

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

MEETING MINUTES
SEPTEMBER 22, 2021

Chairperson Dwight Holmes called the September 22, 2021 City of Orange Township Planning Board Meeting to order at 7:30 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, Vice-Chair Antoinette Jones, Council Vice-President Eason, Chairman Dwight Holmes.

Board Members Absent: Sharanda Bennett, Mayor Dwayne D. Warren

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

Correspondence: City Council letter to Essex County Planning Board referencing Ordinance No. 14-2021

MINUTES:

Motion made by Council Vice-President Eason and **seconded** by Member Mobley to approve the August 25th, 2021 minutes as distributed.

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

Those Opposed: None

Those Absent: Member Bennett, Mayor Warren

Those Abstained: Member Faustin

Motion carries 6-0-2-1

Case # 21-04 PEEK Properties LLC 76 Cleveland Street- Major Site Plan & Major Subdivision Application.

Attorney Reginald Jenkins with the law firm of MARC Law represented the applicant PEEK Properties LLC designated as Block 2102 Lot 11,12,13 and 24 on the tax map of the City of Orange Township. The subject property is within the City's North Main Street Redevelopment Plan. The project site is located mid-block. The applicant proposes to demolish 5 existing residential buildings and the subsequent construction of a new 5-story multi-family mid-rise building. The development will include 72 residential dwellings and 82 onsite parking spaces contained within a ground level garage. Applicant seeks Preliminary and Final Site Plan approval and consolidation of lots 11,12,13 and 24 into a new lot. This project is fully conforming to the requirements of the North Main Street Redevelopment Plan and Rehabilitation Plan.

Witness/Expert #1 Anthony D'Agosta was sworn in as the Architect of the applicant.

The architect stated that the parking requirements have been met with 82 spaces proposed consisting of regular spaces and mechanically operated stacked spaces. There will be 72 apartments in the building consisting of 12 Studios, 33 One-Bedroom, and 27 Two-Bedroom. The average square footage of a studio will be 580 sq ft, one-bedroom 655 SQ FT, two-bedroom 985 sq ft. The architect described the layout of the units along with parking spaces. 50 % of the main room is proposed as green space. Architect D'Agosta exhibit was labeled as A1 for Architectural drawing.

Attorney Jenkins referenced the comments of the Board Engineer review with regards to the collection of trash by a private hauler as a condition of approval which applicant is deviating from.

Board members asked the Expert questions to which Architect D'Agosta answered the below:

- Regarding parking space being included in tenant's rents? Yes
- Are the units market rate? Yes
- Was the Board of Education invited to the TRC ? Yes – confirmed by Board Secretary.
- Will there be a 24-hour on site superintendent on duty? Yes- Attorney Jenkins stated affirmative representation to board request.
- Turning radius for emergency vehicle, was the fire department present at the TRC? Yes- Confirmed by the Board Secretary, comments were provided at the TRC.
- Impact study of number of students affecting the school system? Attorney Jenkins addressed member's concerns.

- Was there are a traffic study completed? Egress signs will be placed on North Essex as per Architect D'Agosta. Traffic study was requested by the Board Members, Attorney Jenkins stated applicant will comply.

Questions were addressed by Attorney Jenkins and Expert.

Witness/Expert #2 Soufiane El Moussi, Licensed Engineer was sworn in to provide testimony. Engineer El Moussi provided testimony stating that he agrees with Architect D'Agosto representation to the board with regards to engineering.

Engineer El Moussi provided comments with regards to the following:

- Storm Water system
- Bike parking
- Security- provided gated entrance, security cameras
- Lighting and Landscaping – applicant proposes lighting within the building, minimum impact to the adjacent properties.
- Underground Water Meter vault (As required by SUEZ)- applicant will seek an easement from the City.
- As of write application- The proposed application is fully compliant.

Board members asked questions in regards to the below:

- Sewer Connection- Applicant agrees to provide connection to a system that will be able to sustain the flow for a 72 Unit building. Backflow preventers will be installed.
- Trash disposal- Compactor is proposed.
- Affordability of units- Applicant will be in compliance with the City's affordable housing ordinance in place.
- Recycling – D'Agosto stated that each unit will have assigned reclining beans, recycling will not be compacted.

Attorney Jenkins also addressed questions by the board.

Board Professionals

Gerard Haizel, Board Planner was sworn in to provide testimony. He is comfortable with the testimony provided by the experts. He also stated two TRC were held, the applicant has complied with the Bulk standards and does not require any deviations from the Redevelopment. Board Planner Haizel does agree with the request of private hauler. With regard to the pedestrian access on North Essex Board Planner suggested narrowing the egress of the building.

Attorney Jenkins stated that the applicant will comply as per code, however the application is fully conforming with the Redevelopment Plan.

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. Board engineer provided comments on the below:

- Trash collection private hauler
- Canopy front yard setback requirements- Architect D'Agosto stated they will comply.
- North Essex pedestrian access – requested reinstatement of pedestrian access.
- Drainage and Storm Calculation

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

Motion by Member Mobley and seconded by Member Faustin to open public comment. All in favor.

Aubrey Murdock- 540 Liberty Street, works at 35 Cleveland Street:

- Are the developers considering the role impermeable surfaces will have on the flooding issues as well?
- Boiler location- There will not be any Boiler, applicant is proposing individual cooling and heating

Iona Adams- 43 North Essex:

- Parking
- Traffic impact
- Impact to school system
- Impact on neighboring property value

Angelle Myers- 107 William Street:

- What is the goal of the city of permitting the redevelopment?
- Property value for neighboring property
- Garbage disposal
- Street cleaning maintained

Attorney Jenkins addressed public concerns as well as Council Vice-President Eason.

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

Motion made by Vice Chair Jones and **seconded** by Member Mobley to approve case #21-04 76 Cleveland Street Major Site Plan and Major Subdivision. As a condition of approval the applicant will comply with the recommendations of the Board Planner report dated September 10th 2021 and the engineers report dated September 2nd 2021 and consider the private hauling of the trash,

the use of a dumpster and the pedestrian access on the North Essex side of the building. Counsel for the developer will provide a subdivision deed and easement for legal review.

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

Those Opposed: None

Those Abstained: None

Those Absent: Mayor Warren, Member Bennett

Motion carries 6-0-0-2

Motion to 2 minute reassess by Council Vice-President Eason **second** by Vice-Chair Jones. All in Favor.

Case #21-09 Church of the Epiphany and Christ Church- 104 William Street and 105 Main Street- Minor Subdivision Application.

Attorney Kathryn A. Kopp from the law firm of Post Polak on behave of the applicant Lot 8 and 9 in Block 1801 commonly known as 105 Main Street and 104 William Street. Lot 9 contain a single family residence with 5 parking spaces at the rear of the lot. Lot 8 contains a House of Worship with a related daycare with parking onsite. Applicant is seeking a lot line adjustment in order to put the 5 paved parking spaces on to the lot with the church. No changes to the site are proposed, variances required for existing conditions.

Witness- Alberta Lorriane Jones was sworn in to provide testimony. Ms. Jones is the Warden of the church and has been a member of the church for 73 years. Ms. Jones stated she was not aware that the 5 paved parking belonged to the single family home.

Attorney Kopp asked Ms. Jones the following:

- Is it accurate to say that you learned that the 5 parking space belong to the single family lot at the time that the church began considering selling the single family home? – Yes
- Why is the church looking to sell the single family home- the church does not need the additional responsibilities?

Easement is proposed for the owners of the single family home to utilize two parking spaces on the church lot. No other improvements are proposed on the site.

Witness/Expert Michael Pronesti was sworn in to provide testimony as an expert Land Surveyor. Land Surveyor presented Exhibit A1 Boundary Survey as well as metes and bounds description of 104 William Street Existing lot 9 in block 1801 and 105 Main Street existing Lot 8 in Block 1801. Variance is requested for the existing conditions. Lot 8 existing are being 70,686 SQFT with a

proposed lot area of 74,648 SQFT. Lot 9 existing lot area of 9,674 SQFT proposed 5,712. The building meets all of the bulk requirements except for the side yard requirements.

Attorney Kopp stated that the comments on the Board Planner and Board Engineer have been met.

Board Professionals

Gerard Haizel, Board Planner was sworn in to provide testimony. Mr. Haizel raised concern in regards to the parking for the single family home.

Attorney Kopp stated that an easement will be proposed for the parking space for the single family home.

Rich Wostbrock, Board Engineer was sworn in to provide testimony. Stated that there are no physical improvements to the site, no engineering review required for calculations.

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

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

Motion made by Vice-Chair Jones and **seconded** by Member Mobley to approve Case# 21-09 104 William Street and 105 main Street Minor Sub-Division application with variance for side yard setback on lot 9 and side yard setback on lot 8. As a condition of approval applicant will comply with the recommendations of the Board Planner report dated September 13th, 2021 and the Board Engineer report dated September 8th, 2021 which includes an approved and recorded easement provided to the occupant of the single family home on lot 9 until alternate parking is obtained by the occupant of lot 9 single family.

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

Those Opposed: None

Those Abstained: None

Those Absent: Mayor Warren, Member Bennett

Motion carries 6-0-0-2

Old Business:

Report from the fire department for the application at the time of TRC was requested by Chairman Holmes. Council Vice-President requested that all reports be included with the packets for review.

Member Faustin requested status of the project on Main Street above the Payless project.

New Business:

City Council Ordinance 54-2021

Title: An Ordinance of the municipal council of the city of Orange Township, County of Essex, State of new to amend chapter 210 of The city of Orange Township Municipal Code to correct clerical and other non-substantive errors.

Board of Adjustment Chairperson Murphy was present at the meeting to provide comment on behalf of the Board of Adjustment.

Motion by Vice- Chair Jones Second by Member Mobley authorizing board Attorney Wenzel to draft correspondence to the City Council stating that the Planning Board has reviewed the ordinance 54- 2021, the amendments are not in conflict nor inconsistent with master plan. The Board recommends that City Council move forward.

Those Opposed: None

Those Abstained: None

Those Absent: Mayor Warren, Member Bennett

Motion carries 6-0-0-2

Motion to adjourn by Vice-Chairman Jones and **seconded** by Member Mobley. All in favor.

Meeting adjourned at 11:25 p.m.

Next regular scheduled meeting for Wednesday, October 27th, 2021 at 7:30 p.m. via virtually using Zoom Meeting.

Prepared by : Alexandra Reyes