

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

MEETING MINUTES
AUGUST 9, 2022

Chairman Holmes called the August 9, 2022 City of Orange Township Planning Board Special Meeting to order at 7:40 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, Council President Eason, Mayor Warren (Arrived 7:45PM and lost connection at 8:07PM) , Vice-Chair Antoinette Jones, Chairman Dwight Holmes.

Board Members Absent: Member Mobley.

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

Correspondence: None

MINUTES:

Motion made by Council President Eason **seconded** by Member Mobley to approve the July 27, 2022 minutes as written.

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

Those Opposed: None

Those Absent: Member Mobley, Mayor Warren (Arrived 7:45PM)

Those Abstained:

Motion carried: 6-0-2-0

Memorialize Resolution for Case#22-09 VA 475 LLC-475 Main St- Preliminary and Final Major Site Plan Approval. Minor Subdivision Review.

Board Attorney Wenzel requested to remove the resolution and carry to the August 24th as per the Applicant Attorney request.

Memorialize Resolution No.05-2022 Approving the Re-Adoption of the Municipal Storm Water Management Plan.

Motion made by Mayor Warren Eason **seconded** by Member Faustin to Approve Resolution No. 05-2022.

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

Those Opposed: None

Those Absent: Member Mobley.

Those Abstained:

Motion carried: 7-0-1-0

Case #22-04 68 Central Ave Holdings LLC- 56-68 Central Ave- Preliminary and Final Major Site Plan Approval.

Attorney Marsha Moore from the law firm of Post Polak represented the applicant. The applicant proposes to construct a five story residential apartment building consisting of 82 residential apartment units. Residential amenities with a rooftop deck and enclosed first floor parking garage are proposed. Attorney Moore stated she is receipt of the Planners report dated August 2nd 2022, Board Engineer report dated August 5th, Fire department TRC memorandum undated. Affidavit of Service to the 200 radios was submitted to the Board Secretary.

Witness #1 John Saracco- Architect was sworn in. Architect Saracco presented the Architectural drawing with a revision date of August 25, 2022, which were submitted to the Board, there are no additional changes from the plans submitted to the Board. The site is an L shaped vacant lot located in the corner of Central Ave and Oakwood Ave.

The building unit count is as listed below:

- 4- Studio apartments Size range – 690 Sf
- 47- One Bedroom apartments Size range – 720 Sf- 915 Sf
- 31- Two Bedroom apartments Size range – 1,115 Sf- 1,290 Sf

Gross Building Area:

- Basement – 5,014 Sf
- 1st Floor- 33,991 Sf
- 2nd Floor- 22,952 Sf
- 3rd Floor- 23,328 Sf
- 4th Floor- 23,328 Sf
- 5th Floor- 23,328 Sf
- Roof – 620 Sf

Basement contains storage room for each unit and utility room. First floor consist of enclosed 82 parking garage, lobby with a lounge area, trash room, elevator, gym, and mailroom. Each tenant will have one free assigned parking space. Parking Variance requested for the 123 parking spaces required, the applicant propose banked parking to bring them up to the required parking spaces by adding mechanical lifts. The applicant proposes to build the Mechanical parking when the building is at 90% capacity to comply with the required parking spaces of 123 spaces. The lifts will be operated by the tenants. Architect Saracco presented the Lift system proposed marked as Exhibit A1 Carmix PDF with 11 pages.

The parking garage is proposed at 1.5 ft. away from the property line on the South side as well as the side on Oakwood Ave.

Chairman raised concerns as to why the applicant won't building the mechanical lifts to comply with the required parking space. Architected Saracoo responded that as per the applicant experience with other construction the applicant determined that there won't be a need for more than one to one parking spaces.

Chairman also raised concerns as to the safety of the tenants operating the Mechanical lifts. Architect Saracco stated that the lift is safe to operate and maintenance agreement for the service of the lift will be at the applicants' expense.

Member Faustin asked if the applicant proposes to have a superintendent with a dedicated apartment. Council President Eason stated that the City ordinance requires for a live-in superintendent. The applicant agreed to comply.

All apartments are ADA adaptable as per Architect Saracco. Security cameras are proposed thru out the building. The applicant is willing to accept the condition of approval to allow the City of Orange Police department direct access to the surveillance cameras.

Witness # 2 Kathy Hering was sworn in as a Civil Engineer. Engineer Hering stated she has reviewed the Board Engineer report. Engineer Hering presented the site plans with a revision date of July 22nd 2022 which were submitted to the Board. Block 4501 lot 7 formerly the location of the Luke oil gas station. Multifamily development is a permitted use in this area. The applicant is seeking the below variances:

- **Min Front Yard Setback** *Required 10-Feet Proposed 0-Feet*
- **Min Side Yard Setback** *Required 5-Feet proposed 0-Feet*
- **Min Side Yard Setback (Street facing)** *Required 10-Feet proposed 0-Feet*
- **Min Rear Yard Setback** *Required 10-Feet proposed 0-Feet*
- **Max. Building Coverage** *Required 70% proposed 96.7%*
- **Max. Impervious Coverage** *Required 90% proposed 93.5%*
- **Parking** *required 123-Spaces proposed 82-Spaces (94-Spaces with EV Credit)**
- **Landscaping** *Required 10% proposed 5.2% Variance * Applicant is willing to work with Board professionals.*
- **Design waiver** for the location of the access point on the central Ave where 20 Ft. from an adjacent property is required where 15.6 Ft is proposed
- **Design waiver** for the required dimensions of the parking stalls size where by ordinance the required is 9x20 Ft proposed 9x18 Ft

The proposed Stormwater management complies with the required as per Engineer Hering. Lighting plan was also presented by Engineer Hering.

Board members raised concern in regards to traffic on Central Ave and sewer connection issues. Council President requested that the applicant have a meeting with the City Engineer to address Sewer connections. Applicant agrees to comply with the request.

Engineer Hering stated she is also in receipt of the Fire department memorandum, which the applicant agrees to comply.

Witness #3 Elizabeth Dolan was sworn in as a Traffic Engineer. Ms. Dolan prepared the traffic study dated April 7th 2022 for the proposed the development. The study was conducted based on peak hours showing the trip generation characteristics on the new 82 unit residential development. In the morning weekdays, the expected is 3 entering and 18 exiting trips total of 21. In the evening 16 entering and 6 existing for a total of 22. The impact is not considered substantial nor likely to create negative impact. Engineer Ms. Dolan stated that due to the history of what previously existed in the proposed lot, which was the Luke Oil Gas station typically, generating about 90 trips, the proposed site falls below the lines of the previous traffic generated.

The proposed is not a high generating use. Engineer Dolan stated that the proposed parking at 1 per unit is appropriate. As per intersection site distance issue, Engineer Dolan stated there is a traffic control on the intersection. She stated that there is no negative impact based on the intersection configuration with the building. Traffic issues between Oakwood Ave and Central Ave, she believes that the traffic is minimized by proposing a right turn on Central Ave subject to

county approval. On the Oakwood Ave driveway is proposed as far as possible from the intersection, allowing 4 to 5 vehicles to cue on the approach to a red signal on Central Ave without obstructing the driveway. Engineer Dolan stated she believes the proposed is an improvement from the prior use of the site.

Board Members asked questions in regards to the safety of the parking access. Engineer Dolan stated that the parking has been designed to promote safe and efficient maneuver thru out the property as well as safe internal circulation thru out the project.

Witness # 4 Mathew Flynn was sworn in as a Planner. Mr. Flynn Presented the Planning Exhibits submitted to the Board. The development is proposed as a transit oriented development. The proposed complies with Density, FAR and Building Height. In his professional opinion the building is not too large, the zone permits 8 Story height where the applicant is proposing 5 Story. The majority of the R4 zone are high-rises building however; he stated that due to the location a high-rise building would not be beneficial.

The proposed height is more compatible with the area on Central Ave as per Mr. Flynn. Mr. Flynn presented the photos taken by his office on March 31, 2022 showing the vacant lot and the surrounding properties with high-rises as permitted in the R4 Zone. As stated by the Architect that if the enclosed garage was eliminated the proposed would meet the required setbacks.

In regard to the Variance for Landscaping, the applicant does propose substantial open space proposed with a roof top terrace, amenity features within the building, and open space. The site is close to 40% open. The applicant is willing to work with the Board Professionals to comply with the Landscaping required. Mr. Flynn stated that the proposed fence is for safety purposes, the fence does not impede with visibility nor safety. In terms of pedestrian safety, the fence would be beneficial in his opinion.

With regard to the negative criteria, the intent for adequate light, air and open space are met by virtue of substantial open space within the property in the form of the terrace, deck and the amenities and the park across the street. Mr. Flynn stated he does not think that the proposed will have a negative impact to the intent of the Zone plan or substantial detriment to the public nor the neighborhood at large.

Attorney Moore stated Vehicular access and parking area variance is requested as specified on the Board Engineer report.

Board Planner Gerard Heizel was sworn in. Board Planner Mr. Heizel stated that the use proposed is a permitted in the R4 Zone however, there are a numerous variances required for this development as specified on his report. The proposed banking parking spaces based on the need Mr. Heizel stated he is strongly opposed to it. He is concerned is regards to the parking due to the location where parking is a major issue currently. With regard to the comments of the Applicant professionals being able to eliminate the variances by removing the enclosed parking, Mr. Haizel stated that the change would not eliminate the variances. The setback requirements still apply even if the parking area is not enclosed.

Concerning the Landscaping variances, landscaping should not be confused with open space, the open space does not replace the landscaping required. Mr. Haizel clarified the comment made by the Applicant Planner concerning the redevelopment requirements stating that the zero setbacks would apply to this application. The Master Plan does recommend the expansion to the Southern side of the district, however the redevelopment has six designated sub-districts, which does not automatically allow for the zero setback requirement on all districts.

Board Engineer Rich Wostbrock was sworn in. Board Engineer Wostbrock stated he is in agreeance with the Board Planner Mr. Haizel comments and concerns. Mr. Wostbrock raised concerns in regards to the Site visibility for traffic as well as pedestrians safety at the corner. If the applicant would meet the 10 Ft setback the site visibility would be safer. Concerning the parking, Mr. Wostbrock stated he is not in agreeance with the developer installing it later as proposed after 90% capacity. With regards to the zero side and rear yard setback Mr. Wostbrock stated that the rooftop terrace would be a fire separation concern, safety and access.

The drainage system proposed is design to handle a 100-year storm; however, the proposed pipes getting the water that is collected on the rooftop terrace is a 25-year storm. The pipes are not able to handle it. Mr. Wostbrock stated that he does recommend for the applicant to meet with the City Engineer as recommended by Council President Eason.

Motion to open Public portion by Vice-Chair Jones **second** by Council President Eason.

All in favor.

Muees Adewunmi- 221 New St

What will be the estimated rent? The apartment will be at market rent.

Motion to close public portion by Member Faustin **second** by Member Bennett.

All in favor.

Attorney Moore requested a 3 minute at 10:35PM recess to speak to her client applicant.

All in favor

The board returned from recess at 10:42PM

Roll Call

Present: Member Bennett (lost Connection at 10:38PM), Member Faustin, Member Onyiuke, Council President Eason, Mayor Warren(lost connection at 8:07PM), Vice-Chair Jones, Chairman Holmes.

Quorum is met.

*Member Bennett joined the meeting 10:45PM.

Attorney Moore requested an adjournment and carry the matter and preserve any notices completed. Attorney Moore consent to an extension of time. Application is carried to the Planning Board Meeting September 28th, 2022. The applicant does not need to re-notice.

Old Business:

No old Business.

New Business:

No new Business.

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

Meeting adjourned at 10:50 PM.

Next regular meeting scheduled for Wednesday, August 24, 2022 at 7:30 p.m. via virtually using Zoom Meeting.

Prepared by : Alexandra Reyes.