

PLANNING BOARD
BOROUGH OF ESSEX FELLS

MINUTES OF THE MEETING OF APRIL 7, 2021

The meeting was called to order at 7:04 p.m. The Open Public Meetings announcement was read by Robert Burchell. Those present were: Robert Burchell, Bud D'Avella, Mayor Ed Davis, Jim Irwin, Dave Isabel, Jody James, John King, and Peter McMullen. In addition, Michael D. Sullivan, Board Attorney was present.

Election of Officers

A motion was made by Board Member James to appoint Robert Burchell as Chairman of the Essex Fells Planning Board for 2021. It was seconded by Board Member Irwin. Eligible Board Members voted 7 – 0 to approve the appointment.

A motion was made by Board Member Irwin to appoint Jody James as Vice Chairman of the Essex Fells Planning Board for 2021. It was seconded by Board Member King. Eligible Board Members voted 7 – 0 to approve the appointment.

A motion was made by Board Member James to appoint Peter McMullen as Secretary of the Essex Fells Planning Board for 2021. It was seconded by Board Member Irwin. Eligible Board Members voted 7 – 0 to approve the appointment.

Approval of Minutes

On motion made by Board Member McMullen and seconded by Board Member Irwin, the minutes of the Planning Board meeting held February 10, 2020 were approved by all Board Members eligible to vote, 7 – 0.

Approval of Resolutions

First resolution (read by Board Member McMullen) to retain Michael Sullivan as Board Attorney for the Essex Fells Planning Board for 2021. A motion was made by Vice Chairman James and seconded by Board Member Irwin. Eligible Board Members voted 7 – 0 to approve the resolution.

Second resolution (read by Board Member Irwin) to approve the meeting dates and times of the Essex Fells Planning Board for 2021 and the first meeting of 2022. A motion was made by Board Member Irwin and seconded by Vice Chairman James. Eligible Board Members voted 7 – 0 to approve the resolution.

Third resolution (read by Board Member King) to name the Star Ledger and The Progress as the official Newspapers of the Essex Fells Planning Board for 2021. A motion was made by Vice Chairman James and seconded by Board Member King. Eligible Board Members voted 7 – 0 to approve the resolution.

Hearings

None

New Business

West Essex Highlands Development (West Orange) Status

Mayor Davis discussed the current scope of the Development Project east of Avon Drive. After three decades of agreements, litigation, and recent Zoning Board changes, West Orange has approved four (4) Apartment Buildings with four-hundred-ninety-six (496) units. One hundred (100) of the units have been designated as *Affordable Housing*. The Borough of Essex Fells has several concerns:

1. *Proximity*
The proximity of the development is one-hundred-fifty feet from Avon Drive. The borough will request that the developer shift the project to the south.
2. *Traffic Impact*
Essex County will be required to install a traffic light at Eagle Rock Avenue and Oval Road. Mayor Davis noted a de facto cul-de-sac would result from the current plan and could present challenges for emergency vehicles. Vice Chairman James asked if there were any discussions to open Oval Road in Essex Fells, in the vicinity of the project. The mayor indicated that the section of Oval Road in question is in fact owned by Essex Fells Country Club and the homeowners on the border. He does not anticipate the road being opened.
3. *Flooding*
Mayor Davis stressed that there is a concern for flooding in Essex Fells from the project. He is concerned with protecting the Borough Well located on the Essex Fells Country Club property. Board Member Irwin stated that there is stream that runs North/South between the planned development and the borough of Essex Fells that should mitigate our concern for flooding. The mayor noted that DEP (Department of Environmental Protection) approval is ultimately required for the development to proceed. Chairman Burchell commented that Essex Fells and Verona should be treated with the same consideration as West Orange concerning the aforementioned concerns.

Mayor Davis reiterated that this development project will not likely come before the Essex Fells Planning Board. He encouraged Essex Fells property owners to attend West Orange Planning Board Meetings that have this project on the agenda.

Historic Preservation

Mayor Davis discussed the concept of developing a Historic Preservation Ordinance. He proceeded to describe two communities with contrasting approaches to Historic Preservation. Millburn Township is more strict and has designated certain homes as historic. The Borough of Mountain Lakes has a more moderate approach. They have one-hundred (100) plus year-old homes with Hapgood and Belhall style architecture. Property owners are incentivized to maintain the architectural integrity of these particular homes. Specifically, the town is more relaxed on FAR (Floor Area Ratio) and side and rear yard set-back requirements. Chairman Burchell indicated that he preferred the Mountain Lakes model. Board Member Irwin noted that he has seen the seen plaques that adorn these older homes. He asked the mayor to describe the mechanics of the process. Mayor Davis explained that the Historic Preservation Committee in Mountain Lakes is a Borough Committee established by ordinance. It is charged with assisting the Borough Council with Historic Preservation aspects of the borough's Master Plan. Further, the committee advises the Planning Board and Zoning Board of Adjustment on applications for development that are historical. Mayor Davis indicated that he preferred the Borough of Mountain Lakes approach to the Millburn Township approach. Board Attorney Sullivan noted that Mountain Lakes implemented a very detailed preservation ordinance in 2017.

Chairman Burchell noted that the Municipality of Princeton has a Historic Preservation Commission (HPC) whose role is to preserve and enhance the twenty (20) locally designated historic districts structures, landscapes, and streetscapes.

Transportation Issues

Mayor Davis explained that the Essex Fells Police Department and the Borough Traffic Engineers recommended Traffic Calming measures that have been implemented. Specifically, Speed Humps have been installed on Devon, Fells, Forest, and Oldchester roads. Presently, there is no plan to place Speed Humps on additional streets. He noted that there has only been positive feedback concerning these measures. He pointed out that the borough has to take into account emergency response times when considering these traffic measures.

Additionally, the mayor explained that the police and engineers recommended utilizing four-way stop signs to improve safety. These measures have been added at Fells and Devon; Devon and Oval; Fells and Oldchester; Oldchester and Stewart; Oldchester and Oval; and Fells and Forest. Finally, he noted that white lines have been painted on both sides of Fells Road to reduce speeding. The Borough Traffic Engineers will continue to reassess our Transportation issues and to monitor state Department of Transportation (DOT) standards to ensure that we are complying with updated criteria.

The mayor noted that Caldwell University has a sign that directs vehicles egressing part of its campus to Borough of Essex Fells roads, rather than the commercial Bloomfield Avenue. He further noted that the borough is monitoring the traffic patterns on Essex Road. Specifically, idling cars. He conveyed the importance of respecting our neighbors on Essex and down the street in Caldwell, too.

Additional Business

Essex Fells Proposed Ordinance 2021-1042 Stormwater Control


The Planning Board reviewed the above captioned proposed ordinance and recommended the approval of the ordinance. The Planning Board determined the ordinance is not inconsistent with the Borough of Essex Fells 2018 Master Plan. Motion to approve the proposed ordinance was made by Vice Chairman James and seconded by Board Member Isabel. Eligible Board Members voted 7 – 0 to approve.

Resolution Establishing Standard Procedures For Remote Meetings Regarding Access To Presentations And Documents Viewed Or Made Available To Attendees And Making Public Comment At Meetings Or By Electronic Mail Or Written Letter In Advance Of The Meeting In Accordance With N.J.A.C. 5:39-1 et seq.

On motion made by Vice Chair James and seconded by Board Member Irwin the proposed resolution was approved by those board members eligible to vote, 7 – 0.

Adjournment

On a motion from Board Member Irwin and a second from Vice Chairman James, the meeting was adjourned at 8:50 p.m.


PLANNING CHAIRMAN