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June 2, 2023

Via Federal Express and Email: ZonningBoard@westorange.org

Ms. Diana Chandler-Zimmermann
West Orange Zoning Board of Adjustment
66 Main Street
West Orange, NJ 07052

Re: **Petco Animal Supplies Stores, Inc.
Application for Use Variance Approval
495 Prospect Avenue / Block 155.21, Lot 40
West Orange, Essex County, New Jersey
Our File No.: PET176.00812**

Dear Diana:

On behalf of our client, Petco Animal Supplies Stores, Inc., (the "Applicant"), enclosed are the following, which we are submitting in connection with the above-captioned Application for Use Variance Approval:

1. Completed Township of West Orange Application Form and Application Addendum – one (1) original and five (5) copies;
2. Previously Approved Site Plan, prepared by Langan Engineering & Environmental Services, Inc., dated May 1, 2023 – five (5) copies;
3. Boundary and Topographic Survey, dated November 2, 2018 – five (5) copies;
4. Architectural Floor Plans and Elevations, prepared by SBLM, dated May 4, 2023 – five (5) copies;
5. Affidavit of Ownership and Consent – one (1) copy;
6. W-9 Form – one (1) copy;
7. Corporate Disclosure Statement;
8. Our client's check (No.:0001225833) in the amount of \$350.00, made payable to the Township of West Orange, intended to satisfy the Use Variance Application Fee;
9. Our client's check (No.:0001225834) in the amount of \$2,500.00, made payable to the Township of West Orange, intended to satisfy the initial Escrow Deposit; and

10. Our client's check (No.:0001225835) in the amount of \$500.00, made payable to the Township of West Orange, intended to satisfy the Application Digitization Fee;

This Application for Use Variance Approval provides for the expansion/renovation of the existing Petco Animal Supplies Store building to accommodate veterinary operations, on property located at 495 Prospect Avenue, and more particularly identified as Block 155.21, Lot 40 on the Official Tax Maps of the Township of West Orange (the "Property"). The Property is approximately 28.54 +/- acres in size and is located in the Planned-Commercial ("P-C") Zoning District. The Property is owned by CLPF – Essex Green, LLC.

More specifically, the Applicant is proposing renovations within the adjoining tenant space to accommodate the proposed 1,689 square foot veterinary operation space, which will include treatment rooms, exam rooms, an office space, a waiting area, an x-ray room, treatment area, and day-kennel area. No modifications are proposed to exterior of the existing building, with the exception of two exterior doors being modified/added. The Applicant is requesting a "d" or Use Variance because veterinary practice/animal hospitals are not specifically permitted uses within the P-C Zoning District.

It would be greatly appreciated if you would please place this Application on the agenda for the Township of West Orange Zoning Board of Adjustment meeting and public hearing scheduled for July 20, 2023 if it is possible to do so. Upon your confirmation of the hearing date, we will publish and serve an appropriate Public Hearing Notice for that hearing date and, thereafter, we will forward to you our Affidavit of Service and Notice and Affidavit of Publication of the *Star Ledger* newspaper, upon our receipt of the same.

If you have any questions, or need any additional information, please do not hesitate to contact me. Thank you for your courtesy and assistance.

Very truly yours,

ARCHER & GREINER
A Professional Corporation

By: Victoria L. Cascio
Victoria L. Cascio

VLC:
Enclosures:

cc: Sarah Lee [via email]
Matt Kogel [via email]
Stephen Hartley [via email]
Jeffrey Isom [via email]
Michael Gagliolo [via email]
Sergio Henriquez [via email]
Allison Sterrett [via email]
McKenzie Clark [via email]
Michael Lauricella Esq. [via email]
Niall O'Brien, Esq. [via email]

TOWNSHIP OF WEST ORANGE APPLICATION PACKAGE PLANNING BOARD OR ZONING BOARD OF ADJUSTMENT

1. Zoning/Planning Board Application
2. Checklists:
 - "C" and "D" Applications Interpretations and Appeals
 - Major/Minor Site Plan or Subdivision (52 Items)
 - Sustainability Checklist
3. Fee Schedules
4. W-9 Form
5. Zoning Board of Adjustment Meeting Schedule
6. Planning Board & Site Plan Review Advisory Board Meeting Schedule
7. Tree Removal Application Procedure
8. Tree Removal Application
9. Ordinance 2436-15 Amending Chapter 25, Sections 4, 51.6, 51.7, 51.8, 51.9, 51.10, & 51.15 (Revision of Various Zoning Ordinances)
Adopted 2/10/2015
10. Ordinance 2448-15 Amending Chapter 25, Section 51.16
Adopted 5/12/2015
11. Ordinance 2464-15 Amending Chapter 25, Sections 8.4, 9.9, 9.10, & 11.10 & Chapter 32, Section 3 (Revision of Various Zoning Ordinances)
Adopted October 27, 2015

BEFORE preparing or submitting an Application, it is strongly suggested that you contact the Planning Board Secretary or Zoning Board Secretary. We will be happy to assist you or answer any questions pertaining to the filing of an application to the Planning Board (325-4111) or Zoning Board of Adjustment (325-4108).

PLEASE NOTE:

- ! The application must be typed or neatly printed.
Due to Covid-19 - 5 Paper Copies + 1 Digital
emailed to PlanningBoard@westorange.org
and/or ZoningBoard@westorange.org
- ! Each application, including the original must have attached any enclosures as required.
- ! Refer to the Zoning Ordinance for all application requirements.
- ! Application fees and escrow must be submitted at the time of filing.
(If an escrow fee is required, a completed W-9 form must accompany the fees).
- ! All experts must be licensed to practice in the State of New Jersey.
- ! Any additional documents submitted after the original filing of the Application must include twenty copies total (nineteen (19) copies with one (1) original) to the Zoning Board or Planning Board and must be submitted at least 10 days before the Applicant's public meeting date.

Pursuant to Municipal Land Use Law, N.J.S.A. 40:55D-10(f), a verbatim recording of the proceedings shall be made. The Planning Board or Zoning Board of Adjustment shall furnish duplicate recording upon request from any interested party at the requesting party's expense which shall not exceed the actual cost of preparation. All transcripts which may be prepared from any such recording, whether prepared at the request of the Board or an interested party, shall be transcribed by a licensed New Jersey Court Reporter and certified in writing to be accurate.

After the Board hears the Application and renders a decision, a Resolution will be read and voted on at the next scheduled regular meeting. Upon receipt of the signed Resolution, the Applicant must submit eight (8) full size sets of final site plans, signed and sealed, to the Board Secretary for signatures. Once the Applicant receives a copy of the signed site plan, the Applicant may then apply for building permits.

TOWNSHIP OF WEST ORANGE APPLICATION FORM FOR THE PLANNING BOARD OR ZONING BOARD OF ADJUSTMENT

A. APPLICANT INFORMATION

Full Legal Name: Petco Animal Supplies Store, Inc.
(Last) (First)
Mailing Address: 654 Richland Hills Drive, San Antonio Texas
(Street) (City) (State) (Zip)
Telephone Number: () Email:

Is the Applicant an: ☐ Individual, ☒ Corporation, ☐ Partnership, ☐ Other

If the Applicant is a corporation or partnership, a list of the names and addresses of persons having a 10% interest or more in the corporation or partnership must be attached.

Relationship of the applicant to the property: ☐ Owner, ☒ Tenant or Lessee, ☐ Purchaser under contract
(with consent of owner, ☐ Other (please specify))

If the applicant is not the owner of the property in question, the applicant must submit an affidavit with the owner(s) authorization to proceed with this process.

B. PROPERTY OWNER INFORMATION

☐ Check here if same as applicant. If the owner is not the applicant, please complete the following:

Owner's Name: CLPF - Essex Green, LLC
Address: 230 Park Avenue, New York, NY 10169
Telephone Number: () Email:

C. PROPERTY INFORMATION

Street Address: 495 Prospect Avenue
Block Number(s): 155.21; Lot Number(s): 40;
Tax Plate: ; Zone of Property: P-C
The location of the property is approximately 200 feet from the intersection of
Prospect Avenue and Rooney Circle (closest intersection.)

Has there been any previous Zoning Board of Adjustment or Planning Board hearings involving this property?
☒ Yes, Date(s): ; ☐ No

If yes, please attach copies of the written decisions adopted by the Board to each application.

Please attach a list of all contiguous or adjacent property owned by the applicant or owner. ☒ None

Is this property listed in "The Historic Sites Survey" prepared by Robert Guter 7/9/1992 ☐ Yes ☒ No

D. TYPE OF APPLICATION

Indicate the type of application being submitted, check all boxes that apply. Note that more than one variance may be necessary, please indicate the number of each type needed:

- 1) ☐ Interpretation of ordinance or map.
- 2) ☐ Appeal of action of Zoning Officer.
- 3) ☐ Variance "C1" Reason: ☐ shape of property; ☐ physical features; ☐ exceptional situation.
- 4) ☐ Variance "C2".
- 5) ☒ Variance "D".
- 6) ☐ Subdivision without variances: ☐ major; ☐ minor; ☐ preliminary; ☐ final; ☐ preliminary and final.
- 7) ☐ Subdivision with variances: ☐ major; ☐ minor; ☐ preliminary; ☐ final; ☐ preliminary and final.
- 8) ☐ Site Plan: ☐ preliminary; ☐ final; ☐ preliminary and final; ☐ with variances; ☐ without variances.
- 9) ☐ Amended Site Plan.
- 10) ☐ Conditional Use.
- 11) ☐ Conceptual.
- 12) ☐ Home Professional Office.
- 13) ☐ Home Occupation.
- 14) ☐ Soil Removal Permit.

Please list the specific Sections of the Ordinance for which a variance is sought. If additional space is required, please attach a list. Please refer to the enclosed Application Addendum.

Section: _____; Proposed: _____; Description: _____
Section: _____; Proposed: _____; Description: _____
Section: _____; Proposed: _____; Description: _____
Section: _____; Proposed: _____; Description: _____

E. DESCRIPTION OF PROPERTY

Existing Use of the Property

Briefly describe the major elements of your proposal: (a more detailed description is required in Section G.)
Please refer to the enclosed Application Addendum

The property is _____ (square feet); 28.54 +/- _____ (acres)

Impervious Surface Coverage: Present: 88% _____; Proposed: _____ No change

Building Coverage: Present: 25% _____; Proposed: _____ No change

Is the property located:

Within 200 feet of another municipality?	☐ Yes	☒ No
Adjacent to an existing or proposed county road?	☒ Yes	☐ No
Adjacent to other county land?	☐ Yes	☒ No
Adjacent to a state highway?	☐ Yes	☒ No

F. EXPERTS

The following information is respectfully requested to enable the Board to facilitate the processing of this application:

APPLICANT'S ATTORNEY: Victoria L. Cascio, Esq. / Archer & Greiner, P.C.

Telephone Number: (856) 354-3054 Email: vcascio@archerlaw.com

Address: 1025 Laurel Oak Road, Voorhees, NJ 08043

APPLICANT'S ENGINEER: _____

Telephone Number: () _____ Email: _____

Address: _____

APPLICANT'S ARCHITECT: _____

Telephone Number: () _____ Email: _____

Address: _____

APPLICANT'S PLANNER: _____

Telephone Number: () _____ Email: _____

Address: _____

OTHER EXPERT(S): _____

Telephone Number: () _____ Email: _____

Address: _____

If necessary, please list any additional experts below, including address, telephone number and email address.

G. REQUIREMENTS FOR VARIANCES

- 4A) Please attach a written statement labeled "PROPOSAL", describe the major elements of your proposal, and describe in detail the physical and use changes proposed.
- 4B) Please attach a written statement labeled "REASONS FOR RELIEF", which fully answers 4C-1, 4C-2 or 4D (Special Reasons) AND part 4E (Negative Criteria).
- 4C-1) (*For C1 variances only*) The strict application of the provisions of the Zoning Ordinance would result in the peculiar and exceptional practical difficulties or exceptional undue hardship under *N.J.S.A. 40:55D-70c(1)*. List in detail wherein this case conforms to this requirement, including, if applicable, reference to the exceptional narrowness, shallowness, or shape of the property, or the exceptional topographical conditions affecting the property which applicant contends warrants the granting of the variance.
- 4C-2) (*For C2 variances only*) State how the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment according to *N.J.S.A. 40:55D-70c(2)*. Please list all benefits of the deviation to the Township and any adverse effects. State how the benefits of the deviation would substantially outweigh any detriment to the Township.
- 4D) (*For D variances only*) State the special reasons under *N.J.S.A. 40:55D-70d* affecting this property.
- 4E) The granting of this variance will not be substantially detrimental to the public good and will not substantially impair the intent of the zone plan and zoning ordinance. List in detail the reasons, among others, why the variance can be granted without being materially detrimental to the welfare of the community or injurious to the property or improvements of others in the neighborhood and zone.

H. PLAT SUBMISSION

- 4F) Please list all maps and other exhibits accompanying this application. Attach an additional sheet if necessary. Please refer to the Application Cover Letter

ITEM	SIGNED BY	DATE/REVISION

I. NOTICE

Applicant is responsible to publish and serve notice of this application in accordance with Zoning Board of Adjustment/Planning Board requirements; however, notice may not be served until this application is certified as complete and the administrative officer has assigned the applicant a public hearing date.

J. VERIFICATION AND AUTHORIZATION

SIGNATURE IS REQUIRED FOR ALL OF THE FOLLOWING:

APPLICANT'S VERIFICATION

I hereby certify that the above statements made by me and the information contained in the papers submitted in connection with this application are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Applicant's Signature: ARCHER & GREINER, P.C.
Victoria Cascio
Victoria L. Cascio, Esq.
Attorneys for the Applicant

Date: 6/2/2023

CONTINUANCE

Should the Planning Board/Zoning Board of Adjustment have a full and heavy agenda, or discussion and meeting regarding this application requiring carrying the matter past the statue time limit, the applicant grants permission for such an extension.

Applicant's Signature: ARCHER & GREINER, P.C.
Victoria Cascio
Victoria L. Cascio, Esq.
Attorneys for the Applicant

Date: 6/2/2023

OWNER'S AUTHORIZATION – MUST BE SIGNED

I hereby certify that I reside at _____
in the County of _____ and the State of _____;
and that I am the owner of all that certain lot, piece or parcel of land known as Block(s) _____;
Lot(s) _____ on the Tax Map of _____ which property is the subject of the above
application, and that said application is hereby authorized by me. Furthermore, I authorize inspection of the site
which is the subject of this application.

Please refer to the enclosed Affidavit of Ownership & Consent
Owner's Signature: _____ Date: _____

THIS APPLICATION DOES NOT RELIEVE THE APPLICANT FROM COMPLYING WITH OTHER TOWNSHIP ORDINANCES SUCH AS THE TREE REMOVAL ORDINANCE AND OBTAINING THE NECESSARY APPROVALS AND PERMITS UNDER SUCH ORDINANCES.

APPLICATION ADDENDUM

Petco Animal Supplies Stores, Inc. Application for Use Variance Approval 495 Prospect Avenue / Block 155.21, Lot 40

West Orange Zoning Board of Adjustment

I. Application Background

This Application for Use Variance Approval provides for the expansion/renovation of the existing Petco Animal Supplies Store building to accommodate veterinary operations, on property located at 495 Prospect Avenue, and more particularly identified as Block 155.21, Lot 40 on the Official Tax Maps of the Township of West Orange (the "Property"). The Property is approximately 28.54 +/- acres in size and is located in the Planned-Commercial ("P-C") Zoning District. The Property is owned by CLPF – Essex Green, LLC.

More specifically, the Applicant is proposing renovations within the adjoining tenant space to accommodate the proposed 1,689 square foot veterinary operation space, which will include treatment rooms, exam rooms, an office space, a waiting area, an x-ray room, treatment area, and day-kennel area. No modifications are proposed to exterior of the existing building, with the exception of two exterior doors being modified/added.. The Applicant is requesting a "d" or Use Variance because veterinary medicine/animal hospitals are not specifically permitted uses within the P-C Zoning District.

II. Legal Standard & Reasons for Relief

The Property is located within the Planned-Commercial ("P-C") Zoning District, governed by Subsection 25-7.1 of the West Orange Land Use Regulations. The P-C Zone permits a variety of retail, service office, and medical uses such as urgent care facilities and physical therapy.

Because the proposed veterinary practice is not specifically permitted within the P-C Zoning District, the Applicant is requesting Use Variance Approval in order to operate a veterinary clinic in the adjoining tenant space. Specifically, this Application presents a request for Use Variance approval pursuant to N.J.S.A. 40:55D-70(d)(1), also known as a "D(1)" Use Variance.

A. D(1) Use Variance Legal Standard

Pursuant to the New Jersey Municipal Land Use Law ("MLUL"), N.J.S.A. 40:55D-1, *et seq.*, a Zoning Board of Adjustment has the power to grant a "D(1)" Use Variance as follows:

In particular cases for special reasons, grant a variance to allow departure from regulations... to permit: (1) a use or principal structure in a district restricted against such use or principal structure.... N.J.S.A. 40:55D-70(d)(1).

In addition, the MLUL provides that:

No variance or other relief may be granted under the terms of this section, including a variance or other relief involving an inherently beneficial use, without a showing that such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and zoning ordinance. N.J.S.A. 40:55D-70(d).

Accordingly, to obtain Use Variance approval, an Applicant must first prove the “positive criteria” or “special reasons” for the requested relief. Once that burden has been met, an Applicant must then demonstrate that approval of the Use Variance also satisfies the “negative criteria.” N.J.S.A. 40:55D-70(d); Medici v. BPR Co., 107 N.J. 1 (1987).

The manner in which this Application satisfies the positive and negative criteria are outlined below, and will be further supplemented by the Applicant and its professionals during the hearing.

B. Justifications for Relief

a. *Positive Criteria / Special Reasons*

In order to satisfy the positive criteria (i.e., demonstrating “special reasons”), an Applicant seeking a “D(1)” Use Variance must show:

- (1) the proposed use is inherently beneficial, *or*
- (2) denial of the Use Variance will create an undue hardship, *or*
- (3) the proposed use would promote one or more purposes of zoning as defined in the MLUL at N.J.S.A. 40:55D-2, *and* the subject site is particularly suitable for the proposed use. See generally, Medici v. BPR Co., 107 N.J. 1 (1987).

The Applicant submits that the Property is particularly suitable for the proposed use, and that the Applicant’s proposal satisfies several purposes of zoning, as described below.

i. The Applicant’s Proposal Satisfies Several Purposes of Zoning

The Applicant’s proposed use satisfies several purposes of zoning, outlined below. Although our courts have highlighted purpose “a” as the purpose of zoning which “most clearly amplifies the meaning of special reasons,” see Medici v. BPR Co., 107 N.J. 1 (1987), advancing any of the other purposes outlined within the MLUL has been consistently construed as serving the general welfare. See generally, Kohl v. Mayor and Council of Fair Lawn, 50 N.J. 268, 279-80 (1967); Medici, 107 N.J. 1, 4; Burbridge v. Mine Hill Tp., 117 N.J. 376, 386 (1990); Saddle Brook Realty v. Saddle Brook Zoning Bd. of Adj., 388 N.J. Super. 67, 76 (App. Div. 2006).

Purpose (a): “To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare.” N.J.S.A. 40:55D-2(a). Veterinary clinics play a vital role in promoting public health by providing medical care, vaccinations, and preventive treatments for animals. By ensuring the health and well-being of pets, veterinary clinics help prevent the spread of diseases and mitigate potential health risks to the community.

Purpose (c): “To provide adequate light, air and open space.” N.J.S.A. 40:55D-2(c). The proposed use requires only interior improvements to the Property, which appropriately and efficiently uses the existing and adjoining space without impacting surrounding properties, or requiring significant modifications which could also impact surrounding properties.

Purpose (g): “To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens.” N.J.S.A. 40:55D-2(g). The proposed veterinary operations will provide a variety of in-demand services for pets, including medical care, preventive treatments, and wellness services. In this case, the proposed veterinary operations align with the purpose of the P-C zoning district by offering services that are directly related to the pet industry. The combination of a pet store and veterinary clinic can attract customers and enhance the viability of the P-C district.

i. The Site is Particularly Suitable for the Proposed Use

In addition to advancing several purposes of zoning noted above, the subject Property is also particularly suitable for the proposed use. The Property is located within an existing shopping center containing a variety of retail, service, and entertainment uses. As such, the Property is designed to support a high volume of consistent customer traffic. In addition, the Property is developed with more than enough parking spaces to support the low-intensity use of the veterinary clinic.

For the reasons provided above, and as may be further supplemented by testimony at the hearing for this Application, the Applicant respectfully submits that the positive criteria applicable to the requested Use Variance relief have been satisfied.

b. *Negative Criteria*

A Zoning Board of Adjustment may grant a Use Variance if an Applicant is able to demonstrate that the approval can be granted: (1) “without substantial detriment to the public good,” and (2) without “substantially impairing the intent and purpose of the zone plan and zoning ordinance.” See N.J.S.A. 40:55D-70(d); Medici v. BPR Co., 107 N.J. 1 (1987).

i. The Requested Relief Can be Granted Without Any Detriment to the Public Good

As noted above, the Applicant's proposed use can be incorporated into the existing Property with no discernable impact upon the Property or the surrounding area, and with only minor interior modifications. The operation of the veterinary clinic within the existing Petco store is not likely to cause significant adverse impacts. Pet stores are already associated with animal-related activities, and the addition of a veterinary clinic generally aligns with the existing nature of the business.

ii. The Requested Relief Will Not Impair the Intent and Purpose of the Borough's Zoning Plan

The nature of the proposed use is similar to other permitted uses within the P-C Zoning District, such as urgent care facilities. As such, the proposed use would be indiscernible from the uses in the surrounding area, and will therefore neither impair nor impact the intent and purpose of the Borough's zoning code or master plan.

For the reasons provided above, and as may be further supplemented by testimony at the hearing for this Application, the Applicant respectfully submits that the negative criteria applicable to the requested Use Variance relief have been satisfied.

AFFIDAVIT OF OWNERSHIP AND CONSENT

STATE OF Texas :
 : SS.
COUNTY OF Dallas :

Spence Sowa, of full age, being duly sworn according to law, appeared and on oath deposes and says, as **Authorized Signatory for CLPF – Essex Green, LLC**, with an address 230 Park Avenue, New York, NY 10169, the property owner (the “Owner”) of land located in the Township of West Orange, County of Essex, New Jersey, and identified as Block 155.21, Lot 40 on the Official Tax Maps of the Township of West Orange (the “Property”), that the Owner consents to the filing of applications, plans, and related supporting documents and reports, by Petco Animal Supplies Stores, Inc., as may be required for any municipal, county, state or federal regulatory approval applications pertaining to the Property, including but not limited to any applications for “d” or Use Variance Approval from the West Orange Township Zoning Board, and further consents to any surveys and inspections required in the course of any municipal, county, state or federal regulatory approval applications or utility authorization requests that pertain to the Property.

CLPF – Essex Green, LLC

By: _____

Name: **Spence Sowa**

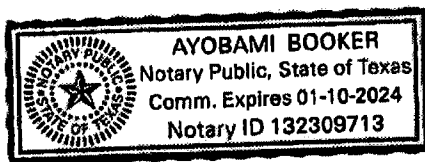
Title: **Authorized Signatory**

Sworn and subscribed to
before me on this 10th day
of April, 2023.

Ayobami Booker

Notary Public

226995629v1



Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

► Go to www.irs.gov/FormW9 for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

PETCO ANIMAL SUPPLIES STORES INC

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC

☒ C Corporation

☐ S Corporation

☐ Partnership

☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ►

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ►

5 Address (number, street, and apt. or suite no.) See instructions.

654 RICHLAND HILLS DR

6 City, state, and ZIP code

SAN ANTONIO, TX 78245

7 List account number(s) here (optional)

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) **5**

Exemption from FATCA reporting code (if any)

(Applies to accounts maintained outside the U.S.)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

- -

or

Employer identification number

3 3 - 0 4 7 9 9 0 6

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign
Here

Signature of
U.S. person ►

R. Shee

Date ► 04/29/2020

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

PETCO ANIMAL SUPPLIES STORES, INC.
APPLICATION FOR PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL

CORPORATE DISCLOSURE STATEMENT

Petco Health and Wellness Company, Inc. (NASDAQ: WOOF) is a publicly traded company on the NASDAQ Stock Exchange.

220610863 v1

Check Date: May/24/2023

Check No. 0001225833

Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Available	Paid Amount
9891-051223	May/12/2023	07848658	350.00	0.00	350.00

Vendor Number	Name		Total Discounts		
17279	TOWNSHIP OF WEST ORANGE		\$0.00		
Check Number	Date		Total Amount	Discounts Taken	Total Paid Amount
0001225833	May/24/2023		\$350.00	\$0.00	\$350.00

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND • NOT A WHITE BACKGROUND



PETCO Animal Supplies Stores, Inc.
654 Richland Hills Drive, Ste 145
San Antonio, TX 78245-4084

BANK OF AMERICA NT & SA
S.D. COMMERCIAL BANKING 1430

90-4182/121 CHECK NO. 0001225833

DATE 05/24/2023

CHECK AMOUNT
\$ *350.00*

PAY
EXACTLY*THREE HUNDRED FIFTY AND XX / 100* DOLLAR

VOID AFTER SIX MONTHS FROM DATE OF CHECK

TO THE
ORDER
OF

TOWNSHIP OF WEST ORANGE
ARCHER & GREINER PC
1025 LAUREL OAK ROAD
VOORHEES, NJ 08043

EXPLANATION OF ADDITIONAL SECURITY FEATURES INDICATED ON REVERSE SIDE

⑈0001225833⑈ ⑆121141822⑆ 73138⑈00421⑈

Check Date: May/24/2023

Check No. 0001225834

Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Available	Paid Amount
9891-051223B	May/12/2023	07848656	2,500.00	0.00	2,500.00

Vendor Number	Name		Total Discounts		
17279	TOWNSHIP OF WEST ORANGE		\$0.00		
Check Number	Date		Total Amount	Discounts Taken	Total Paid Amount
0001225834	May/24/2023		\$2,500.00	\$0.00	\$2,500.00



PETCO Animal Supplies Stores, Inc.
654 Richland Hills Drive, Ste 145
San Antonio, TX 78245-4084

BANK OF AMERICA NT & SA
S.D. COMMERCIAL BANKING 1450

90-4182/121 CHECK NO. 0001225834

DATE 05/24/2023

CHECK AMOUNT
\$ *2,500.00*

PAY
EXACTLY* TWO THOUSAND FIVE HUNDRED AND XX / 100* DOLLAR

VOID AFTER SIX MONTHS FROM DATE OF CHECK

TO THE
ORDER
OF

TOWNSHIP OF WEST ORANGE
ARCHER & GREINER PC
1025 LAUREL OAK ROAD
VOORHEES, NJ 08043

EXPLANATION OF ADDITIONAL SECURITY FEATURES INDICATED ON REVERSE SIDE

⑈0001225834⑈ ⑆121141822⑆ 73138⑈00421⑈

Check Date: May/24/2023

Check No. 0001225835

Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Available	Paid Amount
9891-051223A	May/12/2023	07848657	500.00	0.00	500.00

Vendor Number	Name		Total Discounts		
17279	TOWNSHIP OF WEST ORANGE		\$0.00		
Check Number	Date	Total Amount	Discounts Taken	Total Paid Amount	
0001225835	May/24/2023	\$500.00	\$0.00	\$500.00	

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND • NOT A WHITE BACKGROUND



PETCO Animal Supplies Stores, Inc.
654 Richland Hills Drive, Ste 145
San Antonio, TX 78245-4084

BANK OF AMERICA NT & SA
S.D. COMMERCIAL BANKING 1450

90-4182/121 CHECK NO. 0001225835

DATE 05/24/2023

CHECK AMOUNT
\$ *500.00*

PAY
EXACTLY*FIVE HUNDRED AND XX / 100* DOLLAR

VOID AFTER SIX MONTHS FROM DATE OF CHECK

TO THE
ORDER
OF

TOWNSHIP OF WEST ORANGE
ARCHER & GREINER PC
1025 LAUREL OAK ROAD
VOORHEES, NJ 08043

EXPLANATION OF ADDITIONAL SECURITY FEATURES INDICATED ON REVERSE SIDE

⑈0001225835⑈ ⑆121141822⑆ 73138⑈00421⑈

MO. PLANNING

MAY 02 2023

RECEIVED

PEDESTRIAN CROSSWALK,
ADA RAMPS AND
SIGNAGE RECENTLY
INSTALLED BY OTHERS

ZB-22-07

100.0'
SIDE-FRONT
YARD CORNER
LOT SETBACK

LEGEND

- PROPOSED BUILDING
- PROPOSED CURB
- PROPOSED RETAINING WALL
- PROPOSED SIGN
- PROPOSED/EXISTING DOOR

CONDITIONS OF APPROVAL

ZB-22-07 - ADOPTED 11/17/2022

THE APPLICANT WILL PROVIDE THE BOARD WITH A TIMETABLE FOR THE
REMOVAL OF THE SIGNS SLATED TO BE REMOVED AND FOR THE INSTALLATION
OF THE LED DIGITAL SIGN.
THE APPLICANT WILL PROVIDE THE BOARD WITH A TIMETABLE FOR THE
INSTALLATION OF THE RE-DESIGN OF THE FRONT ENTRANCE OF THE SHOPPING
CENTER.
THE APPLICANT WILL INSTALL SMALL VEGETATION AROUND THE MONUMENT SIGN
TO THE SATISFACTION OF THE TOWNSHIP PLANNER.
THE APPLICANT WILL MAKE A CORRECTION TO THE TABLE OF HANDICAP
SPACES IN THE SITE PLAN.

TOWNSHIP OF WEST ORANGE ZONING BOARD APPROVALS:

[Signature]
CHAIRMAN
(SIGNATURE)

5.5.23
DATE

[Signature]
SECRETARY
(SIGNATURE)

5/4/23
DATE

[Signature]
MUNICIPAL ENGINEER
(SIGNATURE)

5/4/2023
DATE

ESSEX COUNTY R.O.W. NOTES

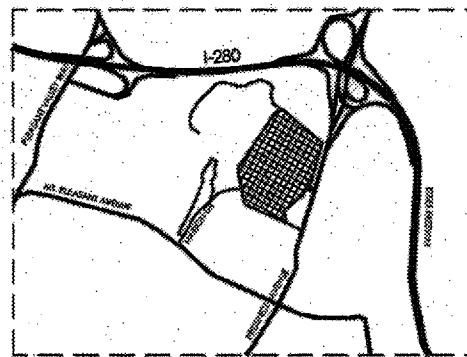
ALL DETERIORATED CURBING AND SIDEWALK FRONTING THE SITE ALONG
PROSPECT AVENUE SHALL BE REPLACED PER COUNTY INSPECTORS' DIRECTION.

PERMIT IS REQUIRED FROM THE OFFICE OF THE COUNTY ENGINEER PRIOR TO
BEGINNING ANY WORK ALONG PROSPECT AVENUE.

ALL WORK WITHIN THE COUNTY ROAD RIGHT-OF-WAY SHALL BE ACCORDING TO
ESSEX COUNTY STANDARDS.

Key Plan

NORTH ARROW



Seal

[Signature] 5/1/23
SIGNATURE MICHAEL J. FOWLER DATE SIGNED
PROFESSIONAL ENGINEER NJ Lic. No.
24GE03239800

LANGAN

Langan Engineering and
Environmental Services, Inc.

300 Kimball Drive
Parsippany, NJ 07054

T: 973.560.4900 F: 973.560.4901 www.langan.com
NJ CERTIFICATE OF AUTHORIZATION No. 24GA27996400

Project Information

ESSEX GREEN SHOPPING CENTER

PRELIMINARY AND FINAL SITE PLAN
WITH USE AND BULK VARIANCES

TAX MAP SHEET 88, BLOCK 155.21, LOT 40

485 PROSPECT AVENUE,
WEST ORANGE, NJ 07052

Job Number 100621801

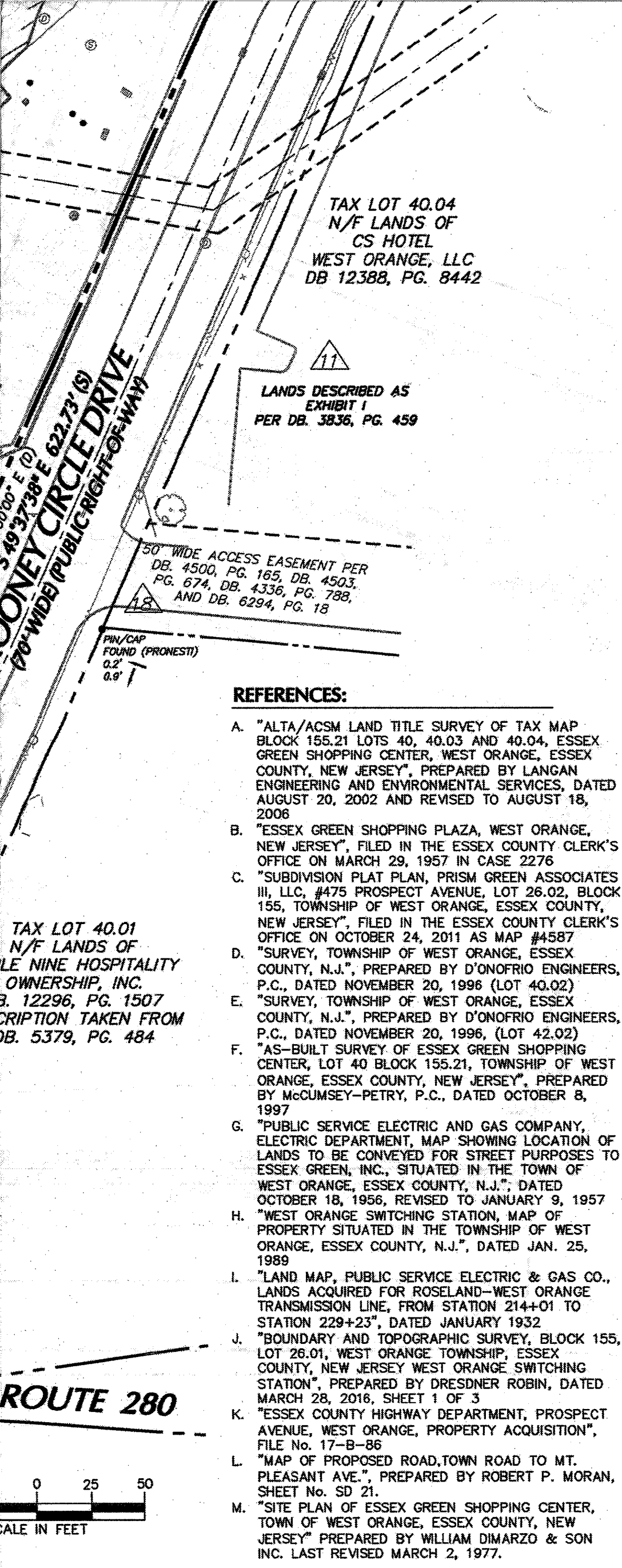
Drawing Title

SITE PLAN

Scale 1" = 50'
Drawing Date 8/17/2018

Drawing No.

CS101



DEED BOOK 12245 AT PAGE 8606 - CINEMA BUILDING AND NO BUILD AREA SHOWN ON SURVEY
22. TERMS AND CONDITIONS OF LEASE TO FENWICK GROUP, L.L.C. CONTAINED IN DEED BOOK 12097 AT PAGE 9545; NOTE: ASSIGNMENT OF LEASSEE'S INTEREST IN LEASE RECORDED IN DEED BOOK 12098 AT PAGE 2218 AND FINANCING STATEMENT RECORDED AS INSTRUMENT NO. 7133537 - NOT PLOTTABLE
23. TERMS AND CONDITIONS OF LEASE TO SEARS, ROEBUCK AND CO. CONTAINED IN DEED BOOK 5575 AT PAGE 167 - NOT PLOTTABLE
24. TERMS AND CONDITIONS OF LEASE TO SUBWAY REAL ESTATE CORP. CONTAINED IN DEED BOOK 6031 AT PAGE 4 - SHOWN ON SURVEY
25. TERMS AND CONDITIONS OF LEASE TO GENERAL CINEMA THEATRES OF NEW JERSEY CONTAINED IN DEED BOOK 5443 AT PAGE 653 - NOT PLOTTABLE
26. TERMS AND CONDITIONS OF LEASE TO BRIAD RESTAURANT GROUP, LLC CONTAINED IN DEED BOOK 5442 AT PAGE 34 - NOT PLOTTABLE

11/02/18	Revised per PB comments	2
09/27/18	Revised per town comments	1
Date	Description	No.

REVISIONS

"I hereby state that this plan is based on a field survey made by me or under my immediate supervision in accordance with NJAC 13:40-5.1 "Preparation of Land Surveys", and to the best of my professional knowledge, information and belief, and in my professional opinion, accurately represents the conditions found on the date of the field survey at the subject property."

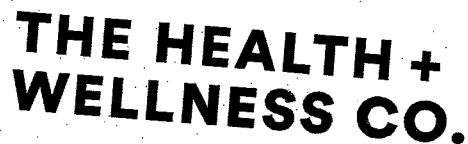
4/2/18

SIGNATURE DAVID R. AVERY DATE SIGNED
PROFESSIONAL LAND SURVEYOR
NJ Lic. No. 24GS03964600

LANGAN
Langan Engineering and
Environmental Services, Inc.
300 Kimball Drive
Parsippany, NJ 07054
T: 973.560.4900 F: 973.560.4901 www.langan.com
NJ CERTIFICATE OF AUTHORIZATION No. 24GA27996400

Project
**ESSEX GREEN
SHOPPING CENTER**
CITY OF WEST ORANGE
ESSEX COUNTY NEW JERSEY
Drawing Title
**BOUNDARY AND
TOPOGRAPHIC
SURVEY**

Project No. 100621801	Drawing No. VT101 Sheet 1 of 3
Date JUNE 30, 2017	
Drawn By 1"-50'	
Checked By BP/PTF DRA JUNE 30, 2017	



ORANGE, STORE 9891-R2113
IMPROVEMENTS FOR A NEW
PETCO STORE

495 PROSPECT AVE
ST ORANGE, NJ 07052

DRAWING INDEX

[illegible]

SBLM

Owner

**Petco Animal Supplies
Stores, Inc.**

654 Richland Hills Drive
San Antonio, Texas 78245

T: 858.877.1384

Contact: David Godin, Construction Manager
david.godin@petco.com

petco

Architect

SBLM

11430 North Kendall Drive, Suite 310
Miami, FL 33176

Miami, FL 33176

T: 305.412.9187 F: 305.412.6731
Contact: St...

Contact: Stephen Hartley, Project Manager
shartley@sblm.com

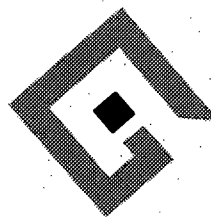
MEP Engineer

Acertus Consulting Group, LLC
14817 West 95th Street

14817 West 95th Street

Lenexa, KS 66215

T: 913.322.5150 F: 913.322.5155



Structural Engineer

Not In Contract

Distribution:

Date:

EXISTING CONDITIONS PLAN

04-26-21

25% CD SET

05-28-21

75% CD SET

06-04-21

NOT FOR
CONSTRUCTION