

PLANNING BOARD

City of Orange Township 29
North Day Street
Orange, NJ 07050

MEETING MINUTES

February 24, 2021

Chairperson Dwight Holmes called the February 24, 2021 City of Orange Township Planning Board Meeting to order at 7:31 p.m. Salute to the Flag. Compliance with the "Sunshine Law" was acknowledged. Roll Call. Meeting Notice.

Please note this meeting was held virtually via Zoom Meeting and all login information has been posted on the City of Orange Township website (www.ci.orange.nj.us) as well as the local newspaper "Transcript."

Board Members Present: Callistus Onyiuke, Enock Faustin, Chris Mobley (arrived 7:41pm), Sharanda Bennett, Antoinette Jones, Council Vice-President Eason, Mayor Dwayne D. Warren, Chairman Dwight Holmes,

Board Members Absent: None

Professionals Present:
Richard Wostbrock, Board Engineer
Gerard Haizel, Board Planner
Alexandra Reyes, Board Secretary
Joseph Wenzel, Board Attorney

Correspondence: None

MINUTES:

Motion made by Council Vice-President Eason and **seconded** by Mayor Warren to approve the minutes as distributed.

Those in Favor: Member Bennett, Member Faustin, Council Vice-President Eason, Vice-Chair Jones, Chairman Holmes.

Those Opposed: None

Not Voting/Abstained: Member Onyiuke

Those Absent: Member Mobley

The motion carried 6-0-1-1.

Memorialize Resolution Case #05-2021 Approving the Upper Main Street Area Investigation and Study, And Accepting the Study Area as a Non-Condemnation Area in need of redevelopment and as an area in need of rehabilitation.

Motion made by Vice-Chair Jones and **seconded** by Member Bennett to approve Case #05-2012 memorialized resolution of Upper Main Street Area Investigation Needs Study.

Those in Favor: Member Bennett, Member Faustin, Member Onyuke, Council Vice President Eason, Mayor Warren, Vice-Chair Jones, Chairman Holmes.

Those Opposed: None

Not Voting/Abstained: None

Those Absent: Member Mobley

Motion Passes 7-0-0-1

Case # 21-01 Berwyn Estates Urban Renewal Entity LLC (30-34 Berwyn Street)

Robert Taylor, Esq. Attorney for the applicant Berwyn Estate Urban Renewal Entity LLC provided the overview of the application. The application is for Preliminary and Final site plan approval for the construction of a 4-story multi-family building with 24 units. The site is bisected by the municipal boundary between the City of East Orange and City of Orange. Block 3203 Lot 14 is the area affected in the City of Orange Township, which is zoned in the Central Orange Redevelopment Area District F. It is noted that only a small portion of the property is in the City of Orange Township with a size of 1,500sf. No part of the proposed physical structure that has been approved by the City of East Orange Township is to be constructed in the City of Orange Township.

A side walk and landscape area are located on the City of Orange Township side of the property. A 6'high picket fence is proposed along the property line.

Witness: Said Boykin was sworn in as the principal of Berwyn Estates Urban Renewal Entity LLC

Board Chairman asked the witness questions regarding what hindered this project from being developed solely on the property that belongs to the City of East Orange and why did it have to go in to the property that belongs to the City of Orange Township.

Board member asked as related to the property taxes, is there any portion of property taxes that will be collected as a result of this portion of property being in Orange.

Board Professionals

Rich Wostbrock, Board Engineer was sworn in to provide testimony. Board Engineer recommended the fence along the side line be 6'high. The redesigned drainage system should eliminate the "bubbler" and be connected to the municipal storm water system in East Orange.

Gerard Haizel, Board Planner did not have any comments on this application.

Motion by Vice- Chair Jones and seconded by Member Bennett to open public comment. All in favor.

No comments from the public

Motion by Council Vice-President Eason seconded by Vice-Chair Jones to close public comment. All in favor.

Motion made by Vice-Chair Jones and **seconded** by Member Mobley to grant approval of preliminary and final site plan of Case #21-01 Berwyn Estates Urban Renewal Entity LLC (30-34 Berwyn Street) applicant will comply with the recommendations of the board experts, specifically from the board engineer report dated January 19,2021.

Those in Favor: Member Bennett, Member Faustin, Member Onyiuke, Member Mobley, Council Vice-President Eason, Mayor Warren, Vice-Chair Jones, Chairman Holmes.

Those Opposed: None

Those Abstained: None

Motion carries 8-0-0

Case #20-08 North Day Development LLC (57-69 N. Day

Street)

Attorney Elnardo J. Webster with the law firm of Inglesino Webster Wyciskala & Taylor represented the applicant North Day Development LLC 57-69 North Day St designated as Block 2001 Lots 30,31,32,33 on the tax map of the City of Orange Township. The subject property is within the City's North Main St Redevelopment and Rehabilitation Area- Residential district.

North Day Development has applied to the Planning Board for Preliminary Final Site plan approval. The applicant proposes to demolish the existing residential and commercial structures on the site and in their place construct a new 5 story multifamily dwelling. Containing ground floor parking with sixty-two (62) parking spaces, floors 2 through 5 will consist of seventy-two (72) apartments.

Pursuant to the North Main Street Redevelopment and Rehabilitation Plan, which governs development in the North Main Redevelopment Area, multifamily apartment buildings up to 8 stories in height are permitted. However, the proposed development does not meet all the bulk and design requirements for the proposed use.

Applicant seeks bulk variance relief from the plan standers to permit the following:

- Design waiver for Tandem parking spaces and parking stalls width
- Insufficient parking width, requesting variance
- Insufficient bedroom size for the 2-bedroom unit.
- Exceeding permitted dimension requirements of the courtyard.

Witness/Expert #1 Soufiane El Moussi, Licensed Civil Engineer was sworn in to provide testimony.

Engineer addressed all four sides of the building will be fully enclosed, applicant also proposed 15-foot landscaping buffer. A arning pedestrian system is being provided as well as a stop sign. With regards to the storm water and location of the utilities Mr. El Moussi proposed an underground storm water retention system, Mr. El Moussi also stated that the applicant will comply with all recommendations made by Board Engineer Mr. Rich Wostbrock on January 15,2021 report.

Council Vice-President Eason inquired about trash recycling, will there be a dumpster or rolled out to the streets. Attorney Webster responded the applicant is proposing a compactor. Council

Vice President Eason requested to include the City's Director of Public Works Mr. Marty Mayes in future conversation pertaining to trash recycling. An inquiry in regards to security cameras was also brought up by Council Vice-President Eason, Attorney Webster responded that security cameras will be all around the outside of building as well as inside. In addition, Council Vice-President Eason also asked for clarification pertaining to any fees associated to parking space for the tenants, Attorney Webster stated parking is included in the rent.

Member Bennett requested clarification in regards to the amount of parking spaces provided and building parking entrance.

Member Faustin requested a brief explanation pertaining to the stormwater system.

Witness/Expert #2 Joaquin Bouzas, was sworn in as the Architect of the applicant to provide testimony.

Architect Bouzas presented a rendering marked by Attorney Webster as Applicants 1 A1. Architect Bouzas described the Rendering of the Front Elevation.

Vice-Chair Jones requested clarification as to requested relief, only 4 units requesting relief not 12. Architect Bouzas confirmed that relief is requested for only 4 units. Vice-Chair Jones also had an inquiry in regards to the garage door in the rendering.

Member Faustin questioned the safety measures taken for sidewalk and garage door, he also inquired if measures have been taken with the police department pertaining to the proposed entrance of the building.

Witness/Expert #3 Nicholas Graviano was sworn in as Planner of the applicant to provide testimony.

There were no questions from board members for Mr.Graviano.

Board Professionals

Gerard Haizel, Board planner was sworn in to provide testimony. Mr. Haizel provided his comments as pertaining to the applicants request for relief, he also provided a comment as to the garage door rendering.

Richard Wostbrock, Board Engineer was sworn in to provide testimony. Mr. Wostbrock noted that in his report dated January 15,2021 there were variances mentioned however during the testimony of the experts they were not pointed out. Mr. Wostbrock noted on his report a rear yard setback of 4'8 inches as shown on the site plan presented tonight. Mr. Wostbrock

requested clarification from the applicant if a variance is not being sought for that item. Applicant Civil Engineer Mr. El Moussi confirmed that the variance is not being sought and the 5 Foot will be provided without requesting a variance.

Mr. Wostbrock also requested clarification if a deviation was being sought for the curb opening at the street where 25 foot is allowed yet 26 Foot 10 is proposed on the plans, is a design waiver being requested? Civil Engineer Mr. El Mossi on behalf of the applicant stated that a design waiver is not being sought, it will be reduced to 25 Feet.

Motion by Council Vice-President Eason and seconded by Member Bennett to open public comment. All in favor

1- Yolanda Porter residing at 90 North Essex Ave. Ms. Porter inquired as to precaution being taken during the time of demolition as pertaining to debris affecting neighboring homes, she also asked for clarification as to the location of the garage door opening. Furthermore, Ms. Porter had concerns pertaining to the rear part of the proposed building terrace and privacy provided for the residence on North Essex. Concerns in regard to lighting and foot traffic in the rear were also brought up by Ms. Porter.

Motion to close pubic portion by Council Vice-President Eason and seconded by Vice Chair Jones. All in favor.

Motion made by Vice-Chair Jones and **second** by Member Mobley to grant Preliminary and Final Site Plan Approval for Case #20-08 North Day Development LLC (57-69 North Day Street) with variances for insufficient square footage for two bedroom units, variance for exceeding the permitted dimensions requirements of the courtyard, also design waivers to allow for tandem parking spaces and insufficient parking stalls size. Applicant will comply with the recommendations detailed in the Board Engineer report dated January 15, 2021 and February 9th, 2021 as well as the Board planner report dated January 8th, 2021. Applicant will also comply with City Officials and Board Experts regarding garbage collection and the garage ventilation and design as well as garage door.

Those in Favor: Member Bennett, Member Faustin, Member Onyiuke, Member Mobley, Council Vice-President Eason, Mayor Warren, Vice-Chair Jones, Chairman Holmes.

Those Opposed: None

Those Abstained: None

Motion carries 8-0-0

Case #20-09 Freeman Orange Holdings LLC (606 Freeman Street)

Attorney Elnardo J. Webster with the law firm of Inglesino Webster Wyciskala & Taylor representing the applicant Freeman Orange Holding LLC (606 Freeman Street) waives the tolling of time of this application. Case #20-09 Freeman Orange Holding LLC (606 Freeman Street) will be carried to the next board meeting March 24th, 2021 at 7:30PM.

Old Business: None

New Business: Council Vice-President Eason mention that there is a lawsuit pending against the Planning Board. Board Attorney Wenzel stated he will advise the next board at the next meeting pertaining to this matter once more information is provided.

Motion to adjourn by Council Vice-President Eason and seconded by Member Mobley. All in favor.

Meeting adjourned at 9:57 p.m.

Next regular scheduled meeting for Wednesday, March 24, 2021 at 7:30 p.m. via virtually using Zoom Meeting.

Prepared By: Alexandra Reyes