SOUTH ORANGE VILLAGE
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PLANNING BOARD REGULAR MEETING MINUTES

Monday, April 7, 2025 - 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
   Lillian Harris
   Cecil House - Absent
   David Kraiker
   Carolyn Morin
   Richard Spears, Alternate - Absent
   Hannah Zollman, Alternate
   Harold Colton-Max, Chair
   Michael Miller, Vice Chair
   Bill Haskins, Village Council Member
   Julie Doran, Village Administrator - Absent
   Sheena Collum, Village President

   William Sullivan, Board Attorney
   Greer Patras, Board Planner/Zoning Officer
   Eric Keller, Board Engineer – Absent
   Paul Winters, Assistant 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 2025 to the South Orange-Maplewood News Record and the Star Ledger in November 2024 and by filing said notice in the Office of the Village Clerk.

4. Approval of Minutes

A. Regular meeting held on March 3, 2025:
Mr. Miller moved to approve the minutes of the March 3rd meeting, seconded by Councilmember Haskins. Voice vote and all members were in favor and none opposed.

5. Discussion

A. Report from the Village Council Member regarding the Planning & Economic Development Committee:
Ms. Patras mentioned the committee had a productive preliminary evaluation of the Valley Street redevelopment plan. The discussion will continue at next month's meeting.

B. Affordable Housing Update:
Topology is working on the draft for the Housing Element Fair Share Plan to the Village Council and then it will come before this board for review and adoption.

Ms. Patras gave a brief update on the Mosaic project which is not ready for a TCO, but they are in the process.

C. 2025 State of New Jersey Financial Disclosure Statement Filing:
Chair Colton-Max encouraged all members to file before the deadline to avoid penalties.

6. Request for Extension of Approval

A. **Case #283 - 270-274 Irvington Avenue, LLC**
Block 2102, Lots 1420 & Block 2107, Lot 1
270 Irvington Avenue & 299 Irvington Avenue
Requesting a second 1 year extension of approval

Derek Orth attorney of the firm Inglesino & Taylor on behalf of the applicant to request a second extension of approval. Mr. Orth mentioned that have completed all resolution compliance and the governing body adopted the ordinance dedicating the on street parking for the loading area. He is working closely with the family to close out all local and outside agency for the transition of owners and wanted to ensure the approval is protected for another year.

In response to board questions, Mr. Orth stated legally they are entitled to one more request but at this moment there is no desire to make a third request.

Chair Colton-Max made a motion to grant a 2nd one-year extension of approval, seconded by Mr. Kraiker.

Roll Call Vote:

Busch-Vogel	Yes
Harris	Yes
Kraiker	Yes
Morin	Yes
Haskins	Yes
Miller	Yes
Colton-Max	Yes

Motion carried.

7. Application(s) for Completeness

A. **Case #306 – 185 Church Street Development LLC**
185-189 Church Street and 171-175 & 181 Church Street
Block 2301 Lots 21 & 44 and 42 & 43
Preliminary & Final site Plan with C-Variance Relief - The applicant is seeking to construct a new town home community with 23 units and related site improvements

Ms. Patras gave a brief update on the TRC meeting and mentioned the applicant is still working on providing the requested information. She will provide an update at the next meeting.

8. Application(s) to be Heard

A. **Case #307 - Seton Hall University (Walsh Library)**
Block 901 Lot 3
400 South Orange Avenue
Preliminary & Final Site Plan with C-Variance Relief - The applicant is proposing a 134-square-foot vestibule addition along the eastern side of Walsh Library and modifications to the adjacent pedestrian walk and surrounding landscape areas:

Danielle Federico attorney of the firm Chiesa Shahinian & Giantomasi on behalf of the applicant briefly described the applicant, variance requested and introduced 3 witnesses.

The first witness was Victoria Pivovarnick, Associate Vice President of Facilities and Business Affairs at Seton Hall University. Ms. Pivovarnick gave an update on Seton Hall's Master Plan regarding complete and incomplete projects and the increase in square footage for this project.

In response to board questions, Ms. Pivovarnick stated there is no anticipation for changes to the parking demand. The University is in the process of developing a new strategic plan and will return to this board if necessary.

There were no questions from the public.

The second witness was John DiGiacinto of Langan Engineering and Environmental Services, sworn and recognized as an expert in civil engineering. Mr. DiGiacinto described the project, existing and proposed conditions, zoning compliance, variances requested and addressed the board's professional reports. An application was made to the Essex County Planning Board and received confirmation that approval was not needed for this project.

In response to board questions, Mr. DiGiacinto discussed impervious coverage and provided a brief update on the flooding issues the effected the surrounding neighbors.

There were no questions from the public.

The final witness was Petar Mattioni of KSS Architects, was sworn and recognized as an expert in architect. Mr. Mattioni discussed the plan as submitted, photos of east and south view, proposed exterior vestibule and building elevation.

In response to board questions, Mr. Mattioni confirmed the visibility from off site, building materials, door dimension, depth of new vestibule and existing portico.

There were no questions or comments from the public.

There being no additional discussion, Chair Colton-Max moved to approve the application with all normal conditions of compliance to the board professional reports, seconded by Mr. Busch-Vogel.

Roll Call Vote:

Busch-Vogel	Yes
Harris	Yes
Kraiker	Yes
Morin	Yes
Haskins	Yes
Miller	Yes
Colton-Max	Yes

Motion carried.

9. Discussion

A. Request for reconsideration by JESPY House for 111 Milligan Place: Daniel Steinhagen attorney of the firm Beattie & Padovano on behalf of the applicant as a co-counsel for this application. Mr. Steinhagen appeared before the board to ask for reconsideration of the decision made at the March meeting to send this matter to the Board of Adjustment for review of a condition that was approved in a previous resolution of that board. He believed that his client had complied with the terms and conditions of the Board of Adjustment Resolution and this application is complete.

In response to board questions, Mr. Steinhagen discussed the completeness process and confirmed the following: no request was made to the town for prior approvals; the new plans do not reference older plans and the client has not discussed going to the Zoning Board of Adjustment because they prefer to be heard by this board.

There being no further questions, the board went into Executive Session.

10. Resolution to go into Executive Session

A. 2025 Resolution Authorizing an Executive Session at the April 7, 2025, Regular Meeting of the South Orange Planning Board

Matter/ (OPMA Exception)
Executive Session

- Case #301 - JESPY House

Chair Colton-Max made a motion authorizing a resolution to go into executive session to discuss a matter of OPMA exception pertaining to Case #301 JESPY House, seconded by Mr. Busch-Vogel.

Roll Call Vote:

Busch-Vogel	Yes
Harris	Yes
Kraiker	Yes
Morin	Yes
Zollman	Yes
Haskins	Yes
Miller	Yes
Colton-Max	Yes

Motion carried.

Chair Colton-Max reconvened the meeting after executive session and all members remained present

Mr. Sullivan explained the discussion of the board during the closed session related to whether this application is deemed complete, has the applicant clearly identified the use and is it permitted or not and the condition 10 of the previous Zoning Board of Adjustment resolution.

As explained by Mr. Sullivan, Chair Colton-Max made a motion to deem the application incomplete for the following reasons:

- The applicant did not provide the required prior application information;
- There is not enough information about the activities and uses has been provided to determine whether all the uses are permit or not

Mr. Sullivan mentioned the issue of condition 10 of the Board of Adjustment resolution dos not need to be resolved for the application to be deem complete.
The motion was seconded by Mr. Busch-Vogel.

Roll Call Vote:

Busch-Vogel	Yes
Harris	Yes
Kraiker	Yes
Morin	Yes
Zollman	Yes
Haskins	Yes
Miller	Yes

Colton-Max Yes
Motion carried.

Chair Colton-Max encouraged the applicant to work with the board professional to provide the necessary information to be able to deem the application complete in order to be heard in the future.

11. Next Regular Meeting Date

A. Monday, May 5, 2025 at 7:30 PM

12. Adjournment

There being no further discussion, Mr. Miller moved to adjourn the meeting, seconded by Mr. Busch-Vogel. All members were in favor and none opposed. Chair Colton-Max adjourned the meeting at approximately 11:05 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/2967/media**