SOUTH ORANGE VILLAGE
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PLANNING BOARD
REGULAR MEETING MINUTES

Monday, March 4, 2024 - 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

1. **Call Meeting to Order**
   Chair Colton-Max called the meeting to order at approximately 7:30 pm:

2. **Roll Call**
   Jon Busch-Vogel - Absent
   Lillian Harris
   Cecil House
   David Kraiker
   Carolyn Morin
   Richard Spears, Alternate
   Hannah Zollman, Alternate
   Harold Colton-Max, Chair
   Michael Miller, Vice Chair
   Bill Haskins, Village Trustee
   Julie Doran, Village Administrator
   Sheena Collum, Village President

   William Sullivan, Board Attorney
   Greer Patras, Board Planner/Zoning Officer
   Eric Keller, Board Engineer
   Ojetti Davis, Board Secretary

3. **Meeting Notice Statement**
   Chair 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 2024 to the South Orange-Maplewood News Record and the Star Ledger in November 2023 and by filing said notice in the Office of the Village Clerk.

4. Approval of Minutes

A. Regular meeting held on February 5, 2024:
Ms. Morin moved to approve the minutes of the February 5th meeting, seconded by Ms. Doran. All members were in favor and none opposed.

5. Discussion

A. Report from the Board of Trustee Member regarding the Planning & Economic Development Committee:
There was no report.

B. Planning Board Procedures:
Mr. Sullivan summarized the informal meeting with the board professionals, Board Chair and an associate from his office regarding the procedures of the Planning Board. The topics of the meeting included, setting by-laws for governing the conduct of the meetings, special meeting request and streamlining the application hearing process. Mr. Sullivan hopes to have the procedures completed by the May meeting.

C. Meridia 4th & Valley Parking Approval for Commercial Retail Units:
Sean McGowan attorney of the firm Greenbaum, Rowe, Smit & Davis, LLP on behalf of the applicant explained when they received approval in 2018 for the construction of this project, it was uncertain at the time of the tenants for the retail spaces. Therefore, a condition in the resolution was the applicant must present to this board a parking plan for any proposed tenants. Currently, there is one proposed tenant with Able Bakery. Mr. McGowan discussed the plan and parking lease agreement between Able Bakery and The Church of Our Lady of Sorrows. Ms. Patras discussed the conversation she previously had with Mr. McGowan regarding the location of the parking for the employees and parking for the customers. Mr. Sullivan felt the applicant is in compliance with the condition of the Resolution. In response to board questions, Mr. McGowan discussed the plan after the parking lease agreement expires. Chair Colton-Max confirmed no further action was needed as they have satisfied the condition of the Resolution to the board but will need to return for any additional retail tenants in the future.

6. Application(s) for Completeness

A. **Case #303 - REDUS, LLC**
Block 2022 Lot 45

211 Irvington Avenue
Minor Site Plan - The applicant is proposing an addition of two apartment units on the 3rd floor to increase the units from 2 to 4:

This case was carried to the April meeting, due to the requirement of an LLC must be represented by an Attorney.

7. Application(s) to be Heard

A. **Case #299 - Bataineh Holdings LLC (Continuation from February 5th)**
Block 2021 Lot 14
179 Irvington Avenue
C-Variance Relief - The applicant is proposing to construct a new multifamily apartment building with an elevator and open parking garage:

Ben Wine attorney on behalf of the applicant introduced 2 witnesses. The first witness was Mathew Seckler recalled from the previous meeting and sworn as a civil engineer and traffic engineer. Mr. Seckler discussed the revised plans for the ADA Parking Space, trash shoot location and landscaping. He entered exhibits A6 – UA Architectural Plan Sheet A101 First Floor Plan and A7 – Revised Sheet A100 Site Plan. In response to board questions, Mr. Seckler discussed the required EV spaces.

In response to public questions, Mr. Seckler discussed the plantings of the arborvitaes.

The final witness was Keenan Hughes Project Manager sworn and recognized by the board as an expert in planning. Mr. Hughes entered exhibits A8 – Aerial Photo of existing zoning and A9 – Pages 87 – 88 of the South Orange Master Plan. He discussed the zoning of which the property is located, lot size, requested bulk variances, parking spaces and rear yard setback. He explained the application is justified under the C1 & C2 basis and went through the negative and positive criteria and discussed the affordable housing for this project. In response to board questions, Mr. Hughes discussed parking supply, under sized lot, buffering, off street loading spaces, outdoor open space amenities, landscaping, design waivers, common window treatment, attempts on purchasing addition parking spaces, construction process and the impact on the neighborhood, safety plan cost and sidewalk plan during the construction process.

In response to public questions, Mr. Hughes discussed enforcement responsibility for maintenance of landscaping, sidewalk closure plan for Irvington Avenue and Cottage Place, extra parking impact to the traffic study, timeline for building construction, height of parking garage, building grade, installation of crosswalks and number of affordable housing units.

Chair Colton-Max opened the meeting for Public Comments:
There were many members of the public that expressed their concerns regarding no attempts to conform the lot structure, impact on the traffic flow, too many requested variances, too close to neighbor's property and overall felt the projects impacts the neighborhood and should not be approved.

Mr. Wine gave a closing statement explaining they have redesigned the project to fit better in the neighborhood and not seek bulk deviations, went before the HPC and felt they were impressed with the project, the residential use is better than an office use, highlighted the improvements and providing affordable housing on site rather than off site.

Board Discussion:
Ms. Patras stated she appreciated the responsiveness to the board and neighbors, felt they met the proofs and consistent with the Master Plan. Mr. Sullivan listed the conditions discussed throughout the hearings including pre construction meetings, sidewalk kept open during construction, pedestrian safety plan, tree reserved, parking signs, rain garden and common window treatment. The board members were glad the affordable housing units were on site, felt it was a good presentation and thought the lighting on the building will make the area better lit. Also discussed concerns with tightness of the garage, undersized lot and hope the applicants takes the neighbors comments and suggestions into consideration.

Chair Colton-Max moved to approve the application subject to the conditions discussed, seconded by Mr. Miller.

<u>Roll Call Vote:</u>

Doran	No
Harris	Yes
House	Yes
Kraiker	Yes
Miller	Yes

Morin Yes
Haskins Yes
Colton-Max Yes
Motion carried.

B. **Case #300 - JESPY House, Inc**.
Block 2017 Lot 16, 17 and 18
102-110 Prospect Street
Preliminary & Final Site Plan with C-Variance Relief - The applicant is proposing the construction of a 4-story building with JESPY administrative offices, client services and 31 residential units.

At the request of the applicant, this case was carried to the April 2nd meeting, with no further noticing required.

8. Next Regular Meeting Date

A. Monday, April 1, 2024, at 7:30 pm

9. Adjournment

There being no further discussion, Mr. Miller moved to adjourn the meeting, seconded by Ms. Zollman. Chair Colton-Max adjourned the meeting at approximately 11:30 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.portal.civicclerk.com/event/2611/media**