



October 13, 2023

West Orange Zoning Board of Adjustment
66 Main Street
West Orange, New Jersey 07052

Re: ZB-21-21
Daughters of Israel, Inc.
Settlement Plan
1155 Pleasant Valley Way
Block 171, Lot 12

Dear Chairman and Members of the Board,

In support of efforts to settle litigation between Daughters of Israel, Inc (D.O.I.) and the Zoning Board of Adjustment (Board) concerning this application, our firm has prepared the attached plans for your consideration. Understanding that building height, disturbance to steep slopes, and tree removal were major concerns, this Settlement Plan has been prepared to address these issues. The major changes to the plans are as follows:

In an effort to decrease the scale of the building facade facing Pleasant Valley Way, each of the three wings of the building closest to Pleasant Valley Way were stepped back a full story to a distance of approximately 25 feet to create a more appealing aesthetic. This reduces the elevation height facing Pleasant Valley Way by one story, or approximately 15 feet, from 56 feet to 40'-9", and allows the building to step up the hill. The solar panels proposed on this portion of roof area were converted to green roofs, but the total percentage of proposed green and solar roof areas remain unchanged. Additionally, the driveways were pulled in away from the neighboring properties to reduce the amount of steep slopes disturbance, saving 53 trees compared to the previously submitted plan on which the Board voted. Most of the retaining walls were eliminated as well. The elimination of 20 future parking spaces and 4 additional spaces were necessary to reduce the tree removal, but there is still an excess of parking proposed, as explained in our Parking Study.

In this submittal, we have included revised Site Plans, Tree Removal Plan, Overall Phasing Plan, and Steep Slopes Map. Please see below for a summary of the changes as they apply to the zoning regulations and to the previously submitted reports.

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Site Data

- The number of independent living units has been reduced by six (3-1 bedroom apartments and 3-2 bedroom apartments). As such, the parking requirement on site per the West Orange Zoning Ordinance has decreased from 448 spaces to 437 spaces. The gross floor area decreased by 29,540 sf, lowering the required number of loading spaces from 13 spaces to 12 spaces and thereby reducing that variance.
- The required number of EV spaces decreased from 57 spaces to 54 spaces as a result of the decreased parking demand.
- Twenty future parking spaces have been removed from the plans. Four additional spaces were removed from the western portion of the parking lot to pull in the limit of disturbance. Also, the EV bonus credit has reduced from 45 to 44 (since it is calculated as 10% of the requirement). In total, the proposed parking has been reduced from 426 spaces in the previous plan to 401 spaces in the Settlement Plan.
- The parking deficit per code has increased from 22 spaces to 36 spaces. However, according to the parking study previously submitted, there is still an excess of parking on site even when not accounting for the EV credit (See below for more information).
- The driveways along the northern and southern property lines were realigned to be further from the neighboring properties. Also, the limit of disturbance was pulled in in the southern and western portions of the parking lot where parking spaces were eliminated.
- The steep slope disturbance decreased from 11,070 sf in the previous submittal to 2,863 sf in the Settlement Plan.
- Retaining walls “C”, “E”, and “F” were eliminated as part of the reduction in steep slopes disturbance. Also, retaining wall “A”, which faces Pleasant Valley Way, decreased from 5 ft in height to 3 ft (See attached retaining wall calculations).
- Lot coverage decreased from 37.25% to 35.67%.
- Effective impervious coverage decreased from 59.16% to 56.62%.
- The number of trees being removed has decreased from 181 to 128 (53 trees saved). No live trees are proposed to be removed along the northern and western property lines, adjacent to neighboring properties with single family homes.
- The required minimum number of trees within parking areas decreased from 27 trees to 25 trees. However, 27 trees are still proposed within the parking area.
- Section 25-12.1.o requires that there be a maximum row of 20 parking spaces without an island. With the removal of the 20 future spaces, there is now no instance where there is a row of more than 20 spaces without an island.



- We are proposing to remove 26 minor trees and 70 major trees. The Landscape Plan prepared by KDA Architects calls for 143 minor trees and 86 major trees to be planted, totaling 229 new trees. We now exceed the requirement for minor tree replacement by 117 trees and major tree replacement by 16 trees.

Reports

As part of the previous submittal, there was a multitude of accompanying reports. Since we have reduced the scope of the project, we did not find it necessary to revise and resubmit these reports. Instead, we have outlined how each of the reports has been affected by the proposed changes:

Environmental Impact Statement

The revised site plan calls for a reduced limit of disturbance and a reduced steep slopes disturbance area. As such, the revised plan will have a lesser impact on the environment, and the previously submitted Environmental Impact Statement is sufficient.

Solid Waste Management Plan

The revised site plan calls for a reduction of 6 units from the previous application. As such, there will be less solid waste. The previously submitted solid waste management plan remains sufficient.

Parking Study

The previously submitted parking study stated that the total parking required was 306.9-339.5 spaces, based on industry standards. Accounting for the reduced unit count, the required parking would be 299.1-330.5 spaces, based on those same industry standards. The revised site plans call for 343 parking spaces (excluding the 44 space EV bonus credit and 14 future spaces) which would still exceed the requirement based on the industry standards. As such, the previously submitted parking study remains sufficient.

Traffic Report

Since there is a reduction in the number of units, there will be a reduction in traffic compared to the previous site plan. As such, the previously submitted traffic study remains sufficient.

Stormwater Management Report

The revised site plan will result in a slight decrease in impervious coverage. Also, the proposed drainage patterns remain largely unchanged. As a result of this, the total and peak runoff will be slightly reduced. The proposed stormwater management system and detention basins remain unchanged. As such, the previously submitted stormwater management report remains sufficient.



Stormwater Maintenance Manual

Since the proposed stormwater management measures remain the same, the previously submitted stormwater maintenance manual still applies. No changes are necessary.

Engineering Review Letter

We have since revised our plans to address the comments made by John Hess in his most recent Engineering Review letter dated February 6, 2023. Several of the comments have been already addressed in testimony after the letter was issued. As such, we are only addressing the remaining comments, which are Design Comment #4 and Landscaping Comments #1 and #2.

Design Comment #4 mentions that there was a discrepancy in the EV installation schedule between the engineering plans and the architectural plans. We have since revised the schedule, as shown on Sheet SP-3. All 20 EV garage spaces are scheduled to be installed within 3 years of a certificate of occupancy.

Landscaping Comment #1 mentions that there was a deficit of 24 major trees being planted in the prior submittal. To reiterate, the plans have been revised so that only 70 major trees are being removed and 86 major trees are being planted, resulting in an excess of 16 major trees.

Landscaping Comment #2 asks that we include a note on saying “Additional tree protection to be installed per the Town Forester’s recommendations” to Sheet SP-15. This has since been added as Note #1 on Sheet SP-15.

We trust that we have provided sufficient information for review of and a determination on the Settlement Plan. Should you have any questions or concerns, please feel free to contact us.

Very truly yours,

PETRY ENGINEERING, LLC

J. Michael Petry

J. Michael Petry, PE, PP, AIA

