

PLANNING BOARD

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

MEETING MINUTES

APRIL 28, 2021

Chairperson Dwight Holmes called the April 28, 2021 City of Orange Township Planning Board Meeting to order at 7:00 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, Sharanda Bennett, Antoinette Jones, Council Vice-President Eason, Mayor Dwayne D. Warren, Chairman Dwight Holmes,

Board Members Absent:

Professionals Present:

Rich Wostbrock, Board Engineer
Gerard Haizel, Board Planner
Alexandra Reyes, Board Secretary
Joseph Wenzel, Board Attorney

Executive Session: Chairman Holmes announced that the Board was going into Executive Session to discuss potential legal matters at 7:03PM.

Motion made by Vice-Chair Jones and **seconded** by Member Bennett to go into Executive Session.

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

Correspondence: None

MINUTES:

Motion made by Vice-Chair Jones and **seconded** by Member Bennett to approve the March 24th, 2021 minutes as distributed.

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

Memorialize Resolution #5-2021 Upper Main Street Redevelopment Plan

Motion made by Mayor Warren and **seconded** by Council Vice-President Eason to Memorialize Resolution #5-2021 Upper Main Street Redevelopment Plan.

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

Extension Case #17-03 Orange Housing Development Corporation

Attorney Marsha Moore from the law firm of Post Polak on behalf of the applicant requested a third statutory extension thru April 2022 preliminary and final site plan.

Motion made by Member Mobley and **seconded** by Member Faustin to grant Third and final extension of Case #17-03 Orange Housing Development Corporation thru April 2022.

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, LL (606 Freeman Street)

Attorney Elnardo J. Webster with the law firm of Inglesino Webster Wyciskala & Taylor represented the applicant Freeman Orange Holdings, LLC 606 Freeman Street designated as Block 5002 Lots 3,4,5,6 and 7 on the tax map of the City of Orange Township. The subject property is within the City's Central Valley Redevelopment Area District Two Zone. The applicant proposes to demolish the existing structures in their place construct a new 5 story multifamily dwelling. The proposed Mid-Rise structure will consist of ground floor parking with 83 spaces, 103 apartments on floors 2 thru 5. Applicant seeks Preliminary and Final Site Plan approval with C Variance and Design waivers.

Witness/Expert #1 Joaquin Bouzas was sworn in as the Architect of the applicant.

The architect has stated that the parking requirements have been met at 0.86 F.A.R. There will be 103 apartments in Building consisting of 8 Studios, 59 One Bedroom, 36 Two Bedroom. The average square footage of a Studio will be 500SQFT, One bedroom 665SQFT, Two Bedroom 1,005SQFT. The architect described the layout of the units along with parking spaces. Architect Bouzas also presented the layout for the condensers unit on the rooftop showing a 10ft setback.

Attorney Webster also stated that there will be a shuttle bus provided for the tenants' accessibility to the train stations.

Board members asked the Expert questions regarding tree height, trees that bloom during spring, cameras in the hallway, cameras on the roof, garbage disposal and garage entrance.

Questions were address by Attorney Webster and Expert.

Witness/Expert #2 Soufiane El Moussi, Licensed Engineer was sworn in to provide testimony. Engineer El Moussi presented the parking are showing 83 parking space, a backup generator, garbage disposal area and two doors garage entrance.

Engineer El Moussi recommended that the proposed board on board fencing in the back of the property as well as iron fencing to be conditions of this approval.

Board members asked questions in regards to solar panels and electric charging stations.

Attorney Webster address the questions stating that the design of the building can be worked out in the future for charging stations.

Witness/Expert #3 Matt Flynn, Licensed Planner was sworn in to provide testimony. Mr. Flynn presented the Tax Map, Ariel Map describing the physical characteristics of the area, Land Use Map, zoning map along with photos of the area presently. Mixed Use Transit Oriented development is the goal of the redevelopment plan.

Mr. Flynn addressed the reliefs requested by the applicant:

1. variances permitting drive aisle width where 24 feet is required and 23.3 feet is proposed.
2. design waivers permitting for tandem parking
3. design waiver for parking stall size
4. design waiver for rear ground level parking being open and unscreened where parking structures require façade architectural treatment complementary to the principal building under the §4.3 of Redevelopment Plan.

Board Professionals

Gerard Haizel, Board Planner was sworn in to provide testimony. He is comfortable with the testimony provided by the experts. He also explained the reason for the 5ft setback being a redevelopment are requirement.

Rich Wostbrock, Board Engineer was sworn in to provide testimony. He stated that many of the changes requested on his report have been addressed and is comfortable with the testimonies provided by the experts.

Attorney Webster stated that they will comply with all the conditions on the report provided by Board Engineer Wostbrock.

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

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

Motion made by Vice-Chair Jones and **seconded** by Member Faustin to approve the preliminary and final site plan for case #20-09 Freeman Orange Holdings LLC 606 Freeman with a deviation for faced treatment and design waivers for tandem stalls and parking stall size. As a condition of approval the applicant will comply with the recommendations of the board experts as detailed on the planner report dated April 21st 2021 and the engineers report dated April 22nd 2021. Applicant will also work with the board experts on tree selection, garbage removal and will install a camera on the roof deck.

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 # 21-03 B&O Urban Renewal Entity, LLC (38-60 Berwyn Street)

Attorney Elnardo J. Webster with the Law Firm of Inglesino Webster Wyciskala & Taylor represented the applicant B&O Urban Renewal Entity, LLC 38-60 Berwyn Street formerly Skyview Capitol. The applicant was previously before the board August 28th, 2019 received preliminary and site plan approval along with deviations to construct a mix use development, which included 173 residential units, 975SQFT of commercial space and 114 onsite parking spaces. The board approval was memorialized by resolution dated September 25th 2019.

B&O now submits to the board an amended preliminary and final site plan approval with respect to the application #19-05 proposing to illuminate the commercial space and in its place include a school facility. The applicant proposes to demolish 8 existing on the site and merge Block 3202 lots 4,5,6,7,8,9, and 10 and construct a new 6 story mixed use L shape building with 166 residential units, 110 onsite parking spaces, and a school facility comprised of 5 classrooms on one floor. The school facility includes an administrative office, a teacher lounge, and a substantial outdoor playground. Additionally, proposed are accessory parking, a surface parking lot with 38 stalls as proposed offsite at 32 Webster Pl Block 3203 lot 12. An adjacent lot located to the south at 39 Berwyn St Block 3203 Lot 16 will be developed and served as a walk thru from the mixed use building to the parking lot on Webster.

The property is located on District F of the Central Orange Redevelopment area and is governed by the Central Orange Redevelopment Plan. The proposed does not meet all the bulk and design requirement

for the redevelopment district. Along with the preliminary and final site plan approval, the applicant is requesting:

1. Variance relating to minimum front yard setback of 3.1 feet where 5 feet is required.
2. Variance relating to minimum side yard setback of 5.6 feet where 5 feet is required.
3. Variance relating to minimum rear yard of 4 feet where 5 feet is required;
4. Variance relating to fence height around proposed playground of 6 feet where 4 feet is the height limit.
6. Variance relating to landscaped area of 9.6% where 15% is required.
7. Variance relating light level along property line of 2.7 footcandles where containment on site is required.
8. Variance related to location of driveway for off-site parking lot improvement where 14 feet is proposed from adjacent property where 20 feet is required.
9. Variance related to the lack of vegetation on the roof deck.
10. Design waiver for parking stall size of 162 sf where 180 sf is required.

Witness/Expert #1 Josh Klein, Licensed Engineer was sworn in to provide testimony. Mr. Klein presented the proposed changes on behalf of the applicant. Mr. Klein stated that the changes are not due to have an adverse impact on the neighbors, and community. From the storm water requirement, the project meets the state requirements as a redevelopment area. The applicant proposes on this new application to pretreat the storm water before it is infiltrated. Mr. Klein presented the site plans as well as proposed improvements.

Board member had question in regards to prior approval of the application.

Attorney Webster clarified the prior approval as well as the proposed.

Witness/Expert #2 Stephen Tiecke, Licensed Architect was sworn in to provide testimony. Architect Tiecke presented the proposed removal of the retail space replacing it with the 5 classroom. Each classroom has been designed for kindergarten classes with a bathroom in each room. The proposed classrooms have a separate entrance coming in across from the Oakwood Avenue School. He also presented the residential area upgrades. On the 6th floor to compensate for the lost units they are proposing loft style units with private balcony included.

Attorney Webster addressed the security stand point, security cameras will be in place.

Board members had questions pertaining to ownership by the Orange Public school of the 5 classrooms, playground area safety and use, children drop off location.

Witness/Expert #3 John Corak, Licensed Traffic Engineer was sworn in to provide testimony. Stated that there is no significant adverse to traffic due to the transit oriented development.

Board member had a question in regards to the traffic coming from East Orange, also how will the traffic be slowed down.

Traffic Engineer and Attorney Webster addressed the concerns of board members.

Witness/Expert #4 Matt Flynn, Licensed Planner was sworn in to provide testimony. Mr. Flynn presented the Tax Map, Ariel Map describing the physical characteristics of the area, Land Use Map, zoning map along with photos of the area presently. Mr. Flynn stated that based on all the testimony presented the project will function safely and efficiently.

Board members had a question in regards to the relieve requested and does any of the project have part in East Orange.

Attorney Webster addressed the board members' concerns.

Board Professionals

Gerard Haizel, Board Planner was sworn in to provide testimony. Mr. Haizel mentioned the changes in the zoning aspect from the previous application to present. The proposed is conforming with the redevelopment plan. Mr. Haizel is concerned with the pickup and drop-off location of the children at the school, he suggested a stipulation should be implemented for that matter. Mr. Haizel stated that the proposed parking area is an improvement.

Attorney Webster stated that the applicant will comply with all the report provided by Mr. Haizel.

Rich Wostbrock, Board Engineer was sworn in to provide testimony. Proposed deviation for the chain link fences, canopy and overhang on the front door as well as the school entrance. Requested for the drop-off and pickup to be addressed for the board. He is comfortable with the testimonies provided by the experts.

Attorney Webster stated that the applicant will comply with Mr. Wostbrock's report.

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

1. Ms.Elizabeth McMahon- 41 Berwynn
Concerns about traffic, not enough trees scheduled to NYC, size of trees, concerned about children walking over to the playground. requested speed bumps to be considered around the area for pickoff and drop off for children.

Ms. Elizabeth's concerns were addressed by attorney Webster.

2. Mr. Kerry Coley- 53 Hampton Ter.
Concern about parking and notice to the 200 radios.

Mr. Coley's concerns were addressed by Attorney Webster.

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

Motion by Vice-Chair Jones and **second** by Member Mobley to approve the amended Preliminary and Final Site Plan Approval for Case # 21-03 B&O Urban Renewal Entity, LLC 38-60 Berwyn Street with variances permitting minimum front yard setback of 3.1 feet, minimum side yard setback of 5.6 feet, minimum rear yard setback of 4 feet, fence height around proposed playground of 6 feet, landscaped area of 9.6%, light level along property line of 2.7 foot handles, location of driveway for off-site parking lot improvement where 14 feet is proposed from adjacent property, lack of vegetation on the roof deck, and the design waivers permitting parking stall size of 162 sf. As a condition of approval the applicant will comply with the recommendations of the board experts as detailed in the Planner's report dated April 16th 2021 and the Engineer's report dated April 21st,2021. Applicant will also work with city officials

and/or the Board Experts regarding traffic near the site as well as school drop-off and pickup, the appropriate method for trash removal and the appropriate fencing for the dog run.

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

Motion to suspend the rules by Mayor Warren **second** by Member Mobley and open public comment.

3. Rev William Freeman – Church of Orange.
Had concerns in regards to the building height, storm water, traffic and parking along the side of Berwyn St., affordability for people with low income.

Rev William Freeman concerns were addressed by Attorney Webster.

Old Business: Chairman Holmes asked if all members are in compliance with the required classes.

Member Bennett has been registered for the class.

New Business: Chairman Holmes reminded the Board Members about the Financial disclosure extension.

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

Meeting adjourned at 11:40 p.m.

Next regular scheduled meeting for Wednesday, May 26th, 2021 at 7:30 p.m. via virtually using Zoom Meeting.

Prepared by : Alexandra Reyes

