

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

MEETING MINUTES
JULY 12, 2022

Chairman Holmes called the July 12, 2022 City of Orange Township Planning Board Special Meeting to order at 7:32 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: Enock Faustin, Callistus Onyiuke, Chris Mobley, Council President Eason, Mayor Warren (Arrived 7:50PM), Vice-Chair Antoinette Jones, Chairman Dwight Holmes.

Board Members Absent: Sharanda Bennett

Professionals Present:
David Clark, Acting Board Engineer
Gerard Haizel, Board Planner
Alexandra Reyes, Board Secretary
Joseph Wenzel, Board Attorney

Correspondence: None

MINUTES:

Motion made by Vice-Chair Jones **seconded** by Member Faustin to approve the June 22, 2022 minutes as written.

Those in Favor: Member Faustin, Member Onyiuke, Vice-Chair Jones, Chairman Holmes.

Those Opposed: None

Those Absent: Sharanda Bennett, Mayor Warren (Arrived 7:50PM)

Those Abstained: Member Mobley, Council Vice-President Eason

Motion carried: 4-0-2-2

Case #22-09 VA 475 LLC- 475 Main St- Preliminary and final approval Major Site Plan approval. Minor Subdivision Review.

Attorney Reginald Jenkins from Trenk Isabel Siddiqi & Shahdenian represented the applicant, VA 475 Main St, LLC. The site is 475 Main St listed as Block 2301 lot 31 & 38. Applicant requests lot consolidation for lot 31 & 38, which are in common ownership, preliminary and final site plan, approval to construct a mix-use 7 Story building containing 126 residential units and 1,300 sf of retail space. Currently, there exists one (1) residential dwelling on the Ridge Street lot and a commercial building on Main Street. The project site is located in Upper Main Street Redevelopment area and the R-4 zone for the adjacent property on Ridge St. The proposed driveway through the Ridge Street lot is accessory to the new building.

Attorney Jenkins, stated the applicant is in receipt of the Board Engineers and Board Planners report. The applicant seeks 2 deviations.

Witness #1 John Saracco- Architect was sworn in. Architect Saracco presented Exhibit A1 with modifications dated 7/12/2022 showing 10 pages. Additional modification were made different from what was submitted to the Board 10 days prior. PB-100 showing a view from the Front side on Main Street. To the right is the retail store, to the left is the driveway entrance.

The apartment count and sizes are as listed below:

28 Studios – Area range 505 sf- 725 sf

49 1 Bedroom – Area rage 730 sf- 890 sf

46 2 Bedroom- Area range 985 sf – 1270 sf

3 3 Bedroom- Area range 1.285 sf

Gross Building Area is :

1st FL 29,833 sf

2nd FL 2,895 sf

3rd FL 34,062 sf

4th FL 29,783 sf

5th FL 29,826 sf

6th FL 29,784 sf

7th FL 29,235 sf

1st and 2nd floor consist of mainly parking and retail space. 3rd floor consist of apartments and parking spaces. Floors 4th thru 6 consist of apartments.

On the first floor, the Lobby area is 36ft x 37ft in size, 63 parking spaces, mailroom and management office, retail space of 1,300 sf. Entrance to the lower level of the garage is thru Main St. There is no interconnection from the upper parking level using an entrance thru Ridge St. All parking spaces on the first floor will be designated parking spaces. Employees of the retail space will have designated parking spaces as well.

The second floor was presented by Architect Saracco showing the rear of the building open to below, 3 apartments Consisting of 1- 1bedroom, and 2- 2 bedroom. Included on the second floor are Gym area, Lounge and Business center for the tenants.

The third floor has the parking entrance thru Ridge St. because of the 25ft level rise from Main St to Ridge St. This floor is considered the second level of proposed parking spaces with 83 parking spaces, no connection to the first floor parking; the parking spaces will be assigned. The applicant seeks side yard relieve on the lower level where there is a 0ft setback. 5ft setback are respected on the rest of the building.

The fourth floor shown on PB203 was presented showing variations of apartments 1 bedroom and 2 bedrooms along with two private terraces. The Ridge St property is proposed as a driveway entrance with greenery and a walkway. On the private driveway towards the Bell St the building is proposed 5ft side yards with proposed balconies. 10ft setback is proposed towards the rear yard.

The fifth and six floors are also apartments; seventh floor shows a terrace and apartments.

Flat roof is proposed. HVAC Units on the roof.

Differences in plans submitted from the Original submission are as fallowed:

PB 100- Showing the apartment size.

PB 200 Door from the lobby to the garage was removed.

3rd Floor showing sidewalk for pedestrians, door was added as well.

PB 300 Elevations – balconies facing the garden apartments with setbacks, seeking relief for setbacks for the balconies. Balconies start on the 4th floor, no interference with the walkway from the Balconies.

PB 301- Canopy over the Main lobby entrance projecting 5ft to the street.

Member Faustin raised questions in regard to dumpster in the back of the building, noise control from the church to the building. Trash room is proposed and private hauler.

Council Vice-President asked that noise control is added as a stipulation on the lease. Attorney Jenkins asked that this item is not added as a condition of approval, as a suggestion the applicant will consider.

The proposed height and density as proposed are in compliance.

Second floor gross building area will be changed as the calculations are incorrect.

Each apartment will have its own heating and air-conditioning. Hallways will be air-conditioned. Washer, dryer and water heater will be assigned individually to each apartment units.

Witness # 2 Maurice Brown was sworn in as a Civil Engineer. Mr. Maurice presented the Site Plans and labeled as Exhibit A2 with 14 pages with no changes as submitted to the board. Site slopes about 25ft from Main St to Ridge St. 2 overhead garage gates with a curb cut of roughly 32ft. 20ft Driveway along Ridge St entrance is proposed, screen planting, sidewalk, and bio retention area.

Wavers are requested for the dimension of the parking spaces, curb cut opening on Main St were the ordinance requires for 25ft wide curb cut, applicant proposes 26ft driveway with a 32ft curb cut as a result of having two egress doors. Privacy fencing at a 6ft fencing deviation is requested where 4ft is permitted.

Mr. Brown stated has received and reviewed the Board Planner review letter.

Witness# 3- Douglas Polyniak was sworn in as an expert in Traffic Engineer. Mr. Polyniak submitted the traffic study prepared by him dated June 24th 2022. Based on this development for 126 urban midrise development with a 1,300sf retail space the site will experience about 30 to 40 peak hours inbound and outbound during commuters peak hours. Minimum impact in traffic. The vehicular traffic counts were conducted on Tuesday, May 3, 2022 from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:30 pm.

The analyzes shows that with the site traffic on Ridge St, Bell St and Main St there will be no changes in levels of services. The limited traffic associated with the development will have limited impact on offsite operations and the site access can operate efficiently with prudent reasonable driver behavior.

Mr. Polyniak stated they have performed a review of the site plans with respect to parking circulation.

Witness# 4- John McDonough was sworn in as an expert in Planning. Exhibit A3 with 7 pages were presented which were not submitted to the Board. Images were taken July 11th 1:33PM. The first page demonstrates the existing site which was formally knows as the Elks Club which was designated as an area in need of redevelopment. Second page shows a different angle of the property showing the 25ft slope rise of the site.

Mr. McDonough also presented the Arial view of the site showing the surrounding properties as well as describing the setback, terrace locations. Mr. McDonough there is no negative impact with respect to the noise. No relieve is need it for the proposed terraces. There is no terrace overlooking the property on Ridge St adjacent to the proposed entrance.

The overhanging balconies are at 0 ft set back, however they are not starting from the ground level. The purpose of the redevelopment for mix-use district is what the developer is proposing. The benefits of the proposed promotes a positive aesthetic, substantial conformance with the redevelopment plan.

Vice- Chair Jones asked what is the proposed use of the retail space?

Mr. McDonough stated that from a planners perspective the space is a used as a complimentary neighborhood scale use, something that would cater to the local.

Board Professionals:

Board Planner Gerard Haizel was sworn in – Mr. Haizel stated that the Technical review committee met several times to discuss the project. The applicant made substantial changes to comply with the requirements of the redevelopment plan. With respect to the 2 deviations requested which both relate to the setbacks 1 being on the east side towards to the commercial building, second is on the west side however the balconies due protrude starting from the upper levels. Fence height is limited to 4ft the 6ft proposed is appropriate however Mr. Haizel proposes that the applicant looks to placing a different type of fence, in an effort to supper the residential neighborhood, perhaps a more decorative fence will suit best.

He asked that the driveway on Ridge St would not be used as parking. Mr. Haizel asked the applicants professionals if there is a proposed gate on the Ridge St Driveway. Mr. Brown Applicant Engineer stated there were none however, the applicant would not be opposed to placing automatic gate.

Mayor Warren asked for clarification if the Mr. Haizel proposed that the Applicant install signage for Towing unauthorized vehicles and make arrangements with their own towing company. Mr. Haizel responded yes.

Acting Board Engineer David Clark was sworn in. Mr. Clark stated that Board engineer Rich Wostbrock prepared the review letter dated July 4th address his comments. The dimension of the solid rollup doors, did the applicant receive any comments from the police department to which Attorney Jenkins responded no. The Board secretary responded to Mr. Clark questions by stating that the police department was provided with copies of the plans to which they did not have any comments.

Mr. Clark asked questions in regards to the retail space garbage retention location, Architect John Sarocco responded that there would be two options where 1. The developer can allowed to share the trash room or 2. During the tenant fit-out the tenant would create their own internal trash room. Design waver for the extended curb cut on Main St. is suggested. Main Street being a county road way, county approval is required.

Mr. Clark asked the applicant professional if on the second level parking are there any thoughts of the spaces being used by anyone other than the residential tenants. Architect Sarocco answered no. Attorney Jenkins stated that the concerns in regards to signage will not be a problem as the developer is in contract to purchase the property impacted by the 0ft setback.

Testimony was requested in regards to proposing vehicular circulation onsite between the parking. Mr. Sarocco stated that after a study made internally if the applicant would introduce a ramp between the parking they would lose between 30-40 parking spaces there for they are not proposing such ramp.

Mr. Clark concluded with recommending that the Board request as a condition of approval that the applicant complies with the Board Engineers and Board Planner report.

Motion to open public portion by Member Mobley second by Vice- Chair Jones.

All in favor none opposed.

- Lainie Day- Orange resident refrain from giving her address. Stated she is in the 200 radius

Raised concerns in regards as to how many additional trips will be generated by the project

Mr. Polniayk responded in the morning it will be 7 entering 28 exiting vehicles. In the evening it would be 27 entering 14 exiting vehicles.

Ms. Day asked if the project been studied for conformity with residential site improvement standards.

Mr. Polniayk address and Attorney Jenkins responded.

Ms. Day also asked If at this time and moment is the area considered Blighted. Attorney Jenkins address the concerns of Ms. Day stating that the site has been designated an area in need of redevelopment.

Mr. Haizel added to the explanation stating that there have been studies conducted and determination was made to be an area in need of redevelopment. He also stated that the site on 475 Main is in an area in need of redevelopment however the Ridge St. Side is not. Due to the applicant consolidating the lots the Ridge St. Property proposed for the development would fall under the standard of redevelopment.

Mayor Warren requested that the applicant Attorney follow up with notice sent to Ms. Day with regards to her concern on not receiving proper notice.

Ms. Day was given the phone number to the Board Secretary as a follow up to provide her property address her concerns.

- Andrew Hood- 56 Ridge St.

Raised concerns of not receiving notice. As well as concerns on properties 27, 33 and 37 Ridge St being part of the development. Attorney Jenkins along with Board attorney confirmed that the information given on the notice presented by Mr. Hood is inaccurate nor did the applicant attorney provided that information in their notice.

Mr. Jenkins stated that 27 Ridge St, 33 Ridge St, and 37 Ridge St. are not part of the application.

- CR Royal- 71 Ridge St.

Raised concerns in regards to significant congestion in regards to traffic as well as parking issues. She also raised questions in regards to environmental studies if any were conducted.

Attorney Jenkins stated that it was not a requirement for the applicant to provide environmental study for this development. Concerning parking the application is permitted and the applicant has provided ample parking, not all the cars will be circulating in one area. The applicant has provided two entrances for parking on Main St as well as Ridge St. Mr. Poly Ian also added comments to address Ms. Royal concerns.

Member Mobley suggested to alleviate the overcrowding of parking over night the City can consider assigning Ridge St. to permit parking only.

- Houley- 52 Ridge St.

Raised concerns in regards to traffic and parking.

- TJ- Ridge St. - Refused to provide full address

Raised concern of the designation of the redevelopment, width of the driveway, traffic, are the parking spaces dedicated and with no additional fee. What are the hours of construction during the week and weekend.

All of Mr. TJ concerns were addressed by the applicants professionals as well as Attorney Jenkins. Further more Attorney Jenkins clarified to Mr. TJ that Ridge St is not designated as redevelopment nor blighted.

Council Vice- President Eason stated that there is contemplations of legislations being revised in regards to designated parking for tenants. The revisions are to amend and ensure the parking spaces are designated and free of cost to the tenants.

Motion to extend the application past 11PM by Vice- Chair Jones **Second** by Council Vice-President Eason.

All in favor, none opposed.

Motion to close public portion by Vice- Chair Jones **second** by Mayor Warren.

All in favor, none opposed.

Board Attorney Wenzel stated that the ordinance does not state that the parking spaces are mandated to be free, however if the City Council chooses to amend the ordinance with consultation of Mayor Warren along with Administration they may do so at the City Council Level. As far as the current applicant presented they are only subject to the ordinance as it is written at the moment.

Member Mobley stated that there is a parking garage by the Train station being built with 200 parking spaces which will be available to the Municipal in order to alleviate the issues. The City will soon increase the parking enforcement.

Chairman Holmes asked if the developer would provide a free parking space for the tenants. Attorney Jenkins stated that the applicant is willing to provide a free parking space for each per unit.

Motion by Vice-Chair Jones and **second** by Member Faustin to approve Case#22-09 VA 475 LLC - 475 Main St. For preliminary and final major site plans and lot consolidation. With variances for side yard setbacks one of which is for the 4th floor and above for the proposed balconies. As a condition of approval applicant will comply with the Board Planner report dated July 8th,2022 and the Board Engineer report dated July 1st ,2022. Applicant will also work with the Board Planner regarding the provision of a decorative metal fence no more than 4 feet height on the street front side of Ridge St. Lot and to provide signage on the private driveway to deter non-permitted parking. Applicant will also obtain all county approvals for the loading space, applicant will also work with the City to install stop sign on the parking garage exit on the Ridge St. Applicant will also receive a Waiver on the size of parking stalls. Driveway drop curb width waiver where 32 ft is proposed instead of the as required 25ft.

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

Those Opposed: None

Those Absent: Member Bennett.

Those Abstained: None

Motion carried: 7-0-1-0

Old Business:

Motion made by Vice- Chair Jones **second** by Member Mobley to approve rule on time limitation for the Planning Board meeting say that the City of Orange Planning Board will not hear new applications after 10PM. Board meeting shall end at 10:30PM subject to Extension by majority vote.

All in favor.

New Business :

Litigation matter discussed at the last Planning Board during Executive session does not need to be discussed again.

Attorney Mizrahi stated that the ordinance went up for second meeting and was approved.

Council Vice- President Eason and Board members requested that the Board Secretary request copy of every Council meeting agenda moving forward in order to review any matter with assistance from Board Attorney and determine if certain matters need to be discussed by the Planning Board.

Attorney Mizrahi stated he will also work diligently in providing any matter that pertains to the Planning Board for discussion.

Motion to adjourn by Member Faustin **second** by Member Mobley the Planning Board special meeting at 11:40.

All in favor.

Next Special meeting scheduled meeting for Wednesday, July 27, 2022 at 7:30 p.m. via virtually using Zoom Meeting.

Prepared by : Alexandra Reyes.