

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

**MEETING MINUTES**  
**OCTOBER 27, 2021**

Chairperson Dwight Holmes called the October 27, 2021 City of Orange Township Planning Board Meeting to order at 7:35 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](http://www.ci.orange.nj.us)) as well as the local newspaper “Transcript.”

*Board Members Present:* Callistus Onyiuke, Enock Faustin, Chris Mobley, Sharanda Bennett, Council Vice-President Eason, Mayor Dwayne D. Warren (Arrived at 7:42), Chairman Dwight Holmes.

*Board Members Absent:* Vice-Chair Antoinette Jones, Mayor Dwayne D. Warren (8:35 PM)

*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 Council Vice-President Eason **seconded** by Member Faustin to approve the October 27, 2021 minutes as distributed.

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

Those Opposed: None

Those Absent: Vice-Chair Jones, Mayor Warren.

Those Abstained: None

Motion carries 6-0-2-0

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

Motion made by Member Mobley seconded by Member Faustin to approve Case #21-04 memorialized resolution for Major Site Plan & Major Subdivision Application with amendment to Paragraph 13 which would indicate the requirement to investigate the use of a dumpster system on site by the applicant.

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

Those Opposed: None

Those Absent: Vice-Chair Jones.

Those Abstained: Mayor Warren

Motion carries 6-0-1-1

**Memorialize Resolution for Case #21-09 Church of the Epiphany and Christ Church- 104 William Street and 105 Main Street- Minor Subdivision Application and "C" Variance.**

Motion made by Member Mobley seconded by Council Vice-President Eason to approve Case #21-09 memorialized resolution for Minor Subdivision Application.

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

Those Opposed: None

Those Absent: Vice-Chair Jones.

Those Abstained: Mayor Warren- Audio Issues as stated in the chat.

Motion carries 6-0-1-1

Case# 20-10 564 Forest Urban Renewal LLC - Preliminary and final Major Site Plan approval.

Attorney John M. Marmora on behalf of the applicant, 564 Forest Urban Renewal, LLC, requests preliminary site plan approval for the conversion of an existing commercial building into a 31-unit multi-family residential building at 564 Forest Street and a commercial and accessory storage use at 575 Nassau Street. The project site is located in the Central Valley Redevelopment Plan (CVRP) area – District 2. The property designated Block 5004, Lots 25 & 28. Applicant proposes to allocate 31 residential units on the Forest Street building and provide storage units on the Nassau Street building to be utilized by the tenants.

Attorney Marmora stated that the variance listed on the board planner and engineer's reports are pre-existing non-conforming variances which the applicant does not intend to expand. No new variances are being proposed.

**Witness/Expert #1** Mel Sarkor-Clinton, AIA- was sworn in as the Architect for the Applicant. A1 Architectural plans were presented by Architect Sarkor- Clinton showing apartment units on the first floor of the building with the proposed main entrance through the Forest Street side. ADA Accessible entrance in the rear of the property. Ground level is proposed to have studio units with an open concept. Second Floor has Mezzanine floor style, two means of egress in each unit. Metal awning with the building number is proposed on the Forest Street side. Rooftop deck is also proposed for the residents. The Nassau street building proposes basement and 1<sup>st</sup> floor for storage units for the Forest Street residents. The commercial units located on the first floor will remain. Architect Sarkor-Clinton also stated that the most of the building will maintain its original character with the exception of the windows size changes on the first floor.

Board Member asked if the proposed will remain within the existing footprint and no additional floors will be added, Architect Sarkor- Clinton stated there will be no changes.

All units are proposed as open concept with no specific room number in the units.

Access to the rooftop unit was also presented by the architect.

1 elevator is proposed in the building.

ADA access to the rooftop unit will be provided.

**Witness/Expert #2-** Anthony Gallerano was sworn in as a Planner and Engineer. A2 aerial exhibit was presented by Mr. Gallerano. Block 5002, Lot 28 has an existing parking area, as well as detached garage which applicant proposes to remove the detached garage. The 10 ft driveway connecting Forest and Nassau currently has easement to benefit lot 28. A3 turning table exhibit was also presented by Mr. Gallerano. Density is in conformance with the redevelopment plan, the existing non-conforming variance are minimum lot width, rear yard, rear yard facing alley, side yard, building coverage, and maximum impervious coverage. None of the non- conforming variances will be expanded. 39 parking spaces are proposed, 3 of them being handicap accessible spaces and 4 compact spaces with charging station.

A4 Red Line Exhibit version showing amendment to the parking spaces. 40 parking spaces show on the original plans, however applicant reduced the parking to 39 spaces. Applicant agrees to comply with the Fire Department requirements for the alleyway access. Being that there is no increase in impervious coverage, there will be no storm water increase.

Board members asked question regarding:

- Private trash hauler – applicant will comply as per Mr. Gallerano.
- Developer Agreement will be in place identifying the use of a private hauler.
- Is applicant seeking any deviation- no new deviations are proposed.
- Lighting – wall mounted lights are proposed.
- Greenery around the building- trees will be proposed on the Forest Street side.
- Flood – Applicant is working with DEP for approval.
- Signage of the building- No sign proposed at the moment.
- Will the applicant seek a PILOT- Attorney Marmora stated applicant will work with the City if necessary?
- Storage unit usage- Storage units will be strictly used by tenants in the residential units, not for commercial use. Commercial units will be confined to the space leased by them.

**Witness #3** Ilya Brodsky was sworn in has owner of the property.

Board member asked Mr. Brodsky if the parking will be at an additional cost to the tenants, Mr. Brodsky stated that it will included in the rent, not as an additional charge.

### **Board Professionals**

Rich Wostbrock, Board Engineer was sworn in to provide testimony. Applicant is seeking a design waiver for parking stalls to which he would support. Applicant is seeking not to consolidate the lot. Board Engineer asked questions in regards to the intent of the canopy. The canopy would require a design waiver.

Board member asked a question regarding sanitary water demand, Board engineer stated the applicant will need to provide it as part of the resolution compliance.

Attorney Marmora stated applicant will comply to the Board engineers request.

REA- Reciprocal easement agreement will be reviewed by Attorney Wenzel.

Does the parking spaces proposed satisfy the required amount- Board engineer stated that it does.

Gerard Haizel, Board Planner was sworn in to provide testimony. Board Planner stated the developer has checked all the requirements of the redevelopment. Cross easement is mentioned on the Planner's report to be addressed by the applicant.

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

Jeffrey Langsam- (475 South Jefferson) Eastern wall shared with his building, how will there be legal light and ventilation?

Architect Sarkor-Clinton addressed Mr. Langsam's concern adding that the applicant is not proposing additional lighting in that area.

Board Planner Haizel and Board Engineer also provided clarification to Mr. Langsam's concern. Both stated that the conditions are pre-existing.

David Freeman-( 475 South Jefferson St.) Tenant in question who has a lease on Nassau St concerns of safety for the public due to his current occupancy. Mr. Freeman has requested proper safety to be in place at the time of construction. Concerns in regards to the proximity of the proposed to 475 South Jefferson, construction timeline, safety measures for the flooding. HVAC units on rooftop noise level.

Attorney Marmora stated he will comply with all of the public concerns. Public safety as well the HVAC unit noise control.

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

**Motion** made by Member Bennett and **seconded** by Member Mobley to approve Case# 20-10 564 Forest Urban Renewal LLC for Preliminary and Final Site plan approval for the conversion of an existing commercial building into a 31-unit multifamily residential building at 564 Forest St designated as Block 5004, Lot 25 and a commercial and accessory storage use at 575 Nassau St designated as Block 5004, Lot 28. Applicant seeks existing non-conforming deviation and waivers for front, rear and side yard setback as well as maximum building coverage and maximum impervious coverage. Designed waiver is also requested for parking, parking stall and aisle width. As a condition of approval applicant agrees that storage units will be used by tenants for storage space as well as restricted canopy to the phase of the existing building. Easements between lot 28 and 25. Conditions of approval would include review and approval for the cross easements for the driveway and parking lot which will be shared by applicant Attorney to the Board Attorney for review and approval. If the canopy will be utilizing it, it may not extend the right of way, storage units will be associated only by residents of the residential building and not open for commercial leasing. Continued review of Flood Hazard and application and approval with the DEP and all municipal agencies. Conditional approval of the use of a private hauler as well and garbage to be put in sealed containers followed by a Developer Agreement. To be reviewed by Board

Attorney as well as the City attorney office. Fire department to have interaction with the developer with regards to the gate on the driveway side. Applicant will also look into a less noisy HVAC unit to prevent noise for the neighboring properties. As part of the condition of approval the applicant will comply with the board of engineers report respectively dated October 22, 2021 and the planner's report dated October 22, 2021 as well as all municipal codes with the construction safety of this project.

Board Member requested that developers take into consideration all concerns raised by the public as well as provide a source of direct communication in the event of concerns.

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

Those Opposed: None

Those Absent: Vice-Chair Jones, Mayor Warren (lost connection at 8:20PM)

Those Abstained:

Motion carries 6-0-2-0

Old Business:

Member Faustin concerns were address regarding the development above Payless via Email from Member Mobley.

Member Faustin requested status of the development on 751 Vose. Follow up to the Building department was requested for status.

New Business:

Chairman Holmes – Developer agreement process

Attorney Wenzel addressed Chairman Holmes concerns giving a description of how the Developers Agreements take place and when.

**Motion** to adjourn by Member Bennett and **seconded** by Eason. All in favor.

Meeting adjourned at 9:52 p.m.

**Next regular scheduled meeting for Monday, November 29<sup>th</sup>, 2021 at 7:30 p.m. via virtually using Zoom Meeting.**

**Prepared by : Alexandra Reyes**