



## **PLANNING BOARD REGULAR MEETING MINUTES**

Monday, December 5, 2022 - 7:30 PM  
Virtual Webex Meeting

To access information on how to use WebEx to join the meeting, please click on the following link: <https://www.southorange.org/800/WebEx-FAQs>

### **ORDER OF BUSINESS**

Chairman Colton-Max called the meeting to order at approximately 7:30 pm:

#### **1. Call Meeting to Order**

#### **2. Roll Call**

Jon Busch-Vogel  
Cecil House - ABSENT  
David Kraiker  
Michael Miller  
Carolyn Morin  
Christine Mason, Alternate - ABSENT  
Lillian Harris, Alternate  
Harold Colton-Max, Chairman  
Michael Lerman, Vice Chairman - ABSENT  
Stephen Schnall, Village Trustee  
Julie Doran, Acting Village Administrator  
Sheena Collum, Village President  
  
William Sullivan, Board Attorney  
Greer Patras, Board Planner/Zoning Officer – ABSENT  
Gold Speyer, Planner of Topology  
Justin Cutroneo, Planner of Topology  
Jamie Giurintano, Board Engineer  
Ojetti Davis, Board Secretary

#### **3. Meeting Notice Statement**

Chairman Colton-Max read the following statement:

Pursuant to Section 5, Chapter 231, P.L. 1975, this is to state for the record that adequate notice of this meeting has been provided to the public by posting and maintaining the annual notice of regular meetings on the bulletin board in the Village's municipal offices located at 76 South Orange



Avenue, by mailing the annual notice of regular meetings for 2022 to the South Orange-Maplewood News Record and the Star Ledger in December, 2021 and by filing said notice in the Office of the Village Clerk.

**4. Approval of Minutes**

- A. Regular meeting held on November 7, 2022:  
Trustee Schnall moved to approve the minutes of November 7<sup>th</sup>, seconded by Ms. Harris. All members were in favor and none opposed.

**5. Approval of Resolution**

- A. Resolution establishing the meeting dates for the year 2023:  
Mr. Busch-Vogel moved to approve the Resolution establishing the 2023 meeting dates, seconded by Trustee Schnall. All members were in favor and none opposed.

**6. Application for Completeness**

- A. **Case #293/CannaBoy TreeHouse, LLC**  
Block 1904 Lot 12  
57 W. South Orange Avenue  
Conditional Use - Applicant proposes to operate a Cannabis Retail Business. There are no proposed improvements or alterations to the exterior of the building. The applicant only proposes to make the necessary interior changes to operate the proposed use.

Jennifer Mazawey attorney of the firm Genova Burns on behalf of the applicant was present. Mr. Cutroneo discussed the recommended submission waivers and outstanding completeness items of his completeness report dated November 29, 2022. He suggested revised plans should be accompanied by a response letter or highlights on the plans to identify changes. Ms. Mazawey had no objections to the items in the report.

Mr. Busch-Vogel moved to deem the application complete subject to the items discussed and submission of revised plans 14 days prior to the hearing, seconded by Ms. Morin.

**Roll Call Vote:**

Busch-Vogel Yes



|            |     |
|------------|-----|
| Doran      | Yes |
| Harris     | Yes |
| Kraiker    | Yes |
| Miller     | Yes |
| Morin      | Yes |
| Schnall    | Yes |
| Colton-Max | Yes |

Motion carried.

## 7. Application to be Heard

### A. **Case #292/Seton Hall University (Continuation from November 7th)**

Block 901 Lot 3

400 South Orange Avenue

Preliminary and Final Site Plan - The applicant is proposing a 12,862 SF addition to the southeastern portion of the Regan Recreation and Athletic Center and a 176 SF vestibule along the northern side of the building. The applicant also proposes modifications to the adjacent drive aisles, parking and pedestrian walks surrounding the southern and eastern portions of the athletic facility.

Enardo Webster attorney on behalf of the applicant stated they have concluded on the application and rested their case. Chairman Colton-Max asked Mr. Giurintano to briefly discuss an Environmental Impact Statement. Mr. Giurintano explained items that would be included such as stormwater, slopes, drainage and vegetation. Also explained items that would not be included such as air quality, assessment of any impacts that typically occur during construction project and any alternatives to the development. It was his opinion that the information has already been provided and the site is already developed and therefore the waiver for the Environmental Impact State was appropriate.

Public Comment:

Chairman Colton-Max opened the meeting for public comment. Many of the members of the public who resided in the Ivy Hill neighborhood in Newark, Maplewood and South Orange expressed that they are not in favor of the project, concerned about the new construction impacting the flooding in the Ivy Hill neighborhood, request the applicant to pause the application and provide a stormwater study, felt the environmental waivers should have not



been allowed, would like for Seton Hall University to take accountability and felt that this application is an issue of environmental injustice and environmental racism.

There were a few questions raised regarding capacity of the Woodbine sewer pipeline and ratio of the pervious pavers. The applicant was ask to provide responses to the board professionals technical review reports prior to the next meeting. Chairman Colton-Max carried the case to January 5<sup>th</sup>, with no further noticing required.

**8. Discussion**

- A. Ordinance Review for Master Plan Consistency - Ordinance 2022-34 amending Chapter 185 to permit Accessory Dwelling Units: This discussion item was deferred to the January 5<sup>th</sup> meeting.
- B. Report from the Board of Trustee Member regarding the Planning & Economic Development Committee – There was no report.

**9. Next Regular Meeting Date**

- A. Thursday, January 5, 2022 at 7:30 pm.

**10. Adjournment**

There being no further discussion, Ms. Doran moved to adjourn the meeting, seconded by Mr. Miller. Chairman Colton-Max adjourned the meeting at approximately 11:20 pm.

Submitted by  
Ojetti Davis, Secretary  
Planning Board

**\*These minutes are a summary and the actual statements can be found on the video located on the Village's website at the following link:**

**<https://southorangetwpnj.civicclerk.com/Web/Player.aspx?id=741&key=-1&mod=-1&mk=-1&nov=0>**