

**TOWNSHIP OF WEST ORANGE
PLANNING BOARD
MINUTES
July 11, 2012**

The Township of West Orange Planning Board held a regular meeting on July 11, 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, Gerald Gurland, Vice Chairman Ben Heller, Lee Klein, Jason Lester, Councilwoman Susan McCartney, William Wilkes II, Ron Weston

ABSENT: None

ALSO PRESENT: Eric Keller, P.E., P.P., Omland Engineering Associates, Inc.
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 June 6, 2011 Planning Board meeting were unanimously adopted.

ANNOUNCEMENTS

The next regular Planning Board meeting will be held on August 1, 2012 in Council Chambers at 8:00 P.M.

SWEARING IN

Eric L. Keller, PE, PP, Omland Engineering, was introduced as a professional planner and professional engineer hired by the Township.

RE-ORGANIZATION

Chairman Bagoff announced Councilwoman McCartney had been re-appointed to the Planning

Board by the Township Council.

Chairman Bagoff announced the Mayor's reappointments to the Planning Board: Robert Bagoff, Joanne Carlucci, Jerome Eben, Jason Lester, Ron Weston, and William Wilkes.

Chairman Bagoff announced the annual re-organization.

Appoint Chairman: Robert Bagoff.

The Board voted on the appointment as follows:

Motion: Mr. Weston

Second: Mr. Gurland

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

Appoint Vice-Chairman: Ben Heller.

The Board voted on the appointment as follows:

Motion: Chairman Bagoff

Second: Mr. Ghebremicael

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

Appoint Board Transcription Service: Audio-Digital Transcription Service.

The Board voted on the appointment as follows:

Motion: Chairman Bagoff

Second: Vice-Chairman Heller

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

Appoint Board Attorney: Patrick Dwyer, Esq.

The Board voted on the appointment as follows:

Motion: Chairman Bagoff

Second: Councilwoman McCartney

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

Appoint Planning Board Secretary: Robin Miller.

The Board voted on the appointment as follows:

Motion: Chairman Bagoff

Second: Ms. Carlucci

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

RESOLUTION(S)

PB-12-10T/Dominican Scissors, Inc.

Block: 118; Lot: 46; Zone: B-1

26 Washington Street

Technical Site Plan to lease space for a retail hair and nail salon.

DISCUSSION

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	Yes	Eben		Ghebremicael	Yes
Gurland	Yes	Heller	Yes	Klein	
Lester	Yes	McCartney	Yes	Weston	Yes
Wilkes	Yes	Bagoff	Yes		

APPLICATION(S)

PB-12-09/Prism Green Urban Renewal Associates IV, LLC

Block: 66; Lots: 1, 5 & 7; Zone: E-MU

175-177 Main Street

Amended Preliminary and Final Major Site Plan.

Carried from the June 6, 2012 meeting.

EXHIBITS:

A-1 – Disc, Power Point Presentation entitled “West Orange Redevelopment Project Phase I”

A-2 - Material Board

A-3 – Color Rendering (two panels)

A-4 – Color Rendering of Main and Charles Street façade

DISCUSSION

Chairman Bagoff addressed the Public. He briefly described the structure of the Board and its advisors; how the Board functioned; the rules governing its decisions; and the protocol that would be followed at Planning Board meetings.

Francis X. Regan, Esq., DeCotiis, Fitz Patrick & Cole, LLP, attorney for the Applicant appeared before the Board. Mr. Regan gave a brief introduction of the Application; prior approval for 310 residential condominium units was granted by the Board in October, 2007, but due to the subsequent downturn in the economy, the Applicant was submitting an amended site plan that included a total of 334 residential rental units with related modifications to the site plans and architectural plans, and a request for a deviation regarding density.

Mr. Regan noted that the Historic Preservation Commission had granted the Applicant a

Certificate of Appropriateness in 2007. The Applicant was currently in the process of seeking a new Certificate for the amended site plan.

Mr. Regan introduced Eugene R. Diaz, Principal, Prism Capital Partners, LLC. Mr. Diaz was sworn in.

Mr. Diaz gave a brief history of the project. Originally, the Board granted project approval in 2007; in 2012, Prism made changes to move the project forward as rental units. The changes were to make the project more user-friendly to the rental population. The unit count had changed, and the unit mix had changed. Originally, the average unit size was approximately 1,200 square feet; the new plan had an average unit size of approximately 1,000 square feet. The unit finishes were the same as in the 2007 plan; including high-end lighting, cabinetry, fixtures and finishes. Mr. Diaz said the amenity package had not changed; he described the amenities and mentioned that a swimming pool was still in the planning stage. The new plan added a rooftop deck that was not in the original package. Mr. Diaz reminded the Board that the plan was for an existing structure; he believed the new plan employed a better layout for the structure. Mr. Diaz said the streetscape had not changed, retail space had not changed, and the garage had not changed. Mr. Diaz advised the Board that Prism would be seeking federal tax credits for the project based on its historical status. Mr. Diaz concluded his testimony.

Mr. Regan introduced David J. Minno, RA PP, Principal, Minno & Wasko, Architects and Planners. Mr. Minno was sworn in; the Board accepted him as a qualified witness.

Mr. Minno confirmed he had prepared the amended architectural plans and would be referring to Exhibit A-1 – a Power Point presentation of the amended architectural plans. Chairman Bagoff requested a certified digital copy of the presentation be submitted to the Township for their records.

Mr. Minno said the amended plan kept the bones of the original building; but there were specific changes to its character. The changes included an improved amenity area with a new roof space and an indoor pool. Every unit would have a laundry, and each floor would have a common space with larger laundry units and tenant storage space. Townhouses and penthouses had been removed from the amended plan; there was a new unit mix on the fifth floor addition. Mr. Regan asked Mr. Minno to confirm the number of units and bedrooms. Mr. Minno said the original Edison building plan was for nine (9) studio apartments, the amended plan increased studio units to thirty-three (33); the original plan had one-hundred-twenty-one (121) one bedrooms, the amended plan increased one bedroom units to one-hundred-eighty-one (181); the original plan had one-hundred-twenty-eight (128) two bedroom units, the amended plan decreased two bedroom units to eighty (80); and the original plan had eighteen (18) three bedroom units, the amended plan decreased three bedroom units to six (6). The residential over retail mix of twenty-two (22) one-bedroom units and twelve (12) two-bedroom units had remained unchanged from the original plan. The interior courtyard townhouses consisting of eleven (11) three-story, three bedroom units, had been removed from the amended plan. The parking deck was screened, and there was more defined landscaping space. There was a slight increase in the number of parking spaces. The original plan was approved for 631 spaces; the amended plan had 642 spaces. Mr. Minno said that pedestrian access to the property remained unchanged. Mr. Minno also described the cell equipment details; the details are essentially unchanged from the prior plan with the exception of an added 12-foot high screen. Mr. Minno referred to Exhibit A-2 - Material Board, to describe the construction materials including brick of varying color, brushed aluminum, fiber cement exterior cladding and fabric awnings. Mr. Minno concluded his testimony.

Chairman Bagoff asked the Board if they had questions for Mr. Minno or Mr. Diaz.

The Board inquired as to a time sequence for the construction project. Mr. Diaz gave an approximate timeline of the proposed construction. He advised that half the excavation had already been completed; the new building and the parking garage would be the first structures built. The precast for the garage had already been completed and was being stored at the pre-caster's facility in Pennsylvania, however, there was approximately two to three months of infrastructure work to be done including running the utility lines and footings, and concrete pouring. It would be approximately three to four months before the start of garage construction, then approximately seven to eight months for its completion. With regard to the existing structure, lead paint abatement needed completion as well as some demolition of hard structures. Once the interior issues had been addressed, the windows would be replaced, and then a leasing office would be opened on Main Street, additionally, a completed model unit would be available for viewing. Vertical construction would be within six months. Mr. Diaz stated that before garage construction, approximately five-million dollars of work would have been completed.

The Board asked Mr. Minno for detail of the building materials and a brief overview of the Leadership in Energy and Environmental Design (LEED) considerations that went in to the design of the project. The Applicant advised the Board that Prism was committed to basic LEED certification, and hoped achieve "Silver" status.

The Board asked Mr. Diaz to discuss how the federal historic tax credit (HTC) program worked; and how the proposed façade and building material changes from the 2007 approval related to the project's designation status. Mr. Diaz said there were essentially two components, the National Parks Service and Internal Revenue Service in partnership with the State Historic Preservation Office. According to Mr. Diaz, the amended plan would please the National Parks Service; it called for less change to the characteristics of the building than the 2007 plan. However, Mr. Diaz said the "green concept" incorporated in the new plan is in excess of what would have been done five years ago. He said that actually, it is the opinion of the National Parks Service to discourage greenery in this type of historic property, i.e., urban factory setting

The Board and Applicant discussed pedestrian and vehicle access to the site including the garage, courtyard, and retail spaces.

Chairman Bagoff noted that Mr. Ghebremicael departed the meeting at 9:18 P.M.; if a continuance were necessary, a transcript would be required for Mr. Ghebremicael to read before he could vote on the Application.

Chairman Bagoff announced a five-minute recess; he re-convened the meeting at approximately 9:29 P.M.

Discussion occurred regarding the changes to the project, and its designation status with the West Orange Historical Preservation Committee (WOHPC). The Applicant confirmed that they would continue to work with the WOHPC, but reminded the Board they were seeking the federal historic tax credit and had a historical consultant working directly with the federal government.

There was further discussion regarding the building materials, façade appearance, amenity spaces, window details, unit balconies, and garage details including ventilation.

Discussion occurred regarding retail space details including deliveries, garbage collection, and customer parking. Mr. Minno said that all deliveries and garbage collection would be from

Charles Street. The Board voiced concern that a retailer would find Charles Street inconvenient to its operation.

The Board had no further questions for Mr. Minno or Mr. Diaz.

Harvey Grossman, Esq., Public Advocate, asked the Applicant to describe how the project would be marketed since the business model had changed the property to rental units; if there were plans to provide transportation connections to train stations; and if the rooftop amenity area would include an outdoor cooking facility. Mr. Diaz described the units; he said the units were geared to an upscale consumer; the property would offer a good opportunity to introduce new families to West Orange. Mr. Diaz said there was existing mass transportation for the area. With regard to the rooftop space, Mr. Minno said the current plan did not include outdoor cooking, but there would be an interior warming kitchen.

Mr. Keller, Omland Engineering, noted the proposed awnings for Main Street must be consistent with the Main Street design guidelines.

Mr. Keller and Mr. Minno discussed the relationship of the courtyard area to the garage, and the location of the handicap accessible parking spaces. Mr. Minno said the handicap accessible spaces would all be compliant.

Chairman Bagoff asked the members of the public to voice their questions on heard testimony.

Sheila Lefkowitz, 703 Pleasant Valley Way.

Rosary Morelli, 22 Ralph Road.

Mark Meyerowitz, 19 Howell Drive.

Councilman Joe Krakoviak, 20 Grandview Avenue.

Mr. Regan introduced the Applicant's landscape architect, Christoph G. Rummler, RLA, ASLA, Rummler Associates, LLC. Mr. Rummler was sworn in; the Board acknowledged him to be a qualified witness.

Mr. Rummler said he had prepared the landscaping plan; he gave the Board an overview of the proposed landscaping. Mr. Rummler indicated the amended plan increased the perimeter space; there were three different environments incorporated in the courtyard space including reflecting pools and sculptures. Mr. Rummler gave an overview of the plantings; the species were all native plants and chosen for being urban tolerant; once the plantings were established, they would require little maintenance. The goal of the plan was to have a sustainable environment. Additionally, Mr. Rummler discussed the walkway materials, lighting fixtures, elevations, drainage and seating availability.

The Board asked about the streetscape plan; inquiring if trees could be installed along Ashland Avenue. Mr. Rummler said there were no proposed changes to the streetscape from the prior plan. The Board questioned if there was enough room for emergency vehicle access; Mr. Rummler confirmed there was room for access.

Discussion occurred about the types of pavers and colored concrete walkways; the slope of berm; drainage; heights of the plantings as they mature, ground plantings details; security concerns for

the courtyard space; and the location of utilities. There was discussion regarding the possibility of softening the appearance of the garage wall by using other types of plantings or camouflage in addition to the proposed tree plantings atop a berm along the base of the wall.

Mr. Keller and Mr. Rummler discussed walkway materials; the sustainability of the plantings; soil composition; types of ground cover plantings; lighting details including spacing between polls and trees and the amount of illumination provided; and reflecting pool details.

Chairman Bagoff asked the members of the public if they had further questions on heard testimony.

Rosary Morelli, 22 Ralph Road.

Councilman Victor Cirilo, 55 Benvenue Avenue.

Christine Bosco, 4 Masson Place.

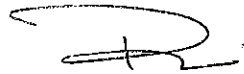
Clare Silvestri, 20 Grandview Avenue.

Chairman Bagoff announced that due to the lateness of the hour, the Application would be carried to the next Planning Board meeting.

Chairman Bagoff motioned to adjourn the meeting due to the lateness of the hour; Mr. Weston seconded the motion. The Application is scheduled to continue to be heard at the August 1, 2012 Planning Board meeting.

MEETING ADJOURNED at approximately 11:02 P.M.

Minutes adopted August 1, 2012



Robin Miller, Planning Board Secretary

****THE NEXT REGULAR MEETING OF THE PLANNING BOARD WILL BE
September 5, 2012 AT 8:00 P.M. IN COUNCIL CHAMBERS ****