

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

MEETING MINUTES
JANUARY 26, 2021

Chairman Homes called the January 26, 2022 City of Orange Township Planning Board Meeting to order at 7:17 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: Sharanda Bennett, Enock Faustin, Callistus Onyiuke (Arrived at 7:26PM), Chris Mobley, Council Vice-President Eason, Mayor Dwayne D. Warren, Vice-Chair Antoinette Jones, Chairman Dwight Holmes.

Board Members Absent: None

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

Correspondence: None

MINUTES:

Motion made by Member Mobley **seconded** by Vice-Chair Jones to approve the December 22, 2021 minutes as written.

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

Those Opposed: None

Those Absent: Member Onyiuke (Arrived at 7:26PM)

Those Abstained: None

Motion carries 7-0-1-0

Memorialize Resolution VA 100 Main LLC, Case# 21- 10 92-112 South Main Preliminary and Final Major Site Plan approval.

Motion made by Member Mobley and seconded by Council Vice-President Eason to approve Case #21-10 memorialized resolution for Preliminary and final Major Site Plan Approval.

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

Those Opposed: None

Those Absent: Callistus Onyiuke (Arrived meeting at 7:26PM)

Those Abstained: Sharanda Bennett

Motion carries 6-0-1-1

Re-organization of Board Members and Professionals:

Motion made by Member Mobley to open nominations for Chairperson **seconded** by Member Faustin. All in favor. None opposed.

Motion made by Council Vice- President Eason to nominate Chairman Holmes second by Mayor Warren. All in favor to close nomination. None opposed.

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

Those Opposed: None

Those Absent: None

Those Abstained: None

Motion carries 8-0-0-0

Motion made by Member Mobley to open nominations for Chairperson **second** by Member Faustin.

All in favor to open nomination. None opposed.

Motion made by Council Vice- President Eason to nominate Member Holmes as Chairman **seconded** by Mayor Warren.

Motion made by Mayor Warren to close nominations for Chairperson **seconded** by Member Mobley.

All in favor to close nomination. None opposed.

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

Those Opposed: None

Those Absent: None

Those Abstained: None

Motion carries 8-0-0-0

Motion made by Member Mobley to open nominations for Vice-Chair **seconded** by Council Vice-President Eason.

All in favor to open nomination. None opposed.

Motion made by Member Mobley to nominate Member Jones as Vice- Chair **seconded** by Member Faustin.

Motion made by Member Mobley to close nominations for Vice-Chair **seconded** by Member Faustin.

All in favor to close nomination. None opposed.

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

Those Opposed: None

Those Absent: None

Those Abstained: None

Motion carries 8-0-0-0

Resolution 01-2022 appointing Alexandra Reyes as Planning Board Secretary

Motion made by Vice-Chair Jones to appoint Alexandra Reyes as Planning Board Secretary for The City of Orange Township **seconded** by Member Mobley.

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

Those Opposed: None

Those Absent: None

Those Abstained: None

Motion carries 8-0-0-0

Resolution 02-2022 Approving Joseph Wenzel, Esq. as the City of Orange Township Planning Board Attorney.

Motion made by Mobley to approve Joseph Wenzel, Esq as The City of Orange Township Planning Board Attorney **seconded** by Mayor Warren.

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

Those Opposed: None

Those Absent: None

Those Abstained: None

Motion carries 8-0-0-0

Resolution 03-2022 Approving Gerard M. Haizel, of Nishuane Group LLC as the Professional Planner for The City of Orange Township Planning Board.

Motion made by Mobley to approve Gerard M. Haizel, of Nishuane Group LLC as the Professional Planner for The City of Orange Township Planning Board **seconded** by Vice-Chair Jones.

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

Those Opposed: None

Those Absent: None

Those Abstained: None

Motion carries 8-0-0-0

Resolution 04-2022 Approving Richard Wostbrock as the Professional Engineer for The City of Orange Township Planning Board.

Motion made by Mobley to approve Richard Wostbrock as the Professional Engineer for The City of Orange Township Planning Board **seconded** by Vice-Chair Jones.

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

Those Opposed: None

Those Absent: None

Those Abstained: None

Motion carries 8-0-0-0

Adoption of 2022 Planning Board Meeting Calendar

Motion made by Council Vice- President Eason **seconded** by Member Bennett to approve the February 23rd 2022 calendar date, the remaining calendar dates will be revised on February 23rd meeting.

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

Those Opposed: None

Those Absent: None

Those Abstained: None

Motion carries 8-0-0-0

Case #21-11 H.A.N.D.S. Inc - 523 Freeman Street Preliminary and final approval Major Site Plan approval. Minor Subdivision Review- Carried Application

Attorney Benjamin Wine on behalf of the applicant presented the project carried from the December 22nd 2021 Planning Board meeting. The applicant is proposing off-site parking to be dedicated to this development. The off-site location is at 357 South Jefferson Street designated as Block 4001 Lot 2 owned and operated by HANDS. The site currently has a single story commercial building occupied by a food pantry. In addition to the offsite parking, the applicant has added bicycle parking to the 523 Freeman Street site and extended the loading space steps to a compliant 25 ft. 5 parking spaces are proposed at the 357 South Jefferson. Applicant has mitigated the variances previously seek in the prior meeting now requesting the following:

- Variance for Minimum Ground Floor Height- Proposed 13Ft where 14Ft is required.
- Variance for off-site parking- Proposed 490Ft away from the site where 300 is required.
- Design waiver is required for residential off-site parking where parking shall be provided on the same plot as the building served.

Witness/Expert #1 Kiersten Osterkorn, was sworn in as civil engineer for the applicant. Ms. Osterkorn spoke as a Civil Engineer presenting the site plans revised 1/12/2022. Engineer Osterkorn stated on Sheet 2 of the site plans development area was clarified to 7,143sq, however the overall development area remains the same. Sheet 3 10x25 Vehicular delivery/loading space was added as well as a dumpster enclosure and a clear pathway to the north side of the building. Curb and side walk replacement to the frontage of the building and bike rack was also reflected on sheet 3. With respect to landscaping applicant will comply with the engineers comment on his report dated January 14th 2022 as resolution compliance. Engineer Osterkorn stated all other outstanding comments as per the board engineer letter will be addressed as a resolution compliance.

Exhibit A5 Arial image of the site showing all of the property line with neighboring properties. Engineer Osterkorn presented a walking path highlighted in white from the proposed building to the off-site parking. The approximate walking distance path is approximately 490 linear feet.

With respect to the off-site parking Engineer Osterkorn presented the site at 357 S Jefferson St. showing 14 parking spaces out of which 5 of the spaces the applicant intends to dedicate to the 523 Freeman St. Applicant also proposes a dumpster area on the 357 S Jefferson St.

Board member requested clarification on the current available parking spaces. Board member concerns were addressed by Engineer Osterkorn.

Witness/Expert #2- Jake Corak was sworn in as the Applicant Traffic Engineer. Traffic Engineer Jake Corak testified that the distance travel is well under acceptable standards from the off-site to the residential site on 523 Freeman. Parking requirement dimension 9x18 works well although the city ordinance requires 9x20. No substantial parking nor traffic impact is expected as a result of this development. Traffic Engineer Corak also testified that the proposed 5 parking spaces is sufficient in a transit oriented development.

Witness/Expert #3 Kiersten Osterkorn, was sworn in as the Planner for the applicant. Speaking to the new off-site parking, while the development is in a transit village, the 5 parking spaces should mitigate any parking need. NJ transit parking spaces are available by permit through NJ transit. The parking space proposed at 9x18 has sufficient space. Applicant understands all of the Board concerns in regards to parking there for the off-site parking spaces are proposed. Planner agreed under the new plan, the benefits of this application and variances as amended substantially outweigh any detriments associated with them.

Board member raised concerns on the below:

Will there be signage assigned for the Off-site parking. Attorney Wine addressed the members concerns.

Board Professionals

Rich Wostbrock, Board Engineer was sworn in to provide testimony. Mr. Wostbrock stated that the engineering aspect of the application have been satisfied.

Gerard Haizel, Board Planner was sworn in to provide testimony. Mr. Haizel stated that the solution proposed for this application is sufficient. Mr. Haizel recommended to the Board that part of the resolution state that if the parking at the South Jefferson site becomes unavailable, the applicant is subject to find replacement for the parking or seek a variance from this board. The proposal is to maintain the longevity of the parking, he also recommended a lease agreement between the 523 Freeman and the South Jefferson site.

Board Members requested for the two parcel continue to operate in tandem. Attorney Wine agreed to provide documents to the Board Attorney in that effect.

Lighting concerns were also raised by Board members from the Off-site Parking to the 523 Freeman Site. Attorney Wine agreed to comply to sufficient lighting.

Motion to open public portion by Member Faustin **seconded** by Member Bennett.

All in favor. None Opposed

Jesusa Pena raised concerns as to the safety of the area and parking.

Council Vice- President Eason and Member Mobley will meet with Mr. Jesusa Pena to address his concerns as a resident.

Motion to close public portion by Member Faustin **seconded** by Council Vice-President Eason.
All in favor. None Opposed

Motion made by Vice-Chair Jones **seconded** by Member Faustin to approve Preliminary and final approval Major Site Plan approval. Minor Subdivision Review for Case #21-11 H.A.N.D.S. Inc 523 Freeman Street with a variance of 5 residential parking spaces instead of the required 11 spaces, variance for ground floor height, a waiver for the 490 ft. distance away from the site to the off-site parking rather than the required 300ft, waiver for the 9x18 parking space depth. As a condition of approval, the applicant will comply with the recommendations of the Board Experts. The applicant will also provide a parking easement between the 523 Freeman St and the 357 South Jefferson street Site for the 5 off-site parking spaces. Applicant will also provide adequate lighting for the parking lot and the area between the parking lot and the 523 Freeman Street lot. The lighting will be to the satisfaction of the Board Experts.

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

Those Opposed: Member Bennett, Chairman Holmes.

Those Absent: None

Those Abstained: None

Motion carries 6-2-0-0

Case #21-12 Public Service Electric and Gas Corp – 536 Freeman Street Preliminary, Final Major Site Plan approval and consolidated approval.

Attorney Karl Kemm presented the application on behalf of the applicant Public Service Electric and Gas Corporation. The application is located in the Central Valley Redevelopment Area District 2. The new Orange Height Switching station will replace the infrastructure at the existing Orange Valley Substation located to the South, on South Jefferson Street along the New Jersey Transit line. Attorney Kemm Stated they have received from the Board Planner dated January 14, 2022, Board Engineer report dated January 7th 2022, and the Fire department TRC review letter. The site is designated as Block 5101, lots 5-13.

Witness #1 Michael Bartocci was sworn in as the applicant witness. Michael Bartocci presented himself as a current employee of PSE&G as a Senior Project Manager. Mr. Bartocci spoke in regards to the existing PSE&G site located at 541 Nassau St Block 5105 lot 3-5. The station was originally placed in service in 1970 and alterations and expansions were made in 1973. This project purpose is to install new public electric utility processing equipment to improve the system reliability by improving the system capacity by replacing the aging infrastructure at the existing Orange Valley substation. The existing Orange Valley substation currently supplies 9,035 customers, consisting of residential and businesses in the City of Orange. Some of the larger customers include the City of Orange Police and Fire station and some schools, Saint Mary's Hospital, multiple gas stations as well as multiple super markets. Mr. Bartocci stated the current station is reaching its maximum life expansion and needs to be rebuilt. The current station is located in a flood zone area. All existing equipment will be demolished and replaced with the proposed.

The anticipated construction is expected in the 3rd quarter of 2022, with the final piece completed in the second quarter in 2024. The new Orange Station will be an unmanned facility.

Board members raised questions on the below:

Will this new station include the Lakeside station? The new station will not include the Lakeside Station, however it will be changed in the future as well, as per Mr. Bartocci.

Witness/Expert #2- Mark Oquist was sworn in as the Applicant Architect. Architect Oquist presented exhibit A1 Coversheet of Plans showing the location of the site along with the perimeter wall. The perimeter wall has 5 proposed overhead doors for access to the site. Exhibit A2 Site plans were also presented by Architect Oquist. The new equipment includes:

- 2 new 230 KV underground transmission lines coming in from the Freeman Street on the North
- 3 new 69KV underground transmission lines coming in thru 2 coming in thru South Jefferson Street and 1 from the West.
- 1 new 230/69 KV transformer on the West side of the Building leaving space for another 230-69kV transformer in the future.
- 4 new 69 - 4Kv transformer to the South of the Building.
- 1 new 4 KV switch gear with associated electrical equipment.
- 2 70ft Tall Lighting Mast- providing lightning protection for the station.
- 1- 230 KV GIS box

Exhibit A3- Photos were also presented by Architect Oquist showing the existing site on the top and bottom Photo the proposed. The perimeter walls comprise of four different aesthetic designs which range in height from approximately 31 Ft to the North end of the project site to 50 Ft West side and 41 Ft on the South side. The height of the perimeter wall is necessary to obscure any view of the equipment.

Members of the Board raised concern as to the look and feel of the façade of the Building. Board Members also raised concerns of cameras around the building covering the entire perimeter.

Witness/Expert #2- Michael Blake was sworn in as the Applicant Engineer. The site is approximately 2 acres. Currently, the site consists of 9 lots which will be consolidated. The site is currently asphalt. The general slope is approximately 9%, the removal of all the asphalt will reduce it to 5%. Clean crush rock will be the replacement to meet the current NJDEP Storm water management and green infrastructure requirements, and also meet electrical safety reasons.

The site is located in a FEMA AO and AE Flood zone, the proposed will be elevated to 1 foot above the FEMA 100 Year Flood for reliability. Additionally, there will be flood vents along the perimeter. The applicant has worked with NJ Transit as to the structural evaluation. Roll-up door cannot be reduced to a 5 foot radius for curb turns as per Architect Blake. Applicant is willing to work with Board Engineer for additional lighting along the public sidewalk. Applicant is proposing 3 species of trees along the side walk, except the South Jefferson side due to underground facilities.

The redevelopment plan does not require to have designated striped parking for an unmanned facility. A design waiver is being requested for the installation barb wire on the perimeter fence 8ft tall along the east side of the station.

Members of the Board raised concerns in regards to the barbed wire.

Engineer Blake stated that it was for security purposes.

Mayor Warren stated that the barbed wire is not acceptable due to our city ordinance not permitting it. Applicant is willing to work with professionals to replace the barbed wire.

Applicant has removed the request for design waiver for barbed wire, applicant will use the alternative fencing marked as exhibit A5 Photo of Alternative Fencing.

Member of the Board also raised concerns as to the reason for the site being designated as a FEMA Flood Zone- Engineer Blake answered Board Members concerns.

Witness/Expert #3- David Karlebach was sworn in as the Professional Planner and Landscape Architect. In preparation of the meeting Mr. Karlebach stated he has reviewed the City of Orange Master Plan and all of the Board Professionals reports. This property is located in the Central Valley Redevelopment plan district 2 and Public utility, electric and gas facilities are permitted in this district. There is no deviation of the provisions of the Redevelopment Plan. Waiver for recycling provision is requested. Due to the facility being unmanned, it will not require for waste disposal nor recycling. In terms of the landscape plan, he believes that the trees proposed will have an immediate impact on the softening of the façade.

This use is an inherently beneficial use. The application meets all the high standards of Zoning. The project supports the requirements of the Redevelopment Plan.

Board Members requested for the Board Professionals to be involved at the time of choosing the local artist to soften the look of the Façade.

Board Professionals

Rich Wostbrock, Board Engineer was sworn in to provide testimony. Mr. Wostbrock stated that the open items for the drainage design is currently being worked out with DEP. Attorney Kemm has agreed to work with DEP and the Board Engineer to meet the drainage requirements. The Board Engineer stated that he is in agreement that the project is beneficial to the city.

Gerard Haizel, Board Planner was sworn in to provide testimony. Mr. Haizel stated the application is a conforming project. The height of the walls is required due to size of the facility. Mr. Haizel stated that the trees would soften the façade. He also stated that the way that the facility is designed now, the applicant has met all of the conditions.

Attorney Kemm stated that the applicant is willing to comply with suggestions of the Board Planner.

Mr. Haizel recommends that the applicant allows for the Board to review any revisions proposed for the softening of the façade.

Board Members requested for the proposed trees to be properly sized. Attorney Kemm agreed to work with Board planner.

Motion to open public portion by Vice Chair Jones **seconded** by Member Mobley.
All in favor. None opposed.

Ali Baker- 475 South Jefferson St

- Raised concerns in regards to ensure safety access around the neighborhood due to construction. Attorney Kemm addressed Ms. Baker concerns stating that the applicant has been in contact with the police department to coordinate when the large equipment is scheduled to go on site.

Mayor Warren requested for the professionals to convene with the City Public safety and the project owners to address these issues raised of public safety. He requested for the forum to take place in the next two weeks. Mr. Bartocci stated they will be addressing the matter.

Sharnita Johnson- 475 South Jefferson St.

- Raised concerns about the façade of the Building, can the design be redesign and involve local artist. Concerns were addressed by Architect Oquist.

David Freeman – 475 South Jefferson St.

- Raised concerns in regards to adequate lighting and cameras around the site. He also raised concerns in regards to the height of the walls and landscaping.

Attorney Kemm stated the applicant is open to hear the public comments and meet with the Board Professionals and local artist.

Motion by Vice-Chair Jones and **second** by Member Faustin for the Board to continue the meeting until 11:30PM. All in favor. None Opposed.

Board Members suggested that the applicant come back to the Board after they have a community meeting to hear the residents' inputs.

Community meeting will be held in order to consider public input.

Attorney Kemm has requested to continue the Application to the February 23rd meeting without notice and waiving the toll of time.

Motion made by Council Vice-President Eason **seconded** by Member Mobley to continue the PSE&G application to the February 23rd 2022 meeting, there will be no re-notice by the applicant. The applicant has waived the time constraints under the statute.

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

Those Opposed: None

Those Absent: None

Those Abstained: None

Motion carries 8-0-0-0

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

Meeting adjourned at 11: 21 p.m.

Next regular scheduled meeting for Wednesday, February 23, 2022 at 7:30 p.m. via virtually using Zoom Meeting.

Prepared by : Alexandra Reyes.