



75 Main Street, Suite 201
Millburn, NJ 07041

**Law Offices of
Richard Schkolnick, LLC**

973-232-5061

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October 13, 2023

Via E-mail and Lawyer's Service

Jamilet Baquerizo Vite, Secretary
Planning Board
Township of West Orange
66 Main Street
West Orange, NJ 07052

**RE: Application of Tompkins Realty LLC
34 Tompkins Street
Block 7, Lot 12.02**

Dear Jamilet:

This Firm represents Tompkins Realty LLC ("Applicant"). In support of this application for minor subdivision with associated "c" variances in order to subdivide the 4,098 square foot property into two residential lots and reconstruct a detached garage with two residential units above that garage on the proposed new lot, enclosed please find six sets of the following:

1. Application to Township of West Orange Planning Board.
2. Site Plan Checklist.
3. Verification of Taxes and Sewer Charged Paid, dated September 5, 2023.
4. Buffer Report (property owners list), dated September 28, 2023.
5. 200 foot list (City of Orange), dated September 11, 2023.
6. W-9 form.
7. Sustainability Checklist Form.
8. Planner's Report, dated October 13, 2023.
9. Survey of Property, prepared by Morgan Engineering & Surveying, dated December 8, 2021.

10. Architectural Plans (1 sheet), prepared by Frank D. Mileto, A.I.A., dated May 9, 2023.
11. Minor Subdivision Plan, prepared by Morgan Engineering & Surveying, dated August 28, 2023.

Pursuant to N.J.S.A. 40:55D-48.1, the owners of a 10% or greater interest in the Applicant are Carmine Allonardo (50%) and Kimberley Allonardo (50%). Their business address is 5 Oak Lawn Drive, East Hanover, New Jersey.

I have enclosed the application fee of \$1,800.00 for minor subdivision with 10 “c” variances (\$200 base + \$100 per each unit (2 new lots) + \$150 per variance). I have also enclosed \$3,0000 representing the escrow fees for the minor subdivision.

The Applicant is submitting an electronic copy of this application and is therefore requesting a waiver of the digitizing fee. Please advise if any additional fees are required.

The property is located in the Township’s RM Residential zone. The Applicant proposes to subdivide the property into two residential lots which will both contain two dwelling units (one two dwelling unit fronting on Tompkins Street already exists). The proposal on the rear portion of the site, with frontage on Stockman Street, is to demolish the existing detached garage and add a two family structure above parking. The Applicant also proposes to add two “turf paver” parking spaces to serve the existing two family dwelling fronting on Tompkins Street.

The Applicant requests minor subdivision approval along with the following “c” variances:

1. Minimum lot area (Attachment 25-3) (7,500 square feet is required for two-family residences; 4,080 square feet is existing and 2,584 square feet and 1,514 square feet are proposed).
2. Minimum lot area per dwelling unit (Attachment 25-3) (3,750 square feet is required for two-family residences; 1,292 square feet and 757 square feet are proposed).
3. Minimum front yard setback (Attachment 25-3) (30 feet required; 1.10 feet existing for garage that will be demolished and the same is proposed for the new dwelling structure).
4. Minimum side yard setback (one/both) (Attachment 25-3) (8 feet one side/10 feet one side is required; 0.7 feet and 3 feet is proposed).
5. Minimum rear yard setback (Attachment 25-3) (30 feet is required; 10.7 feet from existing dwelling; and 6 feet from the garage is proposed).
6. Maximum building coverage (Attachment 25-3) (40% permitted; 45.7 existing; 45.2% proposed for the existing dwelling; and 69.6 is proposed for the garage).
7. Maximum lot coverage (Attachment 25-3) (50% permitted; 50.4% existing; 63.4% proposed for the existing dwelling; and 78.7% proposed for the garage).
8. Section 25-8.3 Front yards on through lots. A front yard is required for both frontages on a through lot. The proposed garage does not meet the front yard setback. (30 feet is required; 5 feet is proposed for the new garage/two unit structure with frontage on Stockman Street);

9. Section 25-12.4(a)(2) Access driveway location. An access drive to an off-street parking area may be located within a required side yard, but shall not be located within five feet of a side lot line. The proposed at-grade parking area off of Tompkins Street, is less than five feet from the northerly property line.
10. Section 25-12.4(b)(2) Parking in front yard. Not more than 30% of the area of a minimum required front yard, rear or side yard shall be used as a parking area. The proposed at-grade parking area for the existing dwelling unit fronting on Tompkins occupies more than 30% of the required side yard setback area along Tompkins Street frontage.

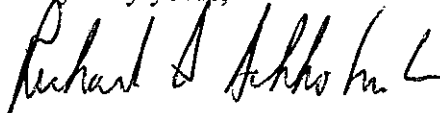
The following pre-existing conditions are onsite:

1. Minimum lot area(Attachment 25-3) (7,500 square feet required for a two-family dwelling; 4,098 square feet exists);
2. Minimum lot width (Attachment 25-3) (75 feet minimum lot width required; 30 feet existing);
3. Minimum front yard setback (Attachment 25-3) (30 feet required; 20.5 feet existing on the lot occupied by the existing dwelling);
4. Minimum side yard setback (one/both) (Attachment 25-3) (8 feet one side/10 feet one side required; 4 feet and 4.6 feet existing on the lot occupied by the existing dwelling);

We would ask that this matter be reviewed by the Site Plan Review Advisory Board at its next available meeting.

Thank you for consideration of this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard S. Schkolnick", with a stylized flourish at the end.

Richard S. Schkolnick

RSS/lp

Enclosures

Tompkins Realty LLC/34 Tompkins Street

cc: Dr. Carmine Allonardo (via email only)

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

A. APPLICANT INFORMATION

Full Legal Name: Tompkins Realty LLC
(Last) (First)
Mailing Address: 5 Oak Lawn Drive, East Hanover, NJ 07936
(Street) (City) (State) (Zip)
Telephone Number: (973) 232-5061 (attorney) Email: rick@schkolnicklaw.com

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

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

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

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

B. PROPERTY OWNER INFORMATION

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

Owner's Name: _____
Address: _____
Telephone Number: (____) _____ Email: _____

C. PROPERTY INFORMATION

Street Address: 34 Tompkins Street
Block Number(s): 7; Lot Number(s): 12.02;
Tax Plate: 21; Zone of Property: RM
The location of the property is approximately 312 feet from the intersection of Tompkins Street
_____ and Freeman Street (closest intersection.)

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

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

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

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

D. TYPE OF APPLICATION

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

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

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

Section: _____; Proposed: _____; Description: _____

Section: _____; Proposed: _____; Description: _____

Section: _____; Proposed: _____; Description: _____

** See Attached Proposal/Project Narrative for list of variances

E. DESCRIPTION OF PROPERTY

Existing Use of the Property A two family dwelling and detached garage

Briefly describe the major elements of your proposal: (a more detailed description is required in Section G.)

Proposal is to subdivide the existing lot into two properties. The two-family dwelling will remain on the "front" lot and the proposal is to demolish the existing garage and construct a two family dwelling unit above two garage parking spaces on the rear lot, off of Stockman Street .

4080

0.09 acres

The property is _____ (square feet); _____ (acres)

Building Coverage: Present: 43%/ _____ sf; Proposed: 46%/ _____ sf

Impervious Surface Coverage: Present: _____ %/ _____ sf; Proposed: _____ %/ _____ sf

Is the property located:

Within 200 feet of another municipality? ☒ Yes ☐ No

Adjacent to an existing or proposed county road? ☐ Yes ☒ No

Adjacent to other county land? ☐ Yes ☒ No

Adjacent to a state highway? ☐ Yes ☒ No

F. EXPERTS

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

APPLICANT'S ATTORNEY: Richard Schkolnick, Esq.

Telephone Number: (973) 232-5061 Email: rick@schkolnicklaw.com

Address: Law Offices of Richard Schkolnick, 75 Main Street, Suite 201, Millburn, NJ 07041

APPLICANT'S ENGINEER: Morgan Engineering and Surveying

Telephone Number: (732) 270-9590 Email: mathew@morganengineeringllc.com

Address: P.O. Box 5232, Toms River, NJ 08754

APPLICANT'S ARCHITECT: Frank Mileto, A.I.A

Telephone Number: (908) 876-9400 Email: fmileto@comcast.net

Address: 14 Beaver Creek Drive, Long Valley, NJ 07853

APPLICANT'S PLANNER: To Be Determined

Telephone Number: () _____ Email: _____

Address: _____

OTHER EXPERT(S): _____

Telephone Number: () _____ Email: _____

Address: _____

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

G. REQUIREMENTS FOR VARIANCES

- 4A) Please attach a written statement labeled “**PROPOSAL**”, describe the major elements of your proposal, and describe in detail the physical and use changes proposed. See attached proposal / narrative statement
- 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). See attached proposal/ narrative statement
- 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
Architectural Plan (2 sheets)	Frank D. Mileto, AIA	May 9, 2023
Minor Subdivision Plan	David J. Von Steenburg	August 28, 2023
Survey of Property	Morgan Engineering & Surveying	December 8, 2021

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.

3. 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: _____ Date: 10/7/23

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: _____ Date: 10/7/23

OWNER'S AUTHORIZATION -- MUST BE SIGNED

I hereby certify that I reside at 5 Oak Lawn Drive, East Hanover
in the County of Morris 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) 7;
Lot(s) 12.02 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: _____ Date: 10/7/23

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.

TOWNSHIP OF WEST ORANGE

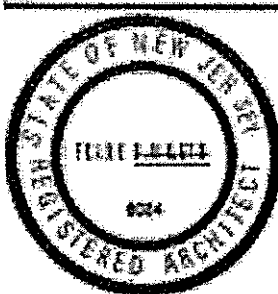
Carmin & Kimberly
Allonardo

Site Plan/Subdivision Checklist

APPLICANT:

ALL DOCUMENTS MUST BE PREPARED, SIGNED AND SEALED BY NEW JERSEY LICENSED PROFESSIONAL.		Pre-Application - Concept Plan	Minor Application		Major Application				COMPLETE	INCOMPLETE	WAIVER REQUESTED	
Item Number	Description		Subdivision	Site Plan	General Development 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	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 plan.	X	X	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	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'. Comment: Describes setting; may be less detailed in pre-application-concept plan and GDP stages.	X	X	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. Comment: Schedule may be less detailed in pre-application-concept plan stages.	X	X	X	X	X	X	X	X	X		
6. Item:	North arrow and scale.	X	X	X	X	X	X	X	X	X		
7. Item:	Proof that taxes are current.		X	X	X	X	X	X	X	X		
8. Item:	Signature blocks for Chairman, Secretary and Municipal Engineer.		X	X	X	X	X	X	X	X		
9. Item:	Appropriate certification blocks as required by Map Filing Law.		X			X	X					
10. Item:	Monumentation as specified by Map Filing Law. Comment: Monumentation required only for final subdivision.		X				X					
11. Item:	Date of current property survey. Comment: Required by Map Filing Law for final subdivision and site plan; necessary for vesting on GDP.									X		
			X	X	X	X	X	X	X			

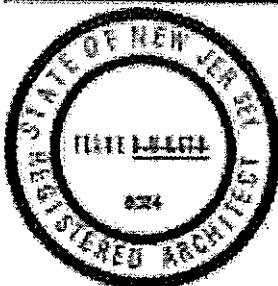
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Frank D. Milito

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

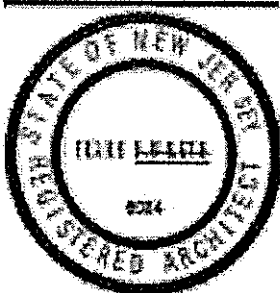
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Item Number	Description		Minor Application		General Development Plan	Subdivision		Site Plan				
			Subdivision	Site Plan		Preliminary	Final	Preliminary	Final			
23.	<u>Item:</u> List of required regulatory approvals or permits. <u>Comment:</u> Basic planning information. e		X	X	X		X		X	X		
24.	<u>Item:</u> List of variances required or requested. e <u>Comment:</u> Basic planning information.		X	X		X	X	X	X	X		
25.	<u>Item:</u> Requested or obtained design waivers or exceptions. e <u>Comment:</u> 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	X	X			X
26.	<u>Item:</u> Payment of application fees. <u>Comment:</u> Fee not imposed for pre-application conference.	X	X	X	X	X	X	X	X	X		
27.	<u>Item:</u> Property owners and lines of all parcels within 200' identified on most recent tax map sheet. <u>Comment:</u> 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	X	X	X	X	X		
28.	<u>Item:</u> All existing street, water courses, flood plains, wetlands or other environmentally sensitive areas on and within 200' of site. <u>Comment:</u> 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	X			N/A
29.	<u>Item:</u> Existing right-of-way and/or easements on and within 200' of tract. <u>Comment:</u> Rights-of-way and easements are often unknown at the pre-application-concept (see however, item 28).	X		X	X	X	X	X	X			N/A
30.	<u>Item:</u> Topographical features of subject property from U.S.G.S. map. <u>Comment:</u> More detailed topographic information is needed for major subdivision.	X		X	X					X		

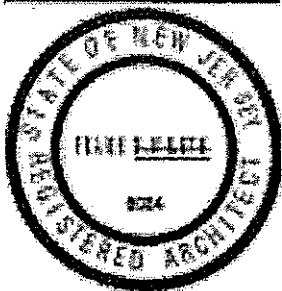
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Item Number	Description		Minor Application		General Development Plan	Subdivision		Site Plan				
			Subdivision	Site Plan		Preliminary	Final	Preliminary				Final
31.	Item: Existing and proposed contour intervals based on U.G.S. & G.S. datum. Contours to extend at least 200' beyond subject property as follows: up to 3% grade - 1' 3% + grade - 2' Comment: Major site plan and subdivision requires level of detail of Item 31 as opposed to Item 30.					X	X	X	X			
32.	Item: Boundary, limits, nature and extent of wooded areas, specimen trees, and other significant physical features (detail may vary). Comment: Basic for good planning.	X	X	X	X	X	X	X	X			N/A
33.	Item: Existing system of drainage of subject site and of any larger tract or basin of which it is a part. Comment: See Item 31. Extensive level of detail required only for major subdivision and site plan.					X	X	X	X			
34.	Item: Drainage Area Map. Comment: Necessary for major application; inapplicable at GDP stage.					X	X	X	X			
35.	Item: Drainage Calculations. 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		X	X	X	X			N/A
36.	Item: Proposed utility infrastructure plans, including sanitary sewer, water, storm water management, telephone, electric & cable TV. 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		X	X	X	X			N/A
37.	Item: Proposed utility infrastructure plans, including sanitary sewer, water, storm water management, telephone, electric and cable TV. Comment: Information necessary for minor site plan because of potential effect on utility systems. Only general location for telephone, electric and cable TV required.			X	X	X	X	X	X			N/A

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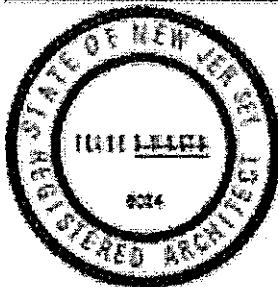


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			Minor Application		General Development Plan	Subdivision		Site Plan				
			Subdivision	Site Plan		Preliminary	Final	Preliminary				Final
Item Number	Description											
38. <u>Item:</u> Soil Erosion and Sediment Control Plan. <u>Comment:</u> Required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

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

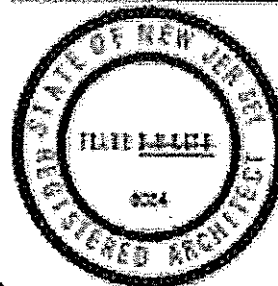
e Proposed restrictions or covenants do not have to be included for pre-application-concept plan and GDP.
e Conditional approval may be granted subject to other regulatory approvals.

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

REVISED: 8/30/05 aw

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2015



Frank D. Minto



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: 9/5/23

BLOCK: 7

LOT: 12.02 QUAL: _____

NAME: Alfonso, Carmine + Kimberly

ADDRESS: 34 Tompkins Street

TAXES PAID UNTIL: 3rd QTR of 2023

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

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	7	12.02		34 TOMPKINS STREET	ALLONARDO, CARMINE & KIMBERLY	5 OAK LAWN DRIVE	EAST HANOVER, NJ	07936

§

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

Adjoining Properties (28)

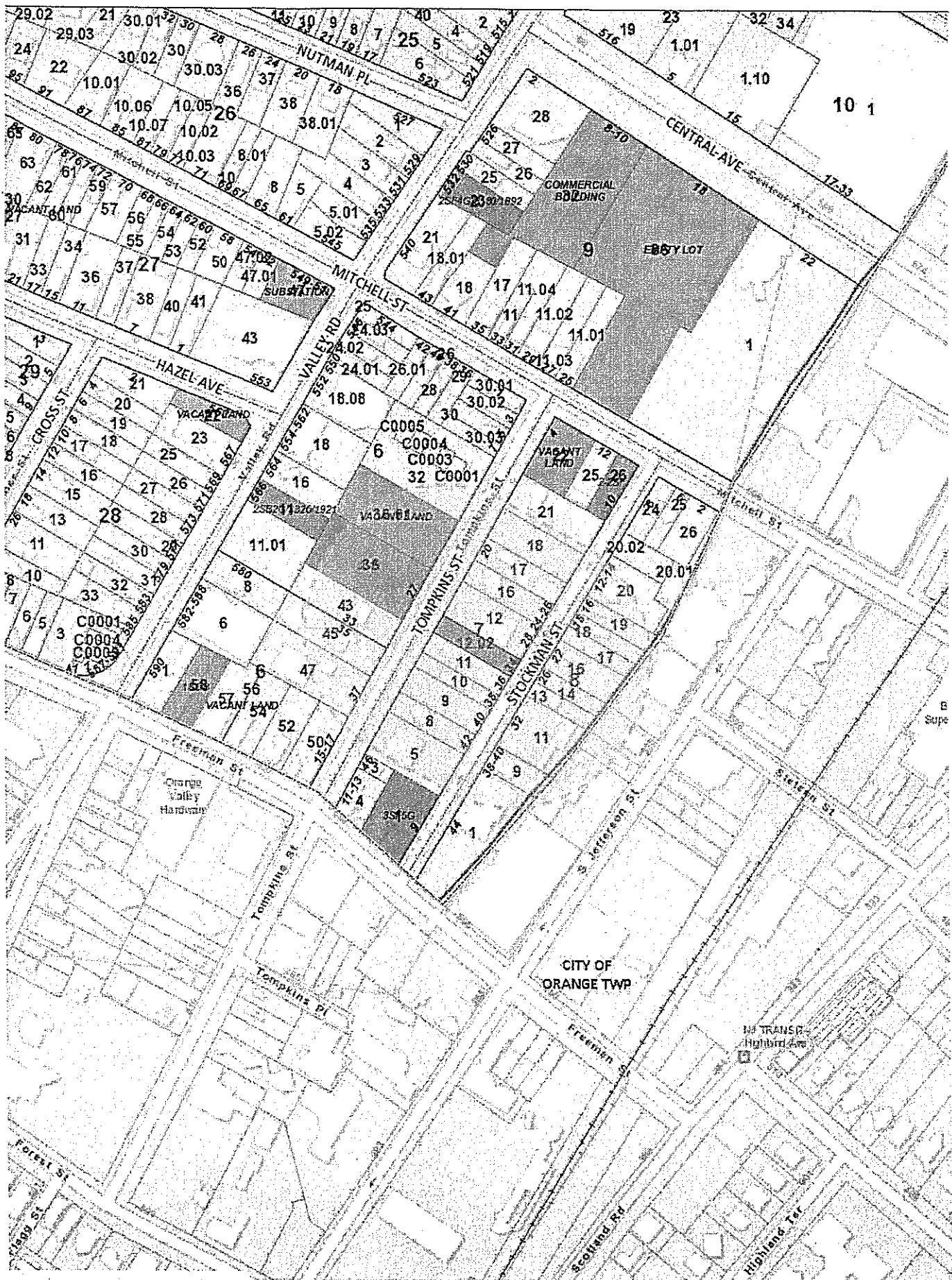
Town	Block	Lot	Qualifier	Location	Owner	Owner Address	Owner City/State	Owner Zip
West Orange Township	6	32		TOMPKINS STREET	TOMPKINS STREET DEVELOPMENT	TOMPKINS STREET	WEST ORANGE, NJ	07052
West Orange Township	6	36		27 TOMPKINS STREET	TSILIKOS, GEORGE	P.O. BOX 1043	DENVILLE, NEW JERSEY	07834
West Orange Township	6	36.01		TOMPKINS STREET	TOMPKINS STREET APARTMENTS URBAN	1 PARKER PLAZA	FORT LEE NJ	07024
West Orange Township	6	43		33 TOMPKINS STREET	TRUST. OF ORANGE VALLEY SOCIAL SETT	33 TOMPKINS ST.	WEST ORANGE, N.J.	07052
West Orange Township	6	45		35 TOMPKINS STREET	ORANGE VALLEY SOCIAL SETTLEMENT	35 TOMPKINS ST.	WEST ORANGE, N.J.	07052
West Orange Township	6	47		37 TOMPKINS STREET	ORANGE VALLEY SOCIAL SETT. LIBRARY	TOMPKINS ST.	WEST ORANGE, N.J.	07052
West Orange Township	6	50		15-17 FREEMAN STREET	RECCHIA, NICHOLAS SR	18 CARRELL ROAD	RANDOLPH, NJ	07869
West Orange Township	7	5		44 TOMPKINS STREET	LEMBO, GIUSEPPE	107 ARVERNE ROAD	WEST ORANGE NJ	07052
West Orange Township	7	8		42 TOMPKINS STREET	US BANK TRUST % HUDSON HOMES	3701 REGENT BLVD, #200	IRVING, TEXAS	75063
West Orange Township	7	9		40 TOMPKINS STREET	GUARDADO, ROBERT C & EMERITA	40 TOMPKINS ST	WEST ORANGE, NJ	07052
West Orange Township	7	10		38 TOMPKINS STREET	ORENGO, ANDREW & JESSICA	38 TOMPKINS ST	WEST ORANGE, NJ	07052
West Orange Township	7	11		36 TOMPKINS STREET	CEUS, DIEUMENE	36 TOMPKINS ST	WEST ORANGE, NJ	07052
West Orange Township	7	12		28 TOMPKINS STREET	LOMBARDO, SALVATORE & CONNIE	350 NORTHFIELD AVENUE	WEST ORANGE NJ	07052
West Orange Township	7	12.02		34 TOMPKINS STREET	ALLONARDO, CARMINE & KIMBERLY	5 OAK LAWN DRIVE	EAST HANOVER, NJ	07936

Town	Block	Lot	Qualifier	Location	Owner	Owner Address	Owner City/State	Owner Zip
West Orange Township	7	16		24-26 TOMPKINS STREET	24-26 TOMPKINS, LLC	24-26 TOMPKINS STREET	WEST ORANGE, NJ	07052
West Orange Township	7	17		20 TOMPKINS STREET	RAUDA, ROBERTO GUARDADO & RUBIA	20 TOMPKINS ST	WEST ORANGE, NJ	07052
West Orange Township	7	18		TOMPKINS STREET	ORELLANA, EMERITA M. GUARDADO ET AL	20 TOMPKINS ST	WEST ORANGE, NJ	07052
West Orange Township	7	21		10 TOMPKINS STREET	ORELLANA, EMERITA M GUARDADO ET AL.	10 TOMPKINS ST	WEST ORANGE, NJ	07052
West Orange Township	8	1		44 STOCKMAN STREET	STOCKMAN STR., L.L.C.%D.CICCAGLIONE	25 WALDEN PLACE	WEST CALDWELL, NJ	07006
West Orange Township	8	9		38-40 STOCKMAN STREET	38-40 STOCKMAN ST LLC	47 KNOLLWOOD DRIVE	LIVINGSTON, NJ	07039
West Orange Township	8	11		32 STOCKMAN STREET	NICK ALBANESE & SONS LANDSCAPING LL	116 LOCKTOWN-FLEMINGTN RD	FLEMINGTON, NJ	08822
West Orange Township	8	13		28 STOCKMAN STREET	CICCHINO HORATIO J.	28 STOCKMAN STREET	WEST ORANGE, N.J.	07052
West Orange Township	8	14		26 STOCKMAN STREET	VARELA, RICARDO	4828 LOOP CENTRAL DR.	HOUSTON, TEXAS	77081
West Orange Township	8	16		22 STOCKMAN STREET	MELENDEZ, MARCOS R. & ANA MARIA R.	22 STOCKMAN STREET	WEST ORANGE, NJ	07052
West Orange Township	8	17		20 STOCKMAN STREET	DE OCA, JOSE MONTES	35 QUINBY PLACE	WEST ORANGE, NJ	07052
West Orange Township	8	18		18 STOCKMAN STREET	MONTES DE OCA, JOSE & MARIA	35 QUINBY PLACE	WEST ORANGE N J	07052
West Orange Township	8	19		16 STOCKMAN STREET	GUBERNA, GERARDO J	16 STOCKMAN STREET	WEST ORANGE, NJ	07052
West Orange Township	8	20		12-14 STOCKMAN STREET	POON, KWAN & HO, JANE	8 DOMINICK COURT	CEDAR GROVE, NJ	07009

Adjacent Towns (5)

Town	Block	Lot	Qualifier	Location	Owner	Owner Address	Owner City/State	Owner Zip
City of Orange Township	4001	1		363-67 SOUTH JEFFERSON ST	VERNEL REALTY L.P.	363 SO. JEFFERSON STREET	ORANGE, NJ	07050
City of Orange Township	4001	2		357 SOUTH JEFFERSON ST	HOUSING & NEIGHBORHOOD DEV SERV	15 SOUTH ESSEX AVE	ORANGE, NJ	07050
City of Orange Township	4001	3		347 SOUTH JEFFERSON ST	CARUBBA, GAETANO	347 SO. JEFFERSON ST.	ORANGE, N.J.	07050
City of Orange Township	4001	4		345 SOUTH JEFFERSON ST	ARDON, JOSE ET AL.	132 CHESTNUT ST	WEST ORANGE, NJ	07052
City of Orange Township	4001	5		SOUTH JEFFERSON STREET	THE PEARL CO., LLC	546 MITCHELL STREET	ORANGE, N.J.	07050

Buffer Report - Map



Block Lot Qual	Property Location		Property Class	Owner Address		Zip Code
	Additional Lot	Additional Lot		City, State	City, State	
4001 1	363-67 SOUTH JEFFERSON ST		4B	VERNEL REALTY L.P. 363 SO. JEFFERSON STREET ORANGE, NJ		07050
4001 2	357 SOUTH JEFFERSON ST		4B	HOUSING & NEIGHBORHOOD DEV SERV 15 SOUTH ESSEX AVE ORANGE, NJ		07050
4001 3	347 SOUTH JEFFERSON ST		1	CARUBBA, GAETANO 347 SO. JEFFERSON ST. ORANGE, N.J.		07050
4001 4	345 SOUTH JEFFERSON ST		2	ARDON, JOSE ET AL. 132 CHESTNUT ST WEST ORANGE, NJ		07052
4001 5	SOUTH JEFFERSON STREET		4A	THE PEARL CO., LLC 546 MITCHELL STREET ORANGE, N.J.		07050

Block Lot Qual	Property Location Additional Lot Additional Lot	Property Class	Owner Address City, State	Zip Code
4001 1	363-67 SOUTH JEFFERSON ST	4B	VERNEL REALTY L.P. 363 SO. JEFFERSON STREET ORANGE, NJ	07050
4001 2	357 SOUTH JEFFERSON ST	4B	HOUSING & NEIGHBORHOOD DEV SERV 15 SOUTH ESSEX AVE ORANGE, NJ	07050
4001 3	347 SOUTH JEFFERSON ST	1	CARUBBA, GAETANO 347 SO. JEFFERSON ST. ORANGE, N.J.	07050
4001 4	345 SOUTH JEFFERSON ST	2	ARDON, JOSE ET AL. 132 CHESTNUT ST WEST ORANGE, NJ	07052
4001 5	SOUTH JEFFERSON STREET	4A	THE PEARL CO., LLC 546 MITCHELL STREET ORANGE, N.J.	07050

SUSTAINABILITY CHECKLIST FORM

	APPLICANT – PRINT OR TYPE – ALL SECTIONS TO BE COMPLETED:	TOWNSHIP OK (Date)
SUSTAINABLE BUILDING AND DESIGN STANDARDS		
Name of LEED Accredited Professional working on project:	N/A	
List of Energy Star and WaterSense appliances, fixtures and construction techniques:	85% High Efficiency Water Heater, Energy Star Kitchen Appliances	
List of green and recycled building materials in new construction, renovation, and maintenance:	N/A	
Waste Management Plan for recycling and/or reuse of 60 percent of all construction and demolition of waste generated in projects larger than \$25,000:	Construction costs < \$25,000	
Use of any water efficient landscaping:	No new Landscaping	
Use of any on-site renewable energy systems such as: (i) Solar (ii) Wind (iii) Geothermal	N/A	
Details of roofing materials designed to reduce the urban heat island effect such as: (i) Construction of roof top gardens to reduce solar gain in summer and insulate in winter (ii) Use of roofing materials that are no darker than a light gray or demonstrate how alternate roofing materials reduce the urban heat island effect	N/A Existing no change	
Details of any sustainable stormwater systems employed such as: (i) Bioswales/ raingardens (ii) Permeable surfaces (iii) Grey water systems (iv) Retention and detention facilities (v) Continuous trenching	Drain Barrel / Leader System	
A list of native and well adapted species used in landscaping to eliminate the need for fertilization and pesticides:	N/A Existing no change	

Note: Please indicate for each of the sustainable building/design items listed, the extent to which the measure is being incorporated in the project or, alternatively, indicate the reason(s) why it is not being incorporated in the project.

As of April 2, 2015



Frank P. Miko

PLANNER'S REPORT
PROPOSAL/PROJECT NARRATIVE
RELIEF SOUGHT/JUSTIFICATION FOR VARIANCES
APPLICATION OF TOMPKINS REALTY LLC
34 TOMPKINS STREET
BLOCK 7, LOT 12.02
October 13 , 2023

INTRODUCTION AND PROPERTY DESCRIPTION

Applicant, Tompkins Realty LLC ("Tompkins"), has applied for minor subdivision approval with associated "c" variances in order to subdivide the existing 4,098 square foot property into two residential lots located at 34 Tompkins Street in the R-M zone. The property is a through lot and is presently developed with a two family dwelling on Tompkins Street and a detached (and dilapidated) one story garage with access to Stockman Street.

PROPOSED DEVELOPMENT

The proposal involves the demolition of the detached garage. The first floor of the proposed two-family dwelling (fronting on Stockman Street) will be occupied by four vehicles in a tandem layout. The second and third floors will consist of two, side by side two-bedroom units with the living areas on the second floor and the bedrooms on the third floor.

In addition, a two-car at-grade parking area is proposed in the front of the existing two-family dwelling with access from Tompkins Street.

The proposed subdivision will create a 2,584 square foot lot facing Tompkins Street and occupied by the existing two family dwelling, as well as a 1,514 square foot lot facing Stockman Street which will contain the newly constructed duplex with garage at ground level. The proposed two-family dwellings are permitted uses in the RM zone, and the MLUL exempts two family dwellings from site plan approval. Thus, the Applicant seeks subdivision approval along with associated variances.

NEIGHBORHOOD DESCRIPTION

The surrounding area on Tompkins Street is developed with a mix of detached residential dwellings and commercial properties. The adjacent site to the north is developed with an ironworks business with detached residences farther north. To the south are detached residences and several commercial properties. A mix of residences, non-profit, and commercial uses is located in close proximity to the subject site along Stockman Street. The subject site is located in a walkable neighborhood which has easy access to the commercial areas on Freeman Street and Valley Street and Valley Road. Additionally, the site is 0.20 miles (a five minute walk) from both the NJ Transit Highland Avenue Train Station in the City of Orange as well as the bus stop at Scotland Road and Freeman Avenue.

REQUESTED VARIANCES

The proposed project requests variances from the following requirements of the Township Zoning Ordinance (Attachment 25-2 and Attachment 25-3):

1. Minimum lot area (Attachment 25-3)(7,500 square feet is required for two-family residences; 4,080 square feet is existing and 2,584 square feet and 1,514 square feet are proposed).
2. Minimum lot area per dwelling unit (Attachment 25-3 (3,750 square feet is required for two-family residences; 1,292 square feet and 757 square feet are proposed).
3. Minimum front yard setback (Attachment 25-3) (30 feet required; 1.10 feet existing for garage that will be demolished and the same is proposed for the new dwelling structure fronting on Stockman Street).
4. Minimum side yard setback (one/both) (Attachment 25-3) (8 feet one side/10 feet one side is required: 0.7 feet and 3 feet is proposed).
5. Minimum rear yard setback (Attachment 25-3) (30 feet is required; 10.7 feet from existing dwelling; and 6 feet from the garage is proposed).
6. Maximum building coverage (Attachment 25-3) (40% permitted; 45.7% existing; 45.2% proposed for the existing dwelling; and 69.6% is proposed for the lot with the newly proposed structure fronting on Stockman Street).
7. Maximum lot coverage (Attachment 25-3) (50% permitted; 50.4% existing; 63.4% proposed for the existing dwelling lot and 78.7% proposed for the lot with the newly proposed structure).
8. Section 25-8.3 Front yards on through lots. A front yard is required for both frontages on a through lot. The proposed new structure does not meet the front yard setback. (30 feet is required; 5 feet is proposed for the duplex unit with frontage on Stockman Street);
9. Section 25-12.4(a)(2) Access driveway location. An access drive to an off-street parking area may be located within a required side yard, but shall not be located within five feet of a side lot line. The proposed at-grade parking area off of Tompkins Street is less than five feet from the northerly property line.
10. Section 25-12.4(b)(2) Parking in front yard. Not more than 30% of the area of a minimum required front yard, rear or side yard shall be used as a parking area. The proposed at-grade parking area for the existing dwelling unit fronting on Tompkins occupies more than 30% of the required side yard setback area along Tompkins Street frontage.

The following pre-existing conditions are onsite:

1. Minimum lot area (Attachment 25-3) (7,500 square feet required for a two-family dwelling; 4,098 square feet exists).
2. Minimum lot width (Attachment 25-3) (75 feet minimum lot width required; 30 feet existing; no change proposed).
3. Minimum front yard setback (Attachment 25-3) (30 feet required; 20.5 feet existing on the lot occupied by the existing dwelling fronting on Tompkins Street).
4. Minimum side yard setback (one/both) (Attachment 25-3) (8 feet one side/10 feet one side required: 4 feet and 4.6 feet existing on the lot occupied by the existing dwelling);

POSITIVE CRITERIA

The RM zone permits the following uses: single-family, two-family and multi-family dwellings; government buildings, water reservoir and tower; golf courses; farm, nursery and greenhouses; and hospitals. The minor subdivision creates two properties which will each contain a permitted two-family dwelling.

The Board has the power to grant “c(2)” or so-called “benefits v. detriments” variances pursuant to N.J.S.A. 40:55D-70c(2), where the purposes of the MLUL would be advanced by a deviation from the zoning ordinance requirements and the benefits would substantially outweigh any detriment. The variances associated with the proposal can be granted under the “c(2)” rationale as the improvements are a benefit to the immediate neighborhood in terms of aesthetics and the proposed on-site parking.

The majority of the “c” variances relate to the lot with the existing but dilapidated garage structure being nonconforming as to front yard along Stockman Street, side yard (both), rear yard and building coverage. The lot area, lot area per dwelling unit and the minimum floor area are new variances that are required for the proposed two-family use.

The undersized lot (lot area per dwelling unit) can accommodate the proposed development since the proposal meets the RSIS standards for parking. The minimum lot area variance (810 square feet proposed; 1,000 square feet required) can be justified as the proposed units are sufficiently sized apartment and will permit moderate rents as opposed to a larger apartment sizes.

The site is walkable to commercial areas along Freeman Street and Valley Road/Valley Street, as well as mass transit. The Highland Avenue train station in the City of Orange is only 0.20 miles from the subject site (a five minute walk). Additionally, a bus stop is located 0.20 miles from the site at Freeman Street and Scotland Road in the City of Orange.

The proposal affirms the following goals of the master plan: “promote development in locations near transit and services”; and “encourage appropriate residential development”. Additionally, the West Orange Master Plan, as well as the MLUL both encourage a “desirable visual environment” as one of the purposes of planning.

NEGATIVE CRITERIA

The granting of the variances will not result in a substantial detriment to the public good or impairment to the intent and purpose of the zone plan and zoning ordinance. The proposal is located in a walkable area proximate to mass transit and nearby services/commercial areas which advance several goals of the West Orange Master Plan. The proposed project is not anticipated to generate more traffic and can accommodate the required parking spaces for the two additional units. The visual impact of the proposed improvement compared to the existing garage is an improvement to the neighborhood along Stockman Street

PARKING

The RSIS (Residential Site Improvement Standards) requires 1.5 parking spaces for each two bedroom unit, therefore a total of three parking spaces are required for the proposed residences above the garage. The proposal includes four parking spaces within a garage and complies with the RSIS requirement.

SUMMARY

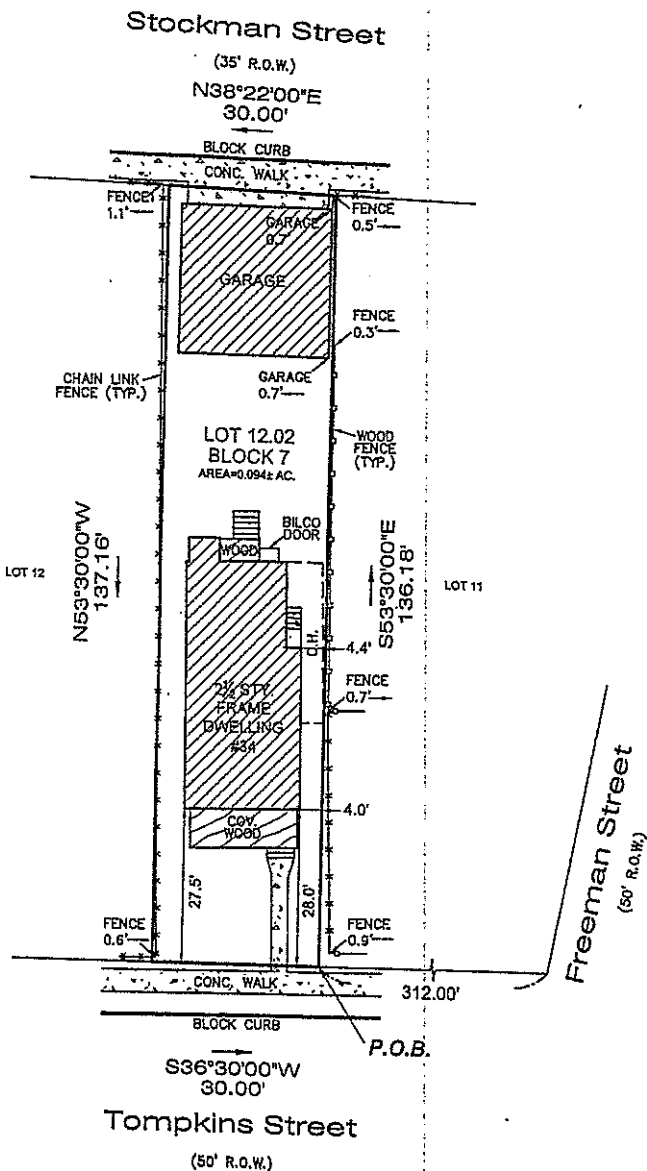
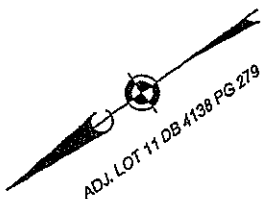
The proposal is an improvement to the overall aesthetics of the property; meets the parking standards of the RSIS for the additional units; and is located in a walkable area which is convenient to both commercial areas and mass transit. None of the variances will have a substantial detriment to the public good or substantially impair the master plan. The information contained in this report will be supplemented with expert testimony at the Planning Board.

It is certified that all copies of this document are in conformance with the one that was signed and sealed by Lisa Phillips, P.P., AICP, License No. 5167.

Prepared by:


Lisa Phillips, P.P., AICP

Dated: October 13, 2023



PREPARED FOR: CARMINE ALLONARDO AND KIMBERLY ALLONARDO
TITLE INSURER: ASSOCIATED TITLE AGENCY, LLC (A-13861)
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
MORTGAGE HOLDER: PROVIDENT FUNDING ASSOCIATES, L.P.,
its successors and/or assigns, as their interest may appear.
BUYER'S ATTORNEY: GERALD P. SCALA, Esquire

IMPORTANT NOTES, PLEASE REVIEW:

- I DECLARE THAT, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THIS MAP OR PLAN MADE ON 12/8/21 BY ME OR UNDER MY DIRECT SUPERVISION IS IN ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED BY THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- THIS SURVEY DOES NOT PURPORT TO IDENTIFY BELOW GROUND ENCROACHMENTS, UTILITIES, SERVICES, LINES OR STRUCTURES, WETLANDS, OR RIPEAN RIGHTS. NO ATTEMPT WAS MADE TO DETERMINE IF ANY PORTION OF THE PROPERTY IS CLAIMED BY THE STATE OF NEW JERSEY AS TO BE AN ENVIRONMENTALLY SENSITIVE AREA, IF ANY ARE NOT LOCATED BY THIS SURVEY.
- OFFSET DIMENSIONS FROM STRUCTURES TO PROPERTY LINES SHOWN HEREON ARE NOT TO BE USED TO REESTABLISH PROPERTY LINES.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN HEREON WAS OBTAINED FROM A TITLE REPORT PROVIDED BY THE TITLE INSURER REFERENCED HEREON.
- BUILDING SETBACK LINES SHOWN HEREON ARE FROM RECORDED DEEDS AND FILED MAPS AND MAY NOT REFLECT CURRENT ZONING REQUIREMENTS.
- PROPERTY CORNERS HAVE NOT BEEN SET AS PER CONTRACTUAL AGREEMENT, (N.J.A.C. 17:40-6.1(f)).

DB 4920 PG 207



P.O. BOX 5232
TOMB RIVER, N.J. 08784
TEL: 732-270-8890
FAX: 732-270-8891

www.morganengineeringllc.com

David J. Von Steenburg
DAVID J. VON STEENBURG
PROFESSIONAL LAND SURVEYOR
N.J. LIC. No. 34500

SURVEY OF PROPERTY

LOT 12.02 BLOCK 7
TOWNSHIP OF WEST ORANGE
COUNTY OF ESSEX NEW JERSEY

Scale: 1"=20'	Drawn By: RICH	Date: 12/8/21	JOB #: 21-14388	CAD File #: 21-14388	Sheet #: 1 OF 1
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