had presented an overview of the ordinance revisions to the Council. Mr. Grygiel told the Council that he thought the document to be organized; among the changes, archaic wording had been eliminated. Councilwoman McCartney said the ZORC members were comprised of land-use attorneys and other members of the community knowledgeable on land-use; she said the Council adopted the ordinance on first reading.

Chairman Bagoff said the document was the end product of the ZORC Committee revisions. It was the task of the Planning Board to review the document, decide if it made sense, and then recommended to the Council that it be adopted.

Mr. Gurland said he was concerned that the Historic Preservation Commission had made recommendations but none had been incorporated. He said the Commission should be involved in the process. Chairman Bagoff and Mr. Weston suggested that the Historic Preservation Commission furnish the Board with the necessary changes. Chairman Bagoff recommended that the Chairman of Historic Preservation Commission provide the Board with information regarding the topics that needed to be changed, or copies of the previous correspondence. For the time being, there would be no changes.

The Board discussed the Chapter 25 revisions including building height, the definition of a story, the definition of a basement, and technical review issues. The Board determined that the proposed changes were consistent with the Master Plan, the 2010 Master Plan Re-Examination and the planning goals of the Township. The Board decided to recommend to the Council that the changes be adopted with the following conditions:

1. The Township recognize that the changes are the first step in an ongoing process to review, update and improve the Township's ordinances as related to land use and development;

2. The Township should address revising and updating Chapter 25-30 regarding the Historic Preservation Commission;
3. Section 25-48.10(g) be amended to delete the provision deeming a pre-existing non-conforming use formally abandoned after a two year lapse in use per Cox & Koenig, Zoning Planning and Land Use Law.

Chairman Bagoff called for a vote on the resolution.

The Board voted on the resolution as follows:

Motion: Chairman Bagoff

Second: Mr. Gurland

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

RESOLUTION(S)

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.

DISCUSSION

The Board had no questions or comments.

Chairman Bagoff called for a vote on the Resolution as follows:

The Board voted on the Resolution as follows:

Motion: Chairman Bagoff

Second: Councilwoman McCartney

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


Chairman Bagoff advised the Board that all documents regarding the Redevelopment application (PB-12-09/Prism Green Urban Renewal Associates IV, LLC), postponed to the July 11, 2012 meeting, would be re-reviewed and evaluated by Omland Engineering to ensure all information was accurate. If necessary, the Applicant would be advised to submit any additional documents a full ten calendar days prior to the July 11, 2012 Planning Board meeting.

Chairman Bagoff advised the Board that the West Orange Zoning Board had recommended the Planning Board would hear future applications for cell towers. The Zoning Board attorney would be submitting information to the Board regarding the recommendation. Chairman Bagoff said there is new federal and state law regarding cell towers; he suggested Board members research the new laws.

Chairman Bagoff announced that the annual re-organization would be at the next Planning Board meeting on July 11, 2012.

MEETING ADJOURNED at approximately 9:41 P.M.

Minutes adopted July 11, 2012

A handwritten signature in black ink, appearing to read 'Robin Miller', is written over a solid horizontal line.

Robin Miller, Planning Board Secretary

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