

MINUTES
TOWNSHIP OF WEST ORANGE
ZONING BOARD OF ADJUSTMENT REGULAR MEETING
November 20, 2025
8:00 P.M.

The West Orange Zoning Board of Adjustment held a regular meeting on November 20, 2025, commencing at 8:00 PM utilizing the virtual Zoom platform.

Chairperson Phillip D. Neuer called the meeting to order at approximately 8:00 PM. It was announced that notification of this meeting was given to the Township Clerk, the West Orange Chronicle, and the Star-Ledger and posted on the Township Bulletin Board in accordance with the "Senator Byron M. Baer Open Public Meetings Act."

Chairperson Neuer asked everyone to stand for the Pledge of Allegiance.

Alexander Fisher, Esq., Board Attorney, read the opening statement.

ROLL CALL

Present: William Michael Barbee, Tal Ben-Zvi, Laurence Cohen,
Michael Dannemiller, Todd Dubovy, Robin Miller,
Philip D. Neuer, Brent D. Scott, Irv Schwarzbaum,
Marc Sussman, Alice Weiss

Also Present: Alexander Fisher, Esq., Board Attorney
Diana L. Chandler, Board Secretary
Ryan MacNeill, Consulting Engineer
Christopher Dochney, Consulting Planner

Mr. Fisher and Chairperson Neuer confirmed the presence of a quorum of Board Members.

ANNOUNCEMENTS

- Future Meetings: December 4, 2025 (Special Meeting)
December 18, 2025 (Regular Meeting)
- ZB-25-01 – Taharally (79 Lessing Road) has been withdrawn.
Coluna-Letter-Head---WD-rcd-10-24-25

SWEARING IN

- Professionals, Mr. Christopher Dochney (Consulting Planner), and Mr. Ryan MacNeill (Consulting Engineer) were sworn under oath.

MINUTES

- October 16, 2025, Regular Meeting

Motion: Chairperson Neuer

Second: W.M. Barbee

Barbee:	Y	Schwarzbaum:	Y
Ben-Zvi (Alt.):	-	Scott:	-
Cohen:	Y	Sussman (Alt.):	Y
Dannemiller (Alt.):	Y	Weiss:	Y
Dubovy (Alt.):	Y	Neuer:	Y
Miller:	Y		

- October 23, 2025, Special Meeting

Motion: Chairperson Neuer

Second: R. Miller

Barbee:	Y	Schwarzbaum:	-
Ben-Zvi (Alt.):		Scott:	
Cohen:	Y	Sussman (Alt.):	Y
Dannemiller (Alt.):		Weiss:	Y
Dubovy (Alt.):		Neuer:	Y
Miller:	Y		

Notes: Edits requested by M. Dannemiller and T. Ben-Zvi were approved by Chairperson Neuer.

RESOLUTIONS

- Adopt 2026 Meeting Schedule

Motion: Chairperson Neuer

Second: I. Schwarzbaum

Barbee:	Y	Schwarzbaum:	Y
Ben-Zvi (Alt.):	-	Scott:	Y
Cohen:	Y	Sussman (Alt.):	-
Dannemiller (Alt.):	-	Weiss:	Y
Dubovy (Alt.):	-	Neuer:	Y
Miller:	Y		

APPLICATIONS:

- (Carried from 10/16/2025)
- 1.) ZB-24-06 PUBLIC SERVICE ELECTRIC AND GAS COMPANY
Block: 155 Lot: 26.01 Zone: (O-R) Office Research; (PURD) Planned Unit
Residential Development; (R-5) Single Family Residential Zone
325 Mount Pleasant Avenue
Seeking Variances, Preliminary, and Final Major Site Plan Approval in connection
with upgrades.

PRESENTATION

- Ms. Jennifer Porter, Esq. (Applicant's Counsel), and Mr. James Turteltaub, Esq. (Objector's Counsel) entered the record and announced that an agreement has been made between Mr. Malanga and PSE&G with a request to adjourn to the next available regular meeting (December 18, 2025) and revise plans accordingly for another date. Mr. Turteltaub agreed that this date is acceptable by him and his client.

It was at this time Chairperson Neuer announced an adjournment with preservation of notice to the December 18, 2025, Regular Meeting. Ms. Porter agreed to an extension of the statutory time to December 31, 2025.

- 2.) ZB-22-13 MPB Realty (470 Eagle Rock Avenue) (Carried from 10/23/2025)
Block: 153; Lot: 38; Zone: B-2
470 Eagle Rock Avenue
Preliminary & Final Major Site Plan

PRESENTATION

- Ms. Danielle Kinback, Esq. entered the record on behalf of client, MPB Realty LLC stated that the team is not ready for the previously scheduled PSE&G (December 4, 2025) Special Meeting.

It was at this time that Chairperson Neuer announced that ZB-22-13 MPB Realty LLC (470 Eagle Rock Avenue) was being carried with preservation of notice to the December 18, 2025, Regular Meeting. Ms. Kinback agreed to an extension of the statutory time to December 31, 2025.

It was also at this time that Chairperson Neuer announced that since ZB-22-13 MPB Realty LLC (470 Eagle Rock Avenue) is not agreeing to proceed at the December 4, 2025, Special Meeting, that it is cancelled.

- 3.) ZB-24-17 Pardo Development Group Inc. (Carried from 8/21/2025)
104 Winding Way
Block: 46.01; Lot: 33
Application for C Variance

PRESENTATION

- Mr. Stephen Hehl, Esq. entered the record on behalf of applicant, gave brief summary of previous testimony from the August 21, 2025, Regular Meeting.
- Chairperson Neuer gave a brief history of the previous denial (ZB-03-39) for this application site. Mr. Fisher confirmed stating that *res judicata* does not apply to this pending application.

- Giovanni Manillo PE (Engineer) entered the record. He was sworn under oath and credentials were provided and accepted by the Chairperson as an expert in the field of civil engineering.
- Mr. Manillo presented **Exhibit A1 – Colorized Aerial Exhibit (Dated - November 20, 2025)**
 - Mr. Manillo said that there was a question that came up about the address where the Tax Assessor's Office stated that the address of 104 Winding Way will remain because there is already an address with 1 Undercliff Way and there cannot be a "0" Undercliff Terrace.
 - Mr. Manillo displayed Sheet 1 (Dated - November 20, 2025) and explained that it is showing a different grade of the land on the property site.
 - Mr. Manillo displayed Sheet 2 (Dated – November 20, 2025) and explained that it showed the Steep Slope disturbance plan with two differences focusing in the slope range in the area towards the west.
- Mr. Manillo presented **Exhibit A2 – Site Rendering (Dated - November 20, 2025)**
 - Mr. Manillo said that they are moderating the size of the house, having it wider as opposed to deeper, including fall protection fencing (to which they agreed that it would be an additional variance for a solid fence, but clients are open to change), drainage added three (3) inches per hour but confirmed that West Orange has a six (6) inches limit.
 - Mr. Manillo explained the zoning requirements for this application site including: setbacks (side, front, and back), floor area, lot area (building coverage and lot coverage), and control/stormwater erosion.
- Mr. Manillo presented **Exhibit A3 Tree Removal (Dated -November 20, 2025)** by showing the proposed landscaping for the application site.

BOARD QUESTIONS

- Chairperson Neuer asked for confirmation on the height of the wall. Mr. Manillo said that at the highest point, it is 21 feet.
- W.M. Barbee asked about the potential impact on the neighbors. Mr. Manillo said that there is only one neighbor in the stormwater system.
- L. Cohen asked about the neighboring property and whether or not the property in question can be extended. Mr. Manillo said that it might belong to the country club.
- L. Cohen asked if there was a way to preserve the trees. Mr. Manillo said that those identified on the plans are classified as being dead.
- I. Schwarzbaum asked for confirmation on the height difference from front to back of the house. Mr. Manillo said that there is approximately ten (10) feet difference on both sides.
- T. Ben-Zvi asked how many trees would be removed. Mr. Manillo said that approximately 18 trees are to be removed.

PROFESSIONALS QUESTIONS

- R. MacNeill asked regarding stormwater and whether there is a soil log. Mr. Manillo said yes.
- R. MacNeill asked about whether there has been a slope stability analysis. Mr. Manillo said yes and can provide it himself.
- C. Dochney asked if a cross section has been provided. Mr. Manillo said yes.
- C. Dochney asked for confirmation that the land behind the application site is owned by the Town (golf course) Mr. Manillo said that he believes so.

PUBLIC QUESTIONS

- K. Malanga (53 Ridge Road) asked for the dimensions of the walkable and mobile slope. Mr. Manillo said that it is approximately 25%.
- Chairperson Neuer asked if the garage is going under the building. Mr. Manillo said that it is, "in the basement, not buried."

Applicant's Counsel Mr. Stephen Hehl confirmed no redirect for Mr. Manillo.

PRESENTATION

- John Linson, Forester was sworn under oath and credentials were provided/accepted by the Chairperson as a Tree Expert.
- Mr. Linson said that the site was cleared when the adjacent house at 1 Undercliff was built.
- There were 12 types of trees
- Confirmed that upon approval, he will walk the site with Town Forester, Walt Kipp.

Break: 9:28 PM-9:38 PM

*Upon return from break, Chairperson Neuer confirmed the presence of a quorum.
Applicant's Counsel Mr. Stephen Hehl confirmed no redirect for Mr. Linson.*

BOARD QUESTIONS

- T. Dubovy asked for the number of trees existing presently. Mr. Linson said that not much vegetation exists on this site at that elevation.
- T. Dubovy asked about the views from the parking lot. Mr. Linson responded.
- T. Dubovy asked for Mr. Linson's opinion on whether robust trees or shrubs would be better suited for this property. Mr. Linson said that shrubs in his opinion would be a better option.
- T. Ben-Zvi asked if new planting would require more maintenance. Mr. Linson said that for the first few growing seasons, that yes, they would.
- B.D. Scott asked how that would affect the slope. Mr. Linson said that it would be going towards the street and the catch basin.
- R. Miller made a comment stating that any recommendations of Mr. Linson be considered a condition of this application's approval.
- W. M. Barbee asked why roots were omitted. Mr. Linson said that there is no grade and that the stumps can remain.

PROFESSIONALS QUESTIONS

- R. MacNeill asked if there was any issue with the report. Mr. Linson said that he believes that if application is approved, he would work with Forrester (Walt Kipp).

NO PUBLIC QUESTIONS

Applicant's Counsel Mr. Stephen Hehl confirmed of no redirect for Mr. Linson.

PRESENTATION

- Paulo Dantas AIA, was sworn under oath, and credentials were accepted by the Chairperson as an expert in the field of Architecture.

BOARD QUESTIONS

- I. Schwarzbaum asked if there is a deck. Mr. Dantas said yes.
- M. Dannemiller asked for the total elevation. Mr. Dantas said it is approximately 35 feet.

- T. Ben -Zvi about the closets and bedrooms. Mr. Dantas said that feature needs to be redone/revised in the plans.

NO PROFESSIONALS QUESTIONS

PUBLIC QUESTIONS

- Kevin Malanga (53 Ridge Road) asked if there is a retaining wall next to the garage and if so, how high is proposed. Mr. Dantas said so, and it is approximately ten (10) feet tall.

Applicant's Counsel Mr. Stephen Hehl confirmed of no redirect for Mr. Dantas.

PRESENTATION

- Mr. John Barre, Professional Planner was sworn under oath and credentials were accepted by the Chairperson as a Professional Planner.
- Mr. Barre presented **Exhibit A4 Aerial Satellite Imagery of Subject Site and Surroundings (Photos taken June 12, 2025)**

BOARD QUESTIONS

- T. Dubovy asked about the square footage of the lot coverage in percentage. Mr. Barre said it is approximately 11%.
- M. Dannemiller asked about the depth of the development and if it would be better to rotate the house for setback requirements. Mr. Barre stated that change would not work.
- L. Cohen asked about the safety of the garage door. Mr. Barre said there should be no issue.

PROFESSIONALS QUESTIONS

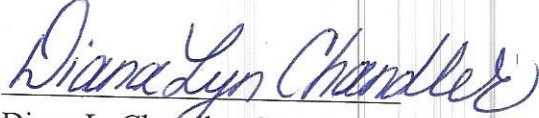
- No Questions from R. MacNeill
- C. Dochney asked for confirmation that the lot is unbuildable and regulated with utilities on their own.

PUBLIC QUESTIONS

- Kevin Malanga (53 Ridge Road) asked if this is a self imposed hardship. Mr. Barre said that he doesn't believe so because it is an isolated lot.
- Anthony Nicoterra (8 Undercliff Terrace) asked about the hardship variances. Mr. Barre went through the listing.

Chairperson Neuer adjourned the meeting at 11:04 PM.

Adopted: 12/18/2025


Diana L. Chandler, Secretary