

# ZONING BOARD OF ADJUSTMENT MINUTES

## City of Orange Township

29 North Day Street  
Orange, NJ 07050

**Monday, April 25, 2022**

This is a meeting of the City of Orange Township Zoning Board Adjustment on Monday April 25, 2022. Vice Chairperson, Mary L. Reed-Learmont called the meeting was called to order at 7:07 pm

Vice Chairperson, Mary L. Reed-Learmont led all assembled in the Salute to the American Flag.

Board Secretary, Joyce L. Lanier announced the conditions for "Sunshine Law" had been met.

### ROLL CALL

<b>Present</b>	Kenneth Black (Arrived at 7:13pm) Ashante Connor, Ed Mary L. Reed-Learmont, Vice Chairperson Gerard John Schubert JoAnne Ware Cheryl Gayle (1 <sup>st</sup> Alt) (Arrived at 7:12pm) James H. Ward, III (2 <sup>nd</sup> Alt) Carl Fields, Jr.(3 <sup>rd</sup> Alt)
<b>Also Present</b>	Dave A. Clark, Engineer Gerald M. Haizel, PP, AICP Planner Gail J. Mitchell, Attorney Joyce L. Lanier, Secretary Trisha Scipio, City Clerk's Office
<b>Absent</b>	Murphy Wilson, Chairperson

Mary L. Reed-Learmont, Vice Chairperson announced that as a matter of procedure, it is the intention of the zoning board of adjustment not to continue any matter past 10:00 p.m. unless otherwise ordered in the discretion of the board.

### CASES

#### **MW-20-03 – 455 Thomas Boulevard Modification of gas station and convenient store.**

Case for review with some conditions. There was information that needed to be provided to planner, engineer and attorney to continue. David A. Clark stated resolution compliance was met. Gail prepared three resolutions for this case. Gerald M. Haizel has not received the information that was needed. The Secretary, Joyce L. Lanier asked if he received the information requested and Mr. Haizel stated he has not received the information. David A. Clark stated he had received all of the information and had resolved all items to meet the qualifications to move to the resolutions.

## RESOLUTIONS

- 5-2022 A resolution ratifying and authorizing the appointment of Gail Mitchell, Esq. of Schwartz, Barkin and Mitchell 1110 Springfield Road, Union NJ 07083, to provide legal services to the Zoning Board of Adjustment of the City of Orange Township in matters as they relate to zoning and land use in an amount not to exceed \$7,500.00 for the calendar year 2022.

A motion to adopt the Resolution 5-2022 and present to Council was made by James H. Ward, III, and seconded by JoAnne Ware

### Roll Call

**YEAS:** Kenneth Black, Ashante Connor, ED, Mary L. Reed-Learmont, Vice Chairperson, Gerard John Schubert, JoAnne Ware, Cheryl Gayle, and James H. Ward, III

### Motion adopted

- 6-2022 A resolution granting preliminary and final site plan approval, a use variance for an expansion of a non-conforming use, and variances for density, minimum lot area, front yard setback, side yard setback, (2 places), and rear yard setback, in order to remodel an existing Two-family dwelling on a lot located at 663 Valley Street, Orange, New Jersey, in a mixed-use low density residential and neighborhood commercial (mx-1) zone, Block 6201, lot 5 filed by: Luis Tapia Case No. Case number MW 21-04

A motion to adopt the Resolution 6-2022 was made by Carl Fields, Jr. and seconded by Kenneth Black

### Roll Call

**YEAS:** Kenneth Black, Mary L. Reed-Learmont, Vice Chairperson, Gerard John Schubert, JoAnne Ware, James H. Ward, III, and Carl Fields, Jr.

**NAYS:** None

### Motion adopted

It was discussed that some matters discussed in the Zoning Board meetings are not always adhered to. Vice Chairperson, Mary L. Reed-Learmont suggested that this issue be presented to Murphy Wilson, Chairperson and added to next month's agenda to discuss ways to enforce. Gail Mitchell, Esq. stated calling Code Enforcement should be one part of the resolution.

- 7-2022 A resolution granting preliminary and final site plan approval and variances for 207 Heywood Avenue for lot area and lot width, in order to construct a single family home on a vacant lot located at 207 Heywood Avenue, Orange, New Jersey, in a one family residential (r1) zone, and in the Seven Oaks-Montrose Historic District Block 6602, Lot 47 Filed by: James Pride Enterprises, LLC Case No. MW 21-001

A motion to adopt the Resolution 7-2022 was made by James H. Ward, III and seconded by Gerard John Schubert

### Roll Call

**YEAS:** Mary L. Reed-Learmont, Vice Chairperson, Gerard John Schubert, JoAnne Ware, and James H. Ward, III

**NAYS:** None

**Motion adopted**

- 8-2022 A resolution granting preliminary and final site plan approval and variances for lot area, minimum ground floor height, rear yard set back, impervious coverage, entrance and exit driveway widths, street line set back, outdoor storage, open space, walkway, distance from certain public entities, signage, fenestration, and landscaping buffer in order to renovate an existing auto fueling, repair shop, and check cashing establishment into an auto service station with a convenience store on a lot located at 455 Thomas Boulevard, Orange, New Jersey, in a mixed-use medium density Residential and Central Business (mx-2) Zone, Block 401, Lot 6 Filed by: SSH Realty, LLC. Case No. MW 20-03

A motion to adopt the Resolution 8-2022 was made by Gerard John Schubert and seconded by Ashante Connor, ED

**Roll Call**

**YEAS:** Ashante Connor, ED, Mary L. Reed-Learmont, Vice Chairperson, Gerard John Schubert, JoAnne Ware, Cheryl Gayle, James H. Ward, III

**NAYS:** None

**Motion adopted**

**MINUTES TO BE APPROVED**

**Minutes from the March 28, 2022 Zoning Board Meeting** (Kenneth Black, Louis Harris, Ashanti Connor, Ed, Cheryl Gayle, Carl Fields, Jr. and Antoinette Hall where absent from this meeting and should abstain from voting)

Corrections: Garage was typed twice, change to car garage and add case numbers should be added each case.

A motion to adopt the minutes from the March 28, 2022 meeting with corrections was made by JoAnne Ware and seconded by James H. Ward, III

**Roll Call**

**YEAS:** Mary L. Reed-Learmont, Vice Chairperson, Gerard John Schubert, JoAnne Ware, and James H. Ward, III

**NAYS:** None

**Motion adopted**

**NEW BUSINESS**

Alan Barkin will fill in for Gail J. Mitchell, Esq for the Zoning Board meeting on May 23, 2022.

A motion to adjourn the meeting was made by Kenneth Black and seconded by Ashante Connor, ED

The meeting was adjourned at 8:11pm

**The next meeting is scheduled for May 23, 2022**

**Approved:**

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**Joyce L. Lanier, Secretary**  
**Chairperson**

**Murphy Wilson,**