



**INGLESINO | TAYLOR**

**ATTORNEYS AT LAW**

600 PARSIPPANY ROAD, SUITE 204  
PARSIPPANY, NEW JERSEY 07054  
T (973) 947-7111  
FAX (973) 887-2700  
www.itfirm.law

EQUITY PARTNERS:  
JOHN P. INGLESINO\*  
JOHN P. WYCISKALA\*  
LISA D. TAYLOR\*  
NICHOLAS A. GRIECO  
DENIS F. DRISCOLL  
\*FOUNDING PARTNER

JOHN P. WYCISKALA  
Direct: (973) 947-7134

October 3, 2023

**VIA Overnight Mail**

Diana Chandler-Zimmermann, Zoning Board Secretary  
Township of West Orange  
Town Hall  
66 Main Street  
West Orange, New Jersey 07052

**Re: Seton Hall Preparatory School  
120 Northfield Avenue  
Block 59.04, Lot 1.01  
Township of West Orange Township, New Jersey  
Application for Preliminary and Final Site Plan Approval and Conditional  
Use Approval with Variance Relief  
Proposed Digital Classroom/Laboratory and Entry Addition**

Dear Ms. Chandler-Zimmermann:

This firm represents Seton Hall Preparatory School ("Applicant"). The Applicant is seeking preliminary and final site plan approval, conditional use approval and variance relief to permit an expansion of its primary academic building located at 120 Northfield Avenue, West Orange, New Jersey. The Property is identified as Block 59.04, Lot 1.01 on the Official Tax Map of the Township of West Orange ("Property"). The Property is located in the Township's R-6 residential zone district, in which schools are permitted as a conditional use. More particularly, the Applicant is proposing a 2-story addition to the school building which will provide for two (2) digital classrooms/laboratories. The first floor footprint of the building addition is approximately 1,450 SF, resulting in an addition of approximately 2,750 SF of floor area to the existing building. Additional improvements include a new vestibule entrance to the Tracy Gymnasium, including a curtain wall, vestibule and stairs.

As noted above, schools are permitted as a conditional use in the R-6 zone district. The existing site does not meet all of the conditional use standards established for schools. As such, the Applicant is seeking variance relief pursuant to N.J.S.A. 40-55D-70(d)(2) for alteration and expansion of an existing nonconforming conditional use. None of the improvements trigger or require additional conditional use relief. Furthermore, the project will not result in an increase in staff or student population. The digital classrooms are intended as an educational enhancement to

October 3, 2023

Page 2.

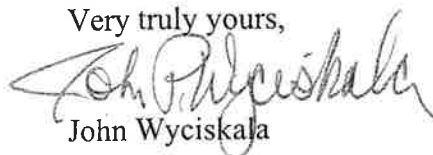
the existing student population. The project will result in a slight increase in building coverage, but no increase to impervious coverage.

In connection with same, enclosed herewith please find the following for initial completeness review purposes:

1. One (1) original and four (4) copies of a completed Zoning Board of Adjustment Application,
2. Five (5) copies of the Check List of Required Items.
3. Check in the amount of \$1,932.50 representing the application fees associated with this filing.
4. Check in the amount of \$5,500.00 representing the escrow fees associated with this filing.
5. Executed W-9.
6. Five (5) copies of a prior site plan resolution dated July 19, 2019.
7. Five (5) copies of the Property Owner's List issued by the Township of West Orange.
8. Five (5) copies of the Certification of Taxes Paid.
9. Five (5) copies of the Preliminary and Final Site Plan Approval, prepared by E2 Project Management LLC, dated September 6, 2023.
10. Five (5) copies of the Boundary Survey, prepared by E2 Project Management LLC, dated July 25, 2022.
11. Five (5) copies of the Architectural Drawings, prepared by Heintz & Fiore Architects, dated November 23, 2022.
12. Five (5) copies of a Planning Report prepared by John McDonough dated September 3, 2023.

We look forward to the opportunity to present this application to the Zoning Board of Adjustment in the future. Please do not hesitate to contact me should you have any questions or comments. Thank you for your time and consideration to this matter.

Very truly yours,



John Wyciskala

JPW/cy  
Enclosures

cc: Seton Hal Preparatory School

ORIGIN ID: CBZA (973) 947-7111  
 INGLESINO TAYLOR  
 INGLESINO TAYLOR  
 800 PARSHIPANY RD., SUITE 204  
 PARSHIPANY, NJ 07054  
 UNITED STATES US

SHIP DATE: 03OCT23  
 ACTWGT: 5.00 LB  
 CAD: 101999470/INET4640  
 BILL SENDER

TO **DIANA CHANDLER-ZIMMERMAN**  
**TOWNSHIP OF WEST ORANGE**  
**66 MAIN STREET**

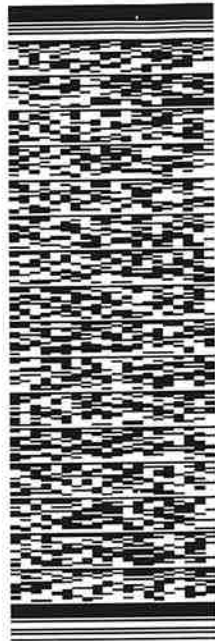
**WEST ORANGE NJ 07052**

(973) 947-7111

REF: 2050.06898

INV:

DEPT:



J233123073101uv

TRK# 7736 1812 0041

WED - 04 OCT 5:00P  
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**E2 MMUA**

NJ-US 07052  
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|-----------|--------------|------------|----------|-----------|------------------------|--------------------------|
| VARIANCE  | 9/15/23      |            |          | 9/15/2023 | 72507                  | TWNWO                    |
|           |              | \$1,932.50 | \$0.00   |           | 00000000000013955      | \$1,932.50               |
| TOTALS ▶  |              | \$1,932.50 | \$0.00   |           |                        | \$1,932.50               |

SETON HALL PREPARATORY SCHOOL

ORIGINAL CHECK HAS A COLORED BACKGROUND PRINTED ON CHEMICAL REACTIVE PAPER

SETON HALL PREPARATORY SCHOOL  
OPERATING ACCOUNT  
120 NORTHFIELD AVENUE  
WEST ORANGE, NJ 07052

Glen Rock  
Savings Bank  
Member FDIC  
55-7196/2212

72507

| DATE      | CHECK NO. | AMOUNT     |
|-----------|-----------|------------|
| 9/15/2023 | 72507     | \$1,932.50 |

One Thousand Nine Hundred Thirty Two Dollars And 50 Cents

PAY TO THE ORDER OF  
TOWNSHIP OF WEST ORANGE

*Michael E. Kelly*  
*Mary Frances Salvante*  
AUTHORIZED SIGNATURE

RED CHECK NUMBERING IMAGES THROUGH TO BACK OF SHEET

⑈072507⑈ ⑆221271964⑆ 0018003145⑈

Security features. Details on back.

| INVOICE #      | INVOICE DATE | AMOUNT     | DISCOUNT | DATE      | VOUCHER #<br>CHECK NO. | NET AMOUNT<br>VENDOR KEY |
|----------------|--------------|------------|----------|-----------|------------------------|--------------------------|
| ESCRFEE9/15/23 | 9/15/2023    | \$5,500.00 | \$0.00   | 9/15/2023 | 72508                  | TWNWO                    |
|                |              |            |          |           | 00000000000013956      | \$5,500.00               |
| <b>TOTALS▶</b> |              | \$5,500.00 | \$0.00   |           |                        | \$5,500.00               |

SETON HALL PREPARATORY SCHOOL

ORIGINAL CHECK HAS A COLORED BACKGROUND PRINTED ON CHEMICAL REACTIVE PAPER

SETON HALL PREPARATORY SCHOOL  
OPERATING ACCOUNT  
120 NORTHFIELD AVENUE  
WEST ORANGE, NJ 07052

Glen Rock  
Savings Bank  
Bank of New Jersey  
55-7196/2212

72508

| DATE      | CHECK NO. | AMOUNT     |
|-----------|-----------|------------|
| 9/15/2023 | 72508     | \$5,500.00 |

Five Thousand Five Hundred Dollars And 00 Cents

PAY  
TO THE  
ORDER OF

TOWNSHIP OF WEST ORANGE

*Michael E. Kelly*  
*Mary Francis Salvatore*  
AUTHORIZED SIGNATURE

RED CHECK NUMBERING IMAGES THROUGH TO BACK OF SHEET

⑈072508⑈ ⑆221271964⑆ 0018003145⑈

Security features. Details on back.

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

**A. APPLICANT INFORMATION**

Full Legal Name: Seton Hall Preparatory School  
Mailing Address: (Last) 120 Northfield Avenue, West Orange, New Jersey 07052  
(Street) (City) (State) (Zip)  
Telephone Number: (973) 325-7737 Email: mgallo@shp.org

Is the Applicant an: ☐ Individual, ☐ Corporation, ☐ Partnership, ☒ Other Parochial Non Profit High School

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.

N/A

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: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: (\_\_\_\_) \_\_\_\_\_ Email: \_\_\_\_\_

**C. PROPERTY INFORMATION**

Street Address: 120 Northfield Avenue  
Block Number(s): 59.04; Lot Number(s): 1.01  
Tax Plate: \_\_\_\_\_; Zone of Property: R-6  
The location of the property is approximately 100 feet from the intersection of Northfield Avenue  
\_\_\_\_\_ and Rollinson Street (closest intersection.)

Has there been any previous Zoning Board of Adjustment or Planning Board hearings involving this property?  
☒ Yes, Date(s): See Attached; ☐ 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.

Section: Conditional; Proposed: 25-24.2(d); Description: Public/ Private School  
Section: Uses; 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.)  
The project consists of +/- 2,750 square foot two story addition to provide two new digital classrooms. In addition, reconstructing the existing gym entrance including the curtain wall, vestibule and monumental stairs to grade

The property is 444, 580 (square feet); 10.2 +/- (acres)

Impervious Surface Coverage: Present: 40.5%; Proposed: 40.5%

Building Coverage: Present: 16.1%; Proposed: 16.4%

Is the property located:

|                                                  |                              |                                        |
|--------------------------------------------------|------------------------------|----------------------------------------|
| Within 200 feet of another municipality?         | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Adjacent to an existing or proposed county road? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Adjacent to other county land?                   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Adjacent to a state highway?                     | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

## F. EXPERTS

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

**APPLICANT'S ATTORNEY:** John W. Wyciskala, Esq.

Telephone Number: ( 973 ) 947-7111 Email: jwyciskala@iwwt.law

Address: 600 Parsippany Road, Suite 204, Parsippany, NJ 07054

**APPLICANT'S ENGINEER:** Charles J. Stewart Jr.

Telephone Number: ( 973 ) 299-5200 Email: charles.stewart@e2pm.com

Address: 2517 Route 35, Building 1, Suite 201, Manalapan, New Jersey 08736

**APPLICANT'S ARCHITECT:** Donald Fiore

Telephone Number: ( 973 ) 467-1240 Email: hfaia@aol.com

Address: 508 Millburn Avenue, Short Hills, New Jersey 07078

**APPLICANT'S PLANNER:** John McDonough

Telephone Number: ( 973 ) 222-6011 Email: jmcdonoughpp@gmail.com

Address: 101 Gibraltar Drive, Suite 1A, Morris Plains, New Jersey 07950

**OTHER EXPERT(S):** To Be Determined

Telephone Number: (     ) \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_

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

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## 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.

| ITEM                               | SIGNED BY                 | DATE/REVISION |
|------------------------------------|---------------------------|---------------|
| Civil Drawings                     | E2 Project Management LLC | 9/6/2023      |
| Survey                             | E2 Project Management LLC | 7/25/2022     |
| Architectural Plans and Elevations | Heintz & Fiore Architects | 11/23/2022    |
|                                    |                           |               |

## 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: Michael F. Sal Date: 9/18/2021

### 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 statute time limit, the applicant grants permission for such an extension.

Applicant's Signature: Michael F. Sal Date: 9/18/2021

### OWNER'S AUTHORIZATION – MUST BE SIGNED

I hereby certify that I reside at 120 Northfield Avenue  
in the County of Essex and the State of New Jersey;  
and that I am the owner of all that certain lot, piece or parcel of land known as Block(s) 59.04;  
Lot(s) 1.01 on the Tax Map of West Orange 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.

Owner's Signature: M F Sal Date: 9/18/2021

**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.**

## Site Plan/Subdivision Checklist

**ALL DOCUMENTS MUST BE PREPARED,  
SIGNED AND SEALED BY NEW JERSEY  
LICENSED PROFESSIONAL**

| Item Number      Description |                                                                                                                                                                                                                                                             | Pre-Application -<br>Concept Plan | Minor Application |           |             |       | General<br>Development<br>Plan | Major Application |       |   |  | COMPLETE | INCOMPLETE | WAIVER<br>REQUESTED |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-------------------|-----------|-------------|-------|--------------------------------|-------------------|-------|---|--|----------|------------|---------------------|
|                              |                                                                                                                                                                                                                                                             |                                   | Subdivision       | Site Plan | Subdivision |       |                                | Site Plan         |       |   |  |          |            |                     |
|                              |                                                                                                                                                                                                                                                             |                                   |                   |           | Preliminary | Final |                                | Preliminary       | Final |   |  |          |            |                     |
|                              |                                                                                                                                                                                                                                                             |                                   |                   |           |             |       |                                |                   |       |   |  |          |            |                     |
| 1. PROJECT-PLAN INFORMATION  |                                                                                                                                                                                                                                                             |                                   |                   |           |             |       |                                |                   |       |   |  |          |            |                     |
| 1.                           | Item: Name, address of owner and applicant.                                                                                                                                                                                                                 | X                                 | X                 | X         |             | X     |                                | X                 |       | X |  | X        |            |                     |
| 2.                           | Item: Name, signature, license number, seal and address of engineer, land surveyor, architect, professional planner, and/or landscape architect, as applicable, involved in preparation of plat                                                             | X                                 | X                 | X         |             | X     |                                | X                 |       | X |  | X        |            |                     |
| 3.                           | Item: Title block denoting type of application, tax map sheet, county, name of municipality, block & lot, and street location.                                                                                                                              | X                                 | X                 | X         |             | X     |                                | X                 |       | X |  | X        |            |                     |
| 4.                           | Item: A key map at specified scale showing location of tract with reference to surrounding properties, streets, municipal boundaries, etc., within 500'<br>Comment: Describes setting; may be less detailed in pre-application-concept plan and GDP stages. | X                                 | X                 | X         |             | X     |                                | X                 |       | X |  | X        |            |                     |
| 5.                           | Item: A schedule of required and provided zone district(s) requirements including lot area, width, depth, yard setbacks, building coverage, open space, parking, etc.<br>Comment: Schedule may be less detailed in pre-application-concept plan stages.     | X                                 | X                 | X         |             | X     |                                | X                 |       | X |  | X        |            |                     |
| 6.                           | Item: North arrow and scale.                                                                                                                                                                                                                                | X                                 | X                 | X         |             | X     |                                | X                 |       | X |  | X        |            |                     |
| 7.                           | Item: Proof that taxes are current.                                                                                                                                                                                                                         | X                                 | X                 | X         |             | X     |                                | X                 |       | X |  | X        |            |                     |
| 8.                           | Item: Signature blocks for Chairman, Secretary and Municipal Engineer.                                                                                                                                                                                      | X                                 | X                 | X         |             | X     |                                | X                 |       | X |  | X        |            |                     |
| 9.                           | Item: Appropriate certification blocks as required by Map Filing Law.                                                                                                                                                                                       | X                                 | X                 | X         |             | X     |                                | X                 |       | X |  | X        |            |                     |
| 10.                          | Item: Monumentation as specified by Map Filing Law<br>Comment: Monumentation required only for final subdivision.                                                                                                                                           | X                                 | X                 | X         |             | X     |                                | X                 |       | X |  | X        |            |                     |
| 11.                          | Item: Date of current property survey.<br>Comment: Required by Map Filing Law for final subdivision and site plan; necessary for vesting on GDP.                                                                                                            | X                                 | X                 | X         |             | X     |                                | X                 |       | X |  | X        |            |                     |

| ALL DOCUMENTS MUST BE PREPARED,<br>SIGNED AND SEALED BY NEW JERSEY<br>LICENSED PROFESSIONAL. |                                                                                                                                                                                                                             | Major Application                 |                   |           |                                |             |       |             |       |  |   |  | COMPLETE | INCOMPLETE | WAIVER<br>REQUESTED |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-------------------|-----------|--------------------------------|-------------|-------|-------------|-------|--|---|--|----------|------------|---------------------|
|                                                                                              |                                                                                                                                                                                                                             | Pre-Application -<br>Concept Plan | Minor Application |           | General<br>Development<br>Plan | Subdivision |       | Site Plan   |       |  |   |  |          |            |                     |
|                                                                                              |                                                                                                                                                                                                                             |                                   | Subdivision       | Site Plan |                                | Preliminary | Final | Preliminary | Final |  |   |  |          |            |                     |
|                                                                                              |                                                                                                                                                                                                                             |                                   |                   |           |                                |             |       |             |       |  |   |  |          |            |                     |
| Item Number                                                                                  | Description                                                                                                                                                                                                                 |                                   | X                 |           | X                              |             | X     |             | X     |  | X |  | X        |            | X                   |
| 12.                                                                                          | Item: One (1) of four (4) standardized sheets:<br>30" x 42", 24" x 36", 15" x 21", 8.5" x 13"<br>Comment: Required by Map Filing Law for<br>minor and major subdivisions.                                                   |                                   | X                 |           | X                              |             |       |             | X     |  |   |  | X        |            |                     |
| 13.                                                                                          | Item: Metes and bounds description showing<br>dimensions, bearings, curve data, length of tangents,<br>radii, arcs, chords and central angles for all<br>centerlines and right-of-way, and centerline curves<br>on streets. |                                   | X                 |           |                                |             |       |             | X     |  |   |  | X        |            | X                   |
| 14.                                                                                          | Item: Affidavit of ownership.<br>Comment: Map Filing Law for minor and major<br>subdivision.                                                                                                                                | X                                 | X                 |           | X                              |             | X     |             | X     |  | X |  | X        |            |                     |
| 15.                                                                                          | Item: Acreage of tract to the nearest tenth of an<br>acre (for GDP--to nearest acre).                                                                                                                                       |                                   | X                 |           | X                              |             | X     |             | X     |  | X |  | X        |            |                     |
| 16.                                                                                          | Item: Date of original and all revisions.<br>Comment: Item necessary for continuity-history<br>of project.                                                                                                                  |                                   | X                 |           | X                              |             | X     |             | X     |  | X |  | X        |            |                     |
| 17.                                                                                          | Item: Size and location of any existing or<br>proposed structures with all setbacks dimensioned.<br>Comment: Item important for detailed planning.                                                                          | X                                 | X                 |           | X                              |             | X     |             | X     |  | X |  | X        |            |                     |
| 18.                                                                                          | Item: Location and dimensions of any existing or<br>proposed streets (for GDP and pre-application-<br>concept plan -- general locations).<br>Comment: Item important for detailed planning.                                 | X                                 | X                 |           | X                              |             | X     |             | X     |  | X |  | X        |            |                     |
| 19.                                                                                          | Item: All proposed lot lines and area of lots in<br>square feet.                                                                                                                                                            |                                   | X                 |           | X                              |             |       |             | X     |  | X |  | X        |            |                     |
| 20.                                                                                          | Item: Copy and/or delineation of any existing or<br>proposed deed restrictions or covenants. e                                                                                                                              | X                                 | X                 |           | X                              |             | X     |             | X     |  | X |  | X        |            |                     |
| 21.                                                                                          | Item: Any existing or proposed easement or land<br>reserved for or dedicated to public use. e                                                                                                                               | X                                 | X                 |           | X                              |             | X     |             | X     |  | X |  | X        |            |                     |
| 22.                                                                                          | Item: Development stages or staging plans (for<br>GDP--general staging).<br>Comment: Not applicable at pre-application-<br>concept plan stage; minor plans usually not built in<br>stages.                                  |                                   |                   |           |                                |             | X     |             |       |  |   |  | X        |            |                     |

| ALL DOCUMENTS MUST BE PREPARED,<br>SIGNED AND SEALED BY NEW JERSEY<br>LICENSED PROFESSIONAL |                                                                                                                                                                                                                                                                                                                                                                                      |                                   |                   |           |                                |             |       |             |       |          |            |                     |
|---------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-------------------|-----------|--------------------------------|-------------|-------|-------------|-------|----------|------------|---------------------|
| Item Number                                                                                 | Description                                                                                                                                                                                                                                                                                                                                                                          | Pre-Application -<br>Concept Plan | Minor Application |           | General<br>Development<br>Plan | Subdivision |       | Site Plan   |       | COMPLETE | INCOMPLETE | WAIVER<br>REQUESTED |
|                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                      |                                   | Subdivision       | Site Plan |                                | Preliminary | Final | Preliminary | Final |          |            |                     |
|                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                      |                                   |                   |           |                                |             |       |             |       |          |            |                     |
| 23. Item:                                                                                   | List of required regulatory approvals or permits.<br>Comment: Basic planning information. #                                                                                                                                                                                                                                                                                          |                                   | X                 | X         | X                              |             | X     |             | X     | X        |            |                     |
| 24. Item:                                                                                   | List of variances required or requested. #<br>Comment: Basic planning information.                                                                                                                                                                                                                                                                                                   |                                   | X                 | X         |                                | X           |       | X           |       | X        |            |                     |
| 25. Item:                                                                                   | Requested or obtained design waivers or exceptions. #<br>Comment: Describes location of all adjacent structures; not necessary at pre-application-concept plan stages; required at site plan stages; required at site plan only if notice is required by ordinance.                                                                                                                  |                                   |                   | X         |                                | X           |       | X           |       | X        |            |                     |
| 26. Item:                                                                                   | Payment of application fees.<br>Comment: Fee not imposed for pre-application conference.                                                                                                                                                                                                                                                                                             | X                                 | X                 | X         | X                              |             | X     |             | X     | X        |            |                     |
| 27. Item:                                                                                   | Property owners and lines of all parcels within 200' identified on most recent tax map sheet.<br>Comment: Describes location of all adjacent structures; not necessary at pre-application-concept plan stages; required at site plan only if notice is required by ordinance.                                                                                                        |                                   | X                 | X         |                                |             |       |             |       |          |            |                     |
| 28. Item:                                                                                   | All existing street, water courses, flood plains, wetlands or other environmentally sensitive areas on and within 200' of site.<br>Comment: while detailed specification of environmentally sensitive areas may not be necessary at pre-application-concept plan and GDP stages, general specification of and sensitivity to such conditions is an important planning consideration. | X                                 |                   | X         | X                              |             | X     |             | X     | X        |            |                     |
| 29. Item:                                                                                   | Existing right-of-way and/or easements on and within 200' of tract.<br>Comment: Rights-of-way and easements are often unknown at the pre-application-concept (see however, item 28).                                                                                                                                                                                                 | X                                 |                   | X         | X                              |             | X     |             | X     | X        |            |                     |
| 30. Item:                                                                                   | Topographical features of subject property from U.S.G.S. map.<br>Comment: More detailed topographic information is needed for major subdivision.                                                                                                                                                                                                                                     | X                                 |                   | X         | X                              |             | X     |             | X     | X        | N/A        |                     |

| ALL DOCUMENTS MUST BE PREPARED,<br>SIGNED AND SEALED BY NEW JERSEY<br>LICENSED PROFESSIONAL |                                                                                                                                                                                                                                                                                                                    | Pre-Application -<br>Concept Plan | Minor Application |           | General<br>Development<br>Plan | Major Application |       |             |       | COMPLETE | INCOMPLETE | WAIVER<br>REQUESTED |  |
|---------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-------------------|-----------|--------------------------------|-------------------|-------|-------------|-------|----------|------------|---------------------|--|
| Item Number                                                                                 | Description                                                                                                                                                                                                                                                                                                        |                                   | Subdivision       | Site Plan |                                | Subdivision       |       | Site Plan   |       |          |            |                     |  |
|                                                                                             |                                                                                                                                                                                                                                                                                                                    |                                   |                   |           |                                | Preliminary       | Final | Preliminary | Final |          |            |                     |  |
| 31.                                                                                         | Item: Existing and proposed contour intervals based on U.G.S. & G.S. datum. Contours to extend at least 200' beyond subject property as follows:<br>up to 3% grade - 1'<br>3% + grade - 2'<br>Comment: Major site plan and subdivision requires level of detail of Item 31 as opposed to Item 30.                  |                                   |                   |           |                                | X                 | X     | X           | X     | X        |            |                     |  |
| 32.                                                                                         | Item: Boundary, limits, nature and extent of wooded areas, specimen trees, and other significant physical features (detail may vary).<br>Comment: Basic for good planning.                                                                                                                                         | X                                 | X                 | X         | X                              | X                 | X     | X           | X     | X        |            |                     |  |
| 33.                                                                                         | Item: Existing system of drainage of subject site and of any larger tract or basin of which it is a part.<br>Comment: See Item 31. Extensive level of detail required only for major subdivision and site plan.                                                                                                    |                                   |                   |           |                                |                   |       |             |       |          | X          |                     |  |
| 34.                                                                                         | Item: Drainage Area Map.<br>Comment: Necessary for major application; inapplicable at GDP stage.                                                                                                                                                                                                                   |                                   |                   |           |                                | X                 | X     | X           | X     | X        | N/A*       |                     |  |
| 35.                                                                                         | Item: Drainage Calculations.<br>Comment: Required for minor applications if deemed necessary by Planning Board; not required at GDP stage because storm water management evaluated at major subdivision and site plan stage.                                                                                       |                                   | X                 | X         |                                |                   |       |             |       |          | N/A*       |                     |  |
| 36.                                                                                         | Item: Proposed utility infrastructure plans, including sanitary sewer, water, storm water management, telephone, electric & cable TV.<br>Comment: Information necessary for minor site plan because of potential effect on utility systems. Only general location for electric, telephone and cable TV required.   |                                   | X                 | X         |                                |                   |       |             |       |          |            |                     |  |
| 37.                                                                                         | Item: Proposed utility infrastructure plans, including sanitary sewer, water, storm water management, telephone, electric and cable TV.<br>Comment: Information necessary for minor site plan because of potential effect on utility systems. Only general location for telephone, electric and cable TV required. |                                   |                   |           |                                |                   |       |             |       |          |            |                     |  |

\*Diminimus increase in impervious cover.

| ALL DOCUMENTS MUST BE PREPARED,<br>SIGNED AND SEALED BY NEW JERSEY<br>LICENSED PROFESSIONAL. |                                                                                                                                                                                                                                            | Pre-Application -<br>Concept Plan | Minor Application |           |             |             | General<br>Development<br>Plan | Major Application |       |             |       | COMPLETE | INCOMPLETE | WAIVER<br>REQUESTED |
|----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-------------------|-----------|-------------|-------------|--------------------------------|-------------------|-------|-------------|-------|----------|------------|---------------------|
|                                                                                              |                                                                                                                                                                                                                                            |                                   | Minor Application |           | Subdivision |             |                                | Subdivision       |       | Site Plan   |       |          |            |                     |
|                                                                                              |                                                                                                                                                                                                                                            |                                   |                   |           |             |             |                                |                   |       |             |       |          |            |                     |
|                                                                                              |                                                                                                                                                                                                                                            |                                   |                   |           |             |             |                                |                   |       |             |       |          |            |                     |
| Item Number                                                                                  | Description                                                                                                                                                                                                                                |                                   | Subdivision       | Site Plan |             | Preliminary | Final                          | Preliminary       | Final | Preliminary | Final |          |            |                     |
| 38. Item:                                                                                    | Soil Erosion and Sediment Control Plan.<br>Comment: Required for soil disturbance over 5,000 sq. ft.                                                                                                                                       |                                   |                   | X         |             |             | X                              |                   | X     |             | X     | X        |            |                     |
| 39. Item:                                                                                    | Spot and finished elevations at all property corners, corners of all structures or dwellings, existing or proposed first floor elevations.<br>Comment: Not required for minor subdivision because not involving construction of buildings. |                                   |                   | X         |             |             | X                              |                   | X     |             | X     | X        |            |                     |
| 40. Item:                                                                                    | Construction details as required by ordinance.<br>Comment: Such level of detail necessary only for major applications.                                                                                                                     |                                   |                   |           |             |             | X                              |                   | X     |             | X     | X        |            |                     |
| 41. Item:                                                                                    | Road and paving cross-sections and profiles.<br>Comment: See Item 40.                                                                                                                                                                      |                                   |                   |           |             |             | X                              |                   | X     |             | X     | X        |            |                     |
| 42. Item:                                                                                    | Proposed street names.<br>Comment: Applicable only when new road is proposed.                                                                                                                                                              |                                   |                   |           |             |             | X                              |                   | X     |             | X     | X        |            |                     |
| 43. Item:                                                                                    | New block and lot numbers confirmed with local assessor or municipal designee.<br>Comment: Needed whenever a new lot is created.                                                                                                           |                                   | X                 |           |             |             |                                |                   | X     |             |       |          |            | X                   |
| 44. Item:                                                                                    | Lighting plan & details.<br>Comment: Not applicable for minor subdivision because just creating lots.                                                                                                                                      |                                   |                   | X         |             |             | X                              |                   | X     |             | X     | X        |            | X                   |
| 45. Item:                                                                                    | Landscape plan & details prepared by a professional landscape architect<br>Comment: Required for site plans because of magnitude of required landscaping.                                                                                  |                                   |                   | X         |             |             |                                |                   |       |             | X     | X        |            | N/A *               |
| 46. Item:                                                                                    | Solid waste management plan.<br>Comment: Site plan consideration only; see Item 44.                                                                                                                                                        |                                   |                   | X         |             |             |                                |                   |       |             | X     | X        |            | **                  |
| 47. Item:                                                                                    | Site identification signs, traffic control signs, and directional signs.<br>Comment: See Item 44.                                                                                                                                          |                                   |                   | X         |             |             | X                              |                   | X     |             | X     | X        |            | N/A                 |

\*Existing Landscaping to remain.

\*\* No change proposed with respect to solid waste management.

| ALL DOCUMENTS MUST BE PREPARED,<br>SIGNED AND SEALED BY NEW JERSEY<br>LICENSED PROFESSIONAL.                                                                               |             | Pre-Application -<br>Concept Plan | Minor Application |           | Major Application              |             |             |           |             |       | COMPLETE | INCOMPLETE | WALIVER<br>REQUESTED |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------------|-------------------|-----------|--------------------------------|-------------|-------------|-----------|-------------|-------|----------|------------|----------------------|
| Item Number                                                                                                                                                                | Description |                                   | Subdivision       | Site Plan | General<br>Development<br>Plan | Subdivision |             | Site Plan |             |       |          |            |                      |
|                                                                                                                                                                            |             |                                   |                   |           |                                |             | Preliminary | Final     | Preliminary | Final |          |            |                      |
| 48. Item: Sight triangles.<br>Comment: Necessary even for minor applications because sight triangle easement created.                                                      |             |                                   | X                 | X         |                                | X           | X           | X         | X           |       | N/A      |            |                      |
| 49. Item: Vehicular and pedestrian circulation patterns (less detail necessary for pre-application-concept plan and GSP stages).<br>Comment: See Item 44.                  | X           |                                   |                   | X         | X                              | X           | X           | X         | X           |       | N/A      |            |                      |
| 50. Item: Parking plan showing spaces, size and type, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions.<br>Comment: See Item 44. |             |                                   |                   |           |                                | X           | X           | X         | X           |       |          |            |                      |
| 51. Item: Preliminary architectural plan and elevations.<br>Comment: Not required where building is not proposed.                                                          |             |                                   |                   | X         |                                |             |             |           | X           | X     | X        |            |                      |
| 52. Item: Plans and legal documents for compliance with West Orange COAH Ordinances.                                                                                       |             |                                   | X                 | X         | X                              | X           | X           | X         | X           | X     | X        | X          |                      |

€ Proposed restrictions or covenants do not have to be included for pre-application-concept plan and GDP.  
 & Conditional approval may be granted subject to other regulatory approvals.

ALL DOCUMENTS MUST BE PREPARED, SIGNED AND SEALED BY NEW JERSEY LICENSED PROFESSIONAL.

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RESOLUTION ZB-12-05

ZONING BOARD OF ADJUSTMENT  
TOWNSHIP OF WEST ORANGE

SETON HALL PREPATORY SCHOOL

WHEREAS, the Seton Hall Preparatory School ("the Applicant"), owner of the property located at 120 Northfield Avenue, West Orange, New Jersey, being Lot 1.01 Block 59.04 on the Tax Map of the Township of West Orange, and with the consent of Ana Iosuva, the owner 170 Northfield Avenue, which is Lot 1.04, Block 58 on the Tax Map of the Township of West Orange, made Application to the West Orange Zoning Board of Adjustment (the "Board") for Amended preliminary and final site plan approval with "C1" "C2" and "D" variances, and for a waiver of the requirement to provide an environmental impact statement to add on to its existing school and to convert a house on an adjoining lot to office space ("the Application") and

WHEREAS the Applicant presented proof that adequate notice of the hearing on the appeal was published in the West Orange Chronicle, one of the official newspapers of the municipality; and

WHEREAS the Applicant submitted proof of notice of the hearing upon all property owners within 200 feet of the property and all others required to receive notice; and

WHEREAS the Appeal was heard at a public meetings of the Board held on May 17, 2012, May 24, 2012, June 18, 2012 and July 12, 2012; and

WHEREAS the Applicant was represented by Robert C. Williams, Esq.; and

WHEREAS during the proceeding a motion was made for the waiver of the requirement of an environmental impact statement for this Application, due to the already fully developed nature of the property, said motion was made by Chairman Neuer, seconded by Ms. Weiss and granted by a vote of 6 affirmative to one negative, Mssrs Buechler, Steinhart, Sussman and Chairman Neuer and Mdmes Gabry and Weiss in favor and Mr. Bullock opposed; and

WHEREAS the Applicant offered the testimony of Charles J. Stewart, P.E., a licensed professional engineer of the State of New Jersey, who was recognized by the Board as such, who briefly explained to the Board existing conditions at the site and the proposed site plan changes which encompass a two story addition to the school, revision to playing field and the conversion of the single family home on the adjoining lot to an office building, and about the existing driveway easement passing over other residential lots to provide access to 170 Northfield Avenue from Beverly Road and the parking additions contemplated for 170 Northfield Road; and

WHEREAS the Applicant offered the testimony of Carl O'Brien, licensed professional engineer and planner in the State of New Jersey, Mr. O'Brien was qualified as a an expert in the field of civil engineering, he testified about the contemplated changes to the existing athletic fields to create an artificial

turf field for year round use and to make access to the field compliant with the Americans with Disabilities Act; and

WHEREAS the Applicant offered the testimony of Donald Fiore, a licensed architect in the State of New Jersey, who was recognized by the Board as such, Mr. Fiore testified about the architectural plans to add a two story addition to the school to add modern science classrooms, an elevator, and how the addition will be made to blend with the existing building; and

WHEREAS the Applicant offered the testimony of Joseph Staigar and Craig Peregoy, partners in Staigar & Peregoy, LLC, the Applicant's traffic engineers, both Mr. Staigar (on May 24, 2012) and Mr. Peregoy (on June 18, 2012) were independently recognized as licensed professional engineers with a specialty in traffic engineering, Mr. Staigar briefly testified about a statistical trip analysis he conducted for the driveway access to the converted house, at which time the Board requested a traffic report, and then at a subsequent meeting, Mr. Peregoy testified about that analysis after a report was submitted to the Board, in that analysis Mr. Peregoy concluded that there would only be a situation of cars attempting to use the driveway in opposing directions at the same time (the driveway does not allow for two-way traffic) once every three weeks and that there are sufficient areas at the mouths of the various driveways serviced by the easement driveway for drivers to cooperate, pull over and let an opposing vehicle pass, that the driveway does offer a safe ingress and egress to the converted office, and that the Applicant has consented to maintain the driveway, limit

the number of employees that will work at the office and limit other visitors to the office; and

WHEREAS there was discussion between the Board and the Applicant which led to the conclusion that under the case law of Nuckel v. Borough of Little Ferry Planning Board, 208 N.J. 95 (2011), a "D" variance would be required for the additional commercial use of the off-site driveway in a residential zone, and the Applicant was permitted to amend its Application to include such request, and was required to re-notice to include this "D" variance and to obtain the consent of each of the owners of the properties over which the driveway passes; and

WHEREAS the Applicant offered the testimony of Peter Steck, licensed professional planner of the State of New Jersey, who was recognized as such, Mr. Steck testified that the school is a permitted conditional use, but that the ordinance does not set forth any conditions, that a "c" variance is required for pre-existing front yard setback of 22.6 feet when 30 feet is required, a pre-existing building height of 70 feet when only 35 feet is permitted, a preexisting 4 story building wherein only two and one half stories are permitted and a continuation of the 102 school parking spaces when 1217 are required, with an additional five spaces at the new converted office, that the school is in an inherently beneficial use, that the existing non-conforming elements of the structure have been present for a long time, that it is contemplated by the West Orange Zoning Code that schools will be located in residential zones, and that the new two-story addition is itself compliant with the zone

code, that the "D" variances for the conversion of the house and use of the driveway can be granted under the analysis of Sica v. Board of Adjustment of the Township of Wall, 127 N.J. 152 (1992) without substantial detriment to the Zoning Ordinance, Master Plan or Code, and that the Applicant's acceptance of certain conditions ameliorate any negative impact; and

WHEREAS, as noted below (See Exhibits A-16 to A-19, the Applicant obtained the necessary consents from the property owners over whose property the driveway easement passes; and

WHEREAS the Applicant offered the following Exhibits, all of which were admitted into evidence:

A-1 Existing Conditions Map

A-2 Site plan sheet

A-3 Grading Plan

A-4 Kelly Athletic Center existing conditions 5/17/12

A-5 Existing conditions of field, sheet 3 of 10 dated 3/8/12;

A-6 Proposed field conditions, sheet 4 of 10, dated 3/8/12;

A-7 Drainage Plan A-5 - (sheet 5 of 10 dated 3/8/12)

A-8 Color rendering (dated 1/19/12)

A-9 Science lab foundation plan (sheet A-1 dated 1/12/12)

A-10 Science lab first floor plan (sheet A-2 dated 1/12/12 revision one dated 5/9/12)

A-11 Science lab second floor plan (sheet A-3 dated 1/12/12)

A-12 Science lab elevations (sheet A-4 dated 1/12/12 revision one dated 5/19/12)

A-13 Administrative offices first and second floor plan  
(sheet A-1.1 dated 1/10/12 revision one dated 5/9/12)

A-14 Administrative office basement plan (sheet A-1.2 dated  
1/10/12)

A-15 Consent of Carlos & Sara Henriquez dated 6/18/12;

A-16 Consent of Michael B. & Kimberly L. White dated  
6/18/12;

A-17 Consent of Svetlana Salern dated 5/15/12;

A-18 Planner's report of Mr. Steck dated 4/5/12; and

**WHEREAS** Thomas Paige of 15 Beverly Road questioned the  
Applicant's traffic engineer about the driveway and Daniel Kram,  
60 Beverly Road, questioned the Applicant's traffic engineer  
about the curve in Beverly Road near the subject driveway; and

**WHEREAS** at the conclusion of the opportunity for public  
comment (there being no member of the public commenting on same)  
on the Application, a motion was made to bifurcate the vote on  
the Application, the first vote being on the school and athletic  
field improvement, and the second being on the house conversion,  
and the Applicant specifically being advised to re-notice as to  
the "D" variance for the use of the driveway to provide access  
to the house to be converted to office space; and

**WHEREAS** the Applicant properly noticed the request for a  
"D" variance for use of the driveway easement to access the  
newly converted office building in a residential zone; and

**WHEREAS**, Public Advocate Harvey Grossman was present for  
the hearings; and

**WHEREAS** the members of the Board questioned the witnesses  
and the Applicant's attorney; and

WHEREAS, the Board considered the report of Susan Borg, Township Planner dated May 1, 2012 and her testimony at the hearing; and

WHEREAS the Board considered the reports and testimony of Mr. Keller and Mr. Russo of Omland Engineering the Board's consulting engineers; and

WHEREAS, all the facts and data contained in the testimony at the hearing are incorporated herein as Findings of Fact of this Board as if set forth herein at length.

NOW THEREFORE, the Board hereby makes the following specific Findings of Fact and Conclusions of Law:

1. The applicant is the owner of the premises located at 120 Northfield Avenue, West Orange, New Jersey, being Lot 1.01 Block 59.04 located in the R-6 zone on the Tax Map of the Township of West Orange, and has the consent of Ana Iosuva, the owner 170 Northfield Avenue of Lot 1.04, Block 58 on the Tax Map of the Township of West Orange, and the consent of the owners of Lots 1.01, 1.03 and 1.06 in Block 58, all located in the R-5 zone and which are the other properties serviced by the driveway easement that will be used to access 170 Northfield Avenue.
2. The Applicant has requested and the Board approved a waiver of the requirement for an environmental impact statement for this project.
3. The Applicant has appropriately noticed both for the school expansion and the use of the easement

driveway providing access to lot 1.04 which is a single family house to be converted to an office building for school offices.

4. The Applicant has applied for "C" variances for pre-existing front yard setback of 22.6 feet when 30 feet is required, a pre-existing building height of 70 feet when only 35 feet is permitted, a height variance for a pre-existing 4 story building wherein only two and one half stories are permitted and a continuation of the 102 school parking spaces when 1217 are required, with an additional five spaces at the new converted office, as well as a "D" variance for conversion of the house on lot 1.04 to offices.
5. The Applicant also amended its Application during the course of the hearings to request a "D" variance for two principal uses of the easement driveway providing access to lot 1.04, which will continue to provide residential access to Lots 1.01, 1.03 and 1.06 and will now also provide commercial access to Lot 1.04.
6. The Applicant was granted a motion to bifurcate its Application, the Board deliberating and deciding the issue of the school and athletic fields on June 18, 2012, with additional public comment afforded on July 12, 2012 for the house conversion to office space and deliberation and a vote taken on the house conversion on July 12, 2012.

7. Whereas Seton Hall Preparatory School is an inherently beneficial use and the negative criteria for the school and field expansion have been met, as more detailed at Page 9 of Mr. Steck's report, (A-18 in evidence) and thus the school and field expansion can be granted by the Board without substantial impairment of the zone plan and Zoning Ordinance.

8. The conversion of Lot 1.04 to office use can also be granted by the Board without substantial impairment to the zone plan or Zoning Ordinances as the detrimental effects have been ameliorated by the several conditions the Board has placed on the office use, such as limiting the number of employees, limiting the office capacity, not permitting visitor parking on the house lot, and requiring that the exterior of the house maintain its residential character, a majority of the Board so finding, with Mr. Buechler, specifically disagreeing with the planner's testimony on this subject.

WHEREAS, a motion was made by Chairman Neuer and seconded by Mr. Sussman on June 18, 2012 to approve the school addition and athletic field improvements with the "C" and "D" variances recited above and voted upon as follows:

|           | Ayes | Nays | Abstentions |
|-----------|------|------|-------------|
| Buechler  | Aye  |      |             |
| Bullock   | Aye  |      |             |
| Quentzel  | Aye  |      |             |
| Steinhart | Aye  |      |             |
| Sussman   | Aye  |      |             |
| Neuer     | Aye  |      |             |

BE IT FURTHER RESOLVED that the grant of said variances for the school addition and athletic field improvements on Lot 1.01 is conditioned upon the Applicant's full and complete satisfaction of the following conditions:

1. For every baseball game the rolling bleachers seats will be in place.
2. There shall be no advertisements of any types on the fencing surrounding the athletic fields.
3. The Applicant shall, prior to issuance of a Certificate of Occupancy, provide to the Township engineer, or his designee, a maintenance plan for the artificial turf at G-Max level.
4. The Applicant shall install padding on the walls of the field for the safety of players on the field
5. The Applicant shall install 6 arborvitaes at an installed height of 8 feet along the back wall of the field for screening.
6. The Applicant shall have its architect explore the possibility of installing a window at the south

elevation of the new building, the installation of which is not a requirement, but a suggestion, to be implemented at the discretion of the Applicant.

7. The Applicant shall fully satisfy the comments of the Omland Engineering Consulting report date May 2, 2012,, to wit:

(1)Based on the application, the owner of Lot 1.04 is not the school and the cover sheet should be revised to reflect the correct owner of this parcel. Further the list of required approvals should be corrected to reflect the appropriate Township/County boards.

(2) An analysis of Section 25-28 Steep Slope and Natural Features Ordinance has not been provided. As set forth in Section 25-28.4, this analysis is required for all development applications, with two exceptions, which this project does not satisfy.

(3)The existing striping in the "maintenance/bus" parking lot needs to be shown.

(4) The site plans should identify the limits of the field improvements and identify the different work zones that will exist during construction.

(5) The plans should reflect whether there are any modifications to the brick patio area proposed or will it be reconstructed in its current form.

(6). The proposed building addition contains double doors adjacent to the existing brick patio, which should be shown on the plans. There is no separation or walkway proposed in this area and it may be beneficial to provide a curbed area to separate this pedestrian area from the adjacent parking area.

(7). The note "Ex. Driveway to be removed" on Lot 1.04 should be clarified to indicate the replacement with a new pavement area. The curb ramp for the handicapped space must

be noted as being flush, as a depressed curb does not comply with accessibility standards

(8). The proposed 8-inch pipe from the existing inlet to the proposed inlet should be upgraded to a 12-inch pipe, at a minimum slope of one percent (1%). Further, the 12-inch pipe on the south side of the building should have a minimum slope of one (1) percent. These increases in slope can be made up by reducing the slope of the pipe (currently 6.96%) below the proposed walkway. The last run of 12-inch pipe should also have a minimum slope of one percent (1%). The location of the proposed manhole connecting back into the existing storm sewer can be adjusted accordingly to achieve this minimum slope (a note should indicate this potential adjustment). Overlaps of various notes should be corrected.

(9). On Lot 1.04, a curb transition should be provided where the curb meets the existing driveway so there is not an abrupt 6 inch curb face at the end. Also, additional spot grades (top & bottom of curb) should provided within the parking area to indicate the drainage patterns and ensure that water is not directed toward the garage.

(10). The area of disturbance should be published on Sheet 5. If a single application is to be submitted to the Hudson-Essex-Passaic Soil Conservation District the plans should indicate the combined area of disturbance.

(11). It should be clarified as to where the "Driveway and Parking Lot Pavement Detail" is applicable. This detail appears of insufficient section to be used in the maintenance/bus parking lot but acceptable for the parking area at the proposed offices. The "Depressed Curb Detail" should be revised to indicate a flush curb arrangement (0" reveal). The handicapped sign detail should indicate a minimum of 5 foot mounting height to the bottom of the lowest sign from grade. Details are to be provided for wheel stops and the paver walk.

(12). The drywell detail is insufficient as it does not indicate the two drywells proposed and does not provide a detailed plan view. The elevation should indicate the placement of a "B-type" inlet casting on top of the one drywell (which will require a rectangular riser). The inlet casting should comply with the stormwater regulations for an 'Eco' style casting. The 12-inch riser is not sufficient to accommodate the footing of the granite block curb.

Calculations to size this facility should be provided. As no soil information was provided for this location an overflow pipe should be provided.

(13). If these plans are to remain a stand-alone set of plans, at a minimum, signature blocks will be required.

(14). Intentionally left blank.

(15). Intentionally left blank.

(16). There are no gates shown through the fence that surrounds the outside of the concrete area where the bleachers are located. The plans must reflect how this area is to be accessed

(17). No slope is indicated for the 1" x 12" ADS, this should be clarified.

(18) The existing 15-inch storm pipe conveying the site discharge should be replaced entirely within the proposed field area. This would result in the new storm manhole being placed outside the limits of the turf field.

(19). The proposed electrical conduit is noted as connecting to an existing utility pole, however, no existing utility pole is shown on the construction plans. The pole must be shown.

(20). The type of fencing should be noted on the plan. If black vinyl fencing is selected, all elements of the fence and fittings shall be black vinyl.

(21). An additional detail describing the placement of the "concrete turf footing" and ADS drains adjacent to the existing crib wall should be placed on the plan. The dimensions of the Baseball Foul Pole should be delineated.

(22). We note that the proposed modular block walls and stairs will require a building permit as the height exceeds 4 feet. Structural calculations will be required to be submitted by a licensed NJ professional engineer and the owner will be required to provide a certification by a licensed engineer that the walls were constructed in accordance with the approved design.

(23) There are a number of sidewalk, curb and pavement details provided on Sheet 9, however, it is not clear on the

construction plans where this work is intended. The plans should either be clarified to indicate this work or the details removed. There is also a detail for a pipe surrounded in stone on Sheet 10, but it is not clear where this condition would occur. Same should be indicated on the plan; and

8. The applicant shall record a deed of consolidation combining Lots 1.04 and 1.01, as identified above into a single tax lot and to provide a copy of the recorded deed to the Planning Department by no later than September 30, 2012; and

WHEREAS, a motion was made by Mr. Buechler as to the Application on Lot 1.04 to convert a single family home to office use for the school and a "D" variance for use of the driveway easement for access to 170 Northfield Avenue, and Mr. Buechler having moved, yet specifically noting on the record that he does not concur with Mr. Steck's conclusions as they pertain to Lot 1.04, with a second by Mr. Sussman, and the on July 12, 2012 the Board voting as follows to grant the two "D" variances to convert lot 1.04 to an office building and use an existing easement driveway over lots 1.01, 1.03 and 1.06:

|           | <b>Ayes</b> | <b>Nays</b> | <b>Abstentions</b> |
|-----------|-------------|-------------|--------------------|
| Buechler  | Aye         |             |                    |
| Bullock   | Aye         |             |                    |
| Steinhart | Aye         |             |                    |
| Sussman   | Aye         |             |                    |
| Weiss     | Aye         |             |                    |
| Neuer     | Aye         |             |                    |

BE IT FURTHER RESOLVED that the grant of said variances for the conversion of the house to office use and use of an existing driveway easement to provide access to the office is conditioned upon the Applicant's full and complete satisfaction of the following conditions:

1. A deed of merger of lots 1.04 and 1.01 shall be filed no later than September 30, 2012.
2. The pool at the rear of the house at lot 1.04 shall be filled in.
3. The Applicant will be limited to no more than 7 workers working in the office building at any one time.
4. The Applicant will maintain in perpetuity the access driveway, including repairs as necessary and snow removal.
5. The size and width of the current driveway easement out to Beverly Road shall not be altered.
6. The Applicant shall designate the 5 employees who work at the house who will be permitted to park on-site and that any other workers must park in the school parking lot on Lot 1.01
7. There shall be no visitors to the house other than deliveries and no meetings involving anyone other than workers at the house may be held at the house.
8. There shall be no signage on the house and no alterations, other than filling the pool and completing the parking lot to reflect that the structure is anything other than a single-family home.

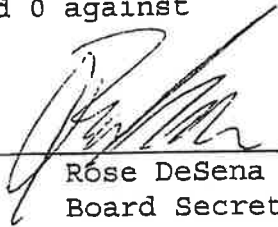
9. The residential appearance of the house shall remain in perpetuity.
10. Subject to the payment of all escrow fees incurred by the ongoing review process pursuant to this resolution.
11. Preparation of an engineer's estimate for the purpose of establishing an engineering inspection escrow for construction.
12. A pre-construction meeting is to be held with the Township and Board Engineers or their designees prior to construction.
13. The fencing is to be black-vinyl clad including all Components.

|                 |             |
|-----------------|-------------|
| Moved:          | Mr. Sussman |
| Seconded:       | Ms. Weiss   |
| Those in Favor: | 5           |
| Those Opposed:  | 0           |
| Abstention:     | 0           |

I hereby certify that the foregoing Resolution was adopted by the Zoning Board of Adjustment of the Township of West Orange at its meeting of July 19, 2012 and that said Resolution memorializes the action of the Zoning Board taken at its meetings held on June 18, 2012 and July 12, 2012 granting the approval for additions to a school and athletic fields by a vote

of 6-0 and approving conversion of as single family house to an office building and use of an existing driveway easement for access by a vote of 6 in favor and 0 against

July 19, 2012

 7/19/12  
Rose DeSena  
Board Secretary

# Buffer Report

## THE TOWNSHIP OF WEST ORANGE

Office of the Assessor

66 Main Street

West Orange, New Jersey 07052

Telephone: (973) 325-4060

Facsimile: (973) 669-4859

### Highlighted feature(s)

#### Subject Property(s) (1)

| Town                 | Block | Lot  | Qualifier | Location              | Owner                         | Owner Address         | Owner City/State | Owner Zip |
|----------------------|-------|------|-----------|-----------------------|-------------------------------|-----------------------|------------------|-----------|
| West Orange Township | 59.04 | 1.01 |           | 120 NORTHFIELD AVENUE | SETON HALL PREPARATORY SCHOOL | 120 NORTHFIELD AVENUE | WEST ORANGE,N.J. | 07052     |

§

### List of adjoining feature(s) that intersect 200 foot buffer from Subject Property(s).

#### Adjoining Properties (56)

| Town                 | Block | Lot   | Qualifier | Location              | Owner                              | Owner Address       | Owner City/State        | Owner Zip |
|----------------------|-------|-------|-----------|-----------------------|------------------------------------|---------------------|-------------------------|-----------|
| West Orange Township | 20    | 29.01 |           | 110 NORTHFIELD AVENUE | SAAVEDRA, DAISY V & PABLO, OSCAR A | 110 NORTHFIELD AVE  | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 20    | 37    |           | 10 ROLLINSON STREET   | URSO,JOSEPH A + JANET A            | 10 ROLLINSON STREET | WEST ORANGE, N.J.       | 07052     |
| West Orange Township | 21    | 36    |           | 26 ROLLINSON STREET   | PERLMUTTER,STEVE + GRACE           | 26 ROLLINSON STREET | WEST ORANGE, N.J.       | 07052     |
| West Orange Township | 21    | 42    |           | 100 SWAINE PLACE      | CLARK, SAMMY & VERA                | 100 SWAINE PLACE    | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 22    | 30    |           | 63 QUINBY PLACE       | ABELL, ALEXIS M & MCLAMED, MEGAN M | 63 QUINBY PL        | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 22    | 31    |           | 108 RIGGS PLACE       | LOMA,GARY + EILEEN                 | 108 RIGGS PLACE     | WEST ORANGE, NEW JERSEY | 07052     |
| West Orange Township | 23    | 30    |           | 63 PILLOT PLACE       | BURNETT, ANTONIO & JOY N.          | 63 PILLOT PLACE     | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 23    | 31    |           | 66 QUINBY PLACE       | INTERIANO, MARIO                   | 66 QUINBY PL        | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 58    | 1.01  |           | 1 BEVERLY ROAD        | SALERNO, SVETLANA                  | 1 BEVERLY ROAD      | WEST ORANGE, N. J.      | 07052     |
| West Orange Township | 58    | 1.03  |           | 176 NORTHFIELD AVENUE | WHITE, KIMBERLY Z & MICHAEL E      | 176 NORTHFIELD AVE  | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 58    | 1.04  |           |                       |                                    |                     |                         |           |
| West Orange Township | 58    | 1.05  |           | 9 BEVERLY ROAD        | HENRIQUEZ, CARLOS G. & SARA        | 9 BEVERLY ROAD      | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 58    | 1.06  |           | 11 BEVERLY ROAD       | SETON HALL PREPARATORY SCHOOL      | 11 BEVERLY ROAD     | WEST ORANGE, N.J.       | 07052     |
| West Orange Township | 58    | 1.07  |           | 23 BEVERLY ROAD       | NERRIERE, DOMINIQUE & NATALIE E.   | 23 BEVERLY ROAD     | WEST ORANGE, NJ         | 07052     |

| Town                 | Block | Lot  | Qualifier | Location              | Owner                               | Owner Address           | Owner City/State        | Owner Zip |
|----------------------|-------|------|-----------|-----------------------|-------------------------------------|-------------------------|-------------------------|-----------|
| West Orange Township | 58    | 1.08 |           | 15 BEVERLY ROAD       | WRIGHT, CHARLES LEE                 | 15 BEVERLY ROAD         | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 58    | 1.09 |           | 19 BEVERLY ROAD       | PATTERSON, MARK & CHRISTINE         | 19 BEVERLY ROAD         | WEST ORANGE, N.J.       | 07052     |
| West Orange Township | 58    | 1.10 |           | 27 BEVERLY ROAD       | GUNN, DENNIS & JUDITH               | 27 BEVERLY ROAD         | WEST ORANGE, N.J.       | 07052     |
| West Orange Township | 58    | 1.11 |           | BEVERLY ROAD          | TERRACE DEVELOPERS, LLC             | 820 MORRIS TPK STE. 301 | SHORT HILLS, NJ         | 07078     |
| West Orange Township | 58    | 1.12 |           | 35 BEVERLY ROAD       | MEYERSON, PAUL & RIESENMAN, L       | 35 BEVERLY ROAD         | WEST ORANGE, NEW JERSEY | 07052     |
| West Orange Township | 58    | 1.14 |           | 33 BEVERLY ROAD       | TOWNSHIP OF WEST ORANGE             | 66 MAIN ST.             | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 58.04 | 16   |           | 24 BEVERLY ROAD       | J ALBENBERG REVOCABLE LIVING TRUST  | 24 BEVERLY RD           | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 58.04 | 18   |           | 20 BEVERLY ROAD       | MILSTEIN, SETH MICHAEL & DEBRA      | 20 BEVERLY RD           | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59    | 14   |           | 51 ROLLINSON STREET   | JEAN, JACQUELINE                    | 51 ROLLINSON STREET     | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59    | 15   |           | 49 ROLLINSON STREET   | D'AGOSTINO, JAMES J.                | 49 ROLLINSON STREET     | WEST ORANGE, N.J.       | 07052     |
| West Orange Township | 59    | 16   |           | 47 ROLLINSON STREET   | DONONCOURT, MUELLER & YVA           | 47 ROLLINSON STREET     | WEST ORANGE, NEW JERSEY | 07052     |
| West Orange Township | 59    | 17   |           | 1 GLEN ROAD           | COHEN, JEDIDIAH & DAWSON, KATHERINE | 1 GLEN ROAD             | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59    | 18   |           | 3 GLEN ROAD           | OUTERBRIDGE, KIM                    | 3 GLEN RD.              | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59    | 19   |           | 5 GLEN ROAD           | TAMKINS, THERESA                    | 5 GLEN ROAD             | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59.02 | 11   |           | 13 OAKRIDGE ROAD      | SULLIVAN, WILLIAM C. & LAURA J.F.   | 13 OAKRIDGE RD          | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59.02 | 13   |           | 9 OAKRIDGE ROAD       | DESHONG, AUDREY J.                  | 9 OAKRIDGE RD.          | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59.02 | 14   |           | 7 OAKRIDGE ROAD       | CONLEY, ERIC J & SBRIGATO, TINA     | 7 OAKRIDGE RD           | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59.02 | 15   |           | 5 OAKRIDGE ROAD       | BEREZA, BORIS & MEGHAN EVANS        | 5 OAKRIDGE RD.          | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59.02 | 16   |           | 3 OAKRIDGE ROAD       | WOOD, CRAIG & REBECCA               | 3 OAKRIDGE ROAD         | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59.02 | 17   |           | 1 OAKRIDGE ROAD       | DIEHL, PAUL & KATE                  | 189 STERLING PL. #16    | BROOKLYN, NY            | 11238     |
| West Orange Township | 59.04 | 1.01 |           | 120 NORTHFIELD AVENUE | SETON HALL PREPARATORY SCHOOL       | 120 NORTHFIELD AVENUE   | WEST ORANGE, N.J.       | 07052     |
| West Orange Township | 59.04 | 1.02 |           | 15 ROLLINSON STREET   | BEAUCLOCHE, JEAN & LOVELY           | 15 ROLLINSON ST         | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59.04 | 1.03 |           | 11 ROLLINSON STREET   | ZAMORA, MARIA CRISTINA V.           | 11 ROLLINSON ST         | WEST ORANGE, NJ         | 07052     |

| Town                 | Block | Lot  | Qualifier | Location              | Owner                                  | Owner Address         | Owner City/State        | Owner Zip |
|----------------------|-------|------|-----------|-----------------------|----------------------------------------|-----------------------|-------------------------|-----------|
| West Orange Township | 59.04 | 1.05 |           | 1 ROLLINSON STREET    | YASIN, ABDUR RAZZAAQ & BEGONIA         | 1 ROLLINSON STREET    | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59.04 | 1.06 |           | 9 ROLLINSON STREET    | LINDER, DENNIS & LINDA                 | 9 ROLLINSON ST.       | WEST ORANGE, N.J.       | 07052     |
| West Orange Township | 59.04 | 1.07 |           | 17 ROLLINSON STREET   | DAVIS, ROBERT                          | 17 ROLLINSON STREET   | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59.04 | 1.08 |           | 5 ROLLINSON STREET    | NEWROCK, WILLIAM & GABRIELLA           | 5 ROLLINSON ST        | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59.04 | 1.10 |           | 19 ROLLINSON STREET   | HARTMAN, CHRISTOPHER J & LAURA DIORIO  | 19 ROLLINSON STREET   | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59.04 | 1.11 |           | 25 ROLLINSON STREET   | JONES, LESTER III & CERRETO, GERALDINE | 25 ROLLINSON STREET   | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59.04 | 1.12 |           | 35 ROLLINSON STREET   | SALAZAR, JOSE & LUCY                   | 35 ROLLINSON ST       | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59.04 | 1.13 |           | 31 ROLLINSON STREET   | BERETAY, JILL LEFKOWITZ & ABUDULAH     | 31 ROLLINSON STREET   | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59.04 | 1.14 |           | 29 ROLLINSON STREET   | ALEXANDRE, SURUMEGA                    | 29 ROLLINSON STREET   | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59.04 | 1.15 |           | 21 ROLLINSON STREET   | WILLIAMS, JUSTIN KYLE                  | 21 ROLLINSON STREET   | WEST ORANGE, N.J.       | 07052     |
| West Orange Township | 59.04 | 1.16 |           | 23 ROLLINSON STREET   | WALLENSTEIN, DREW & CARLY              | 23 ROLLINSON ST       | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59.04 | 1.17 |           | 33 ROLLINSON STREET   | WEEKES, MONIQUE A.                     | 33 ROLLINSON ST       | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59.04 | 1.18 |           | 37 ROLLINSON STREET   | BOYDMAN, JASON & NATALIE               | 37 ROLLINSON ST       | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 59.04 | 1.19 |           | 39 ROLLINSON STREET   | CHESTER, PAUL                          | 39 ROLLINSON STREET   | WEST ORANGE, NJ         | 07006     |
| West Orange Township | 59.04 | 1.22 |           | 43 ROLLINSON STREET   | ANSVANANDA, DAVID T                    | 43 ROLLINSON ST       | WEST ORANGE, NJ         | 07052     |
| West Orange Township | 78.01 | 2.01 |           | 111 NORTHFIELD AVENUE | SPRINGFIELD AVE LLC                    | 188 EAGLE ROCK AVE #1 | ROSELAND, NJ            | 07068     |
| West Orange Township | 78.02 | 2    |           | 125 NORTHFIELD AVENUE | WHS LLC % COMMUNITY MANAGEMENT         | 1030 CLIFTON AVENUE   | CLIFTON, NJ             | 07013     |
| West Orange Township | 78.02 | 12   |           | 147 NORTHFIELD AVENUE | BINAKAJ, VETON                         | 147 NORTHFIELD AVENUE | WEST ORANGE, NEW JERSEY | 07052     |
| West Orange Township | 78.02 | 13   |           | 149 NORTHFIELD AVENUE | TADDEO, RICHARD & EWA                  | 149 NORTHFIELD AVENUE | WEST ORANGE, N.J.       | 07052     |

# Buffer Report - Map



**PUBLIC UTILITIES**

**ELECTRIC & GAS**

Public Service Electric & Gas Company  
Manager - Corporate Properties  
80 Park Plaza, T6B  
Newark, NJ 07102

**WATER**

New Jersey American Water Company  
167 John F. Kennedy Parkway  
Short Hills, NJ 07078

**CABLE TV**

Comcast Cablevision  
800 Rahway Avenue  
Union, NJ 07083

**TELEPHONE**

Verizon  
1 Verizon Way  
Basking Ridge, New Jersey 07920-1025

**SEWER**

Township of West Orange  
Municipal Building  
66 Main Street  
West Orange, NJ 07052



# TOWNSHIP OF WEST ORANGE

66 MAIN STREET, WEST ORANGE, N.J. 07052

## OFFICE OF THE TAX COLLECTOR

SUSAN McCARTNEY

*Mayor*

KATHY LONGO

*Tax Collector*

Tel: (973) 325-4075

Fax: (973) 736-9182

Email: taxcollector@westorange.org

### VERIFICATION OF TAXES & SEWER CHARGES PAID

DATE: 9/15/23

BLOCK: 59.04

LOT: 1.01 QUAL: \_\_\_\_\_

NAME: Seton Hall Preparatory School

ADDRESS: 120 Northfield Ave

TAXES PAID UNTIL: Tax exempt

2023 SEWER PAID IN FULL:

YES

NO

TOWNSHIP OF WEST ORANGE  
TAX COLLECTOR  
66 MAIN STREET  
WEST ORANGE, NJ 07052  
PHONE (973) 325-4075  
FAX (973) 736-9182



AN EQUAL OPPORTUNITY EMPLOYER

[www.westorange.org](http://www.westorange.org)

**John McDonough Associates, LLC**  
**Land Use Planning · Landscape Architecture**

**PLANNING REPORT**

PREPARED FOR

**SETON HALL PREPARATORY SCHOOL  
PROPOSED DIGITAL LAB  
AND GYM ENTRANCE ADDITION**

FOR PROPERTY LOCATED AT

**120 NORTHFIELD AVENUE  
BLOCK 59.04 LOT 1.01  
TOWNSHIP OF WEST ORANGE  
ESSEX COUNTY, NJ**

(September 3, 2023)



John McDonough, LA, AICP, PP  
NJPP License #33LI00518900

*The original of this report was appropriately signed and sealed in accordance with laws and regulations pertaining to the practice of Professional Planning in New Jersey (NJSA 45:14A and NJAC 13:41-1.3(b))*

## **Introduction**

This planning report is submitted in support of an application filed by Seton Hall Preparatory School (hereafter “SHP”) to construct two new digital classrooms and a new entrance to the Tracey Gymnasium, to serve students and the SHP community.

The improvements are part of SHP’s continued commitment to provide the highest quality academic facilities for its student population, and to maintain its reputation as one of the premier high school academic facilities in the state.

The application seeks preliminary and final site plan approval with “c” and “d” relief. The school has received similar approvals and relief in the past, as the campus has developed and evolved. This report is intended to address § 25-51.10.c. of the West Orange application requirements.

## **Description of Project**

The site is located at 120 Northfield Avenue and identified as Block 59.04 Lot 1.01 on the West Orange tax rolls. It comprises approximately 10.2 acres and is developed as the academic campus for Seton Hall Preparatory School.

Seton Hall Preparatory School is a highly rated private college preparatory high school established in 1856. It is the oldest Catholic college preparatory school in New Jersey. After 128 years in South Orange, in 1985 the school campus relocated to the Northfield Avenue site in West Orange.

The site today consists of a 4-story academic building, a multi-purpose athletic field, and a 124-space parking lot. The academic building includes Tracey Gymnasium, which hosts competitions, practices, special events, charity programs, college nights, and the school’s annual Open House.

The proposed project is limited to a 2-story building addition to deliver 2 new digital classrooms and a new entrance vestibule to Tracey Gymnasium. The building footprint of the new addition will be 1,450 square feet, which will increase the overall building coverage by a mere 0.3 percent.

As part of the building improvements, there will be related site improvements including a new entry stairway with planters and a new entrance plaza on the upper landing of the existing stairs with decorative pavers. The existing flagpole will be replaced with a new flagpole.

There will be no increase in staff or student population associated with the proposed improvements thus there will be no increase in traffic generation or parking demand. The improvements are intended as enhancements to serve those students who are already there.

## **Zoning Considerations**

The site is in the R-6 District where private schools are permitted conditional uses. The existing site does not fully conform to the conditional use requirements at §25-24.2(d), however none of the existing nonconforming conditions are changing. The new improvements fully conform.

The application requires relief pursuant to N.J.S.A. 40:55D-70.d.(2) for alteration and expansion of an existing nonconforming conditional use. As stated, the new improvements do not trigger or require any relief per se. All relief is a function of the existing site condition.

## **Planning Justifications for Relief**

Land use planning operates within a legal framework. The statute recognizes that land use is not meant to be rigid and inflexible and gives zoning boards authority to grant “adjustments” if specific criteria are met.

New Jersey courts have determined that schools are so vital to public welfare that the land use inherently serves the public good. The definition of “inherently beneficial” in the municipal land use law at N.J.S.A. 40:55D-4 specifically includes schools.

Inherently beneficial uses are of such paramount public interest that they automatically satisfy the statutory positive criteria for use relief. Thus, the statutory test that applies to inherently beneficial uses is much more relaxed than other types of uses.

The Supreme Court in Sica v. Board of Adjustment of the Township of Wall, 127 NJ 152 (1992) established a simplified 4-prong balancing test for inherently beneficial use relief, as applied below. The more rigorous elements of proof are not required as part of the analysis.

1. Identify the public interest at stake.

The public interest at stake is quality education and the necessary facilities to fulfill the academic mission of the school. The digital classrooms are an identified need by the school and the new vestibule will enhance the sense of arrival and welcome to the gymnasium.

2. Identify the potential detrimental effects that could ensue from the grant of the variance.

The proposed project will have minimal if any detrimental effects. The addition is located in a “notch” on the campus where it will have minimal if any visual or functional impacts on surrounding land uses. It relates to the interior of the campus, not the perimeter.

3. Consider whether the imposition of reasonable conditions would ameliorate detrimental effects.

The land use law allows boards to impose reasonable conditions on variance applications. The specifics of these conditions typically arise during the public hearing process. Our Supreme Court envisions and encourages an interactive process. Given the low level of impact of the project, minimal if any mitigative measures are anticipated.

4. Weigh the positive and negative criteria and determine whether, on balance, the grant of the variance would cause a substantial detriment to the public good.

On balancing, the extremely positive weight of enhancing and improving an inherently beneficial use substantially outweighs mitigated impacts. The statutory requirement of the Sica v. Board of Adjustment of the Township of Wall balancing test is met.



Figure 1 ~ Aerial photo of subject site (Seton Hall Preparatory School campus)

## **Conclusion**

The proposed digital classrooms and gym entrance will be a positive addition to the SHP campus and advance its academic mission to promote the growth and development of young people. The improvements do not trigger any new bulk or other relief. The relief is only for alteration of an existing nonconforming use.

From a land use planning standpoint, the application satisfies the four-prong balancing test under Sica v. Board of Adjustment of the Township of Wall. Therefore, the statutory criteria for grant of use relief are met, and approval is warranted.

## **Qualifications of Preparer**

John McDonough Associates, LLC is a land use planning and landscape architecture consulting firm with office location in Parsippany, New Jersey.

John McDonough, LA, PP, AICP is a licensed professional planner and landscape architect in the State of New Jersey. Both licenses are current and in good standing. He is also a member of the American Institute of Certified Planners.

All licenses have been obtained through requisite showing of educational and experience requirements and passing of license examinations (none have been achieved through reciprocity). All licenses are maintained through participation in mandatory continuing education courses.

Mr. McDonough has been practicing as a land use consultant in New Jersey for over 35 years. He has been recognized as an expert in land use matters before hundreds of boards and commissions throughout the State of New Jersey, and in Superior Courts.

Mr. McDonough has been a regular speaker at the League of Municipalities annual conference and at Rutgers University Bloustein School of Planning and Public Policy. In 2022, he was a speaker at the national conference of the American Institute of Architects (AIA).