



ZONING BOARD OF ADJUSTMENT REGULAR MEETING MINUTES

Tuesday, September 2, 2025 - 7:00 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

Chair Breene called the meeting to order at approximately 7:00 pm:

1. Roll Call

Devyani Guha
William MacIntosh
Anthony Mason - Absent
Alison Oxman
Mia Charlene White
Vacant, Alternate
Vacant, Alternate
Paul Breene, Chair
Jacob Levine, Vice Chair

Patrick Dwyer, Board Attorney
Greer Patras, Zoning Officer & Board Planner
Eric Keller, Board Consultant Engineer
David Battaglia, Village Engineer
Ogetti Davis, Board Secretary

2. Meeting Notice Statement

Chair Breene read the following statement:

Adequate notice of this meeting had been provided to the press in accordance with the Open Public Meetings Act, N.J.S.A 10:4-6. In addition, notice of this meeting was posted in Village Hall and on the Village's website, and has been filed in the Office of the Village Clerk. Official action may be taken.

3. New Member Appointment

The following new member was sworn in:

A. Joseph Gabriel - Regular Member

4. Approval of Minutes



- A. Regular meeting held on June 4, 2025:
Mr. MacIntosh moved to approve the minutes of the June 4th meeting, seconded by Mr. Levine.

Roll Call Vote:

Guha	Yes
MacIntosh	Yes
Oxman	Yes
Levine	Yes
Breene	Yes
Motion Carried.	

At the conclusion of the roll call, Member Mia White advised that she had moved out of town and was resigning from the Board.

5. Application(s) for Completeness

The following case was carried to the October meeting:

- A. **Case #1067 - Farid Ali**
Block 509 Lot 2
368 Woodland Place
Minor Site Plan, Preliminary & Final Site Plan - The applicant proposes to construct a new deck/porch Structure.

6. Application(s) to be Heard

- A. **Case #1063 - First Presbyterian & Trinity Church (Continuation from June 4th)**

Block 2014 Lot 1
88 South Orange Avenue
D-Variance Relief - The applicant is seeking a variance in connection with the uses of the building as a school and after-school activities:

Brian Chewcaskie attorney of the firm Cleary, Giacobbe, Alfieri & Jacobs, LLC on behalf of the applicant discussed the stop work order for the installation of the surface which will be removed and will come back to the board at a later date for approval. Also, mentioned the fence permit was submitted to the zoning office and waiting for a response.

Mr. Chewcaskie introduced 2 witnesses. The first witness was Brian Falconer who was previously sworn as a structural engineer at the last meeting. Mr. Falconer entered and discussed the following exhibits: A8 – The current and representative uses of the church building describing the programs and worship activities and non-



church initiated groups and A9 – Correspondence from the South Orange Parking Authority regarding the approval of five spaces for drop-offs and pick-up for the students and parents.

In response to board questions, Mr. Falconer mentioned there is no proposal for a summer program. He discussed the parking for the staff and organizations and stated he did not believe the church had any discussions on complaints of parking issues.

There were no questions from the public for this witness.

The final witness was David Spatz sworn and recognized by the board as an expert in planning. Mr. Spatz reviewed the various documents related to this case, discussed the existing conditions and mentioned there are no modification proposed. He discussed the zoning of the location, D3 conditional use variance and existing and proposed uses. They are looking to increase to 15 teachers and 65 students which will not have any impact on the school, neighborhood, Village Master Plan or the Zoning Ordinance. Mr. Spatz stated in his opinion, the board could grant approval with conditions for number of children and hours.

In response to board questions, Mr. Spatz confirmed the maximum coverage, location of the playground, general intensity of the use, number of current students and the difference of parking standard for the site use and the house of worship use.

There were no questions from the public for this witness.

Public Comments:

There were no public comments.

Mr. Chewcaskie gave brief closing statement and mentioned the parking lot had been sold to the Village many years ago, not a lot of changes in uses compared to the early chart. They meet all of the state requirements, has sufficient bathrooms and therefore felt the board should approve the application with reasonable conditions.

Board Discussion:

The board expressed concerns with the request to increase the students to 65 and whether they would end up with more than the requested amount. Also, discussed the impervious surface for the playground which would require them to appear before the board for approval, enforcement from the Village, conditional approval of



the variance based on licensing and approval from NJ State regulating authorities, creating a mechanism on notifying the town on renewal of certifications and overall concerns regarding the intensity of use of the church with school and other organizations. The board suggested cleaning up the use chart to include the room numbers.

After some discussion, Mr. Levine moved to approve the application based on the conditions discussed and certification requirements, seconded by Mr. MacIntosh.

Roll Call Vote:

Gabriel	Yes
Guha	Yes
MacIntosh	Yes
Oxman	Yes
Levine	Yes
Breene	Yes

Motion Carried.

7. Discussion

There was no additional discussion.

8. Next Regular Meeting Date

A. Tuesday, October 7, 2025 at 7:00 PM

9. Adjournment

There being no further discussions, Chair Breene adjourned the meeting at approximately 9:20 pm.

Submitted by
Ojetti Davis, Secretary
Zoning Board of Adjustment

***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://southorangenwpnj.portal.civicclerk.com/event/3009/media>