



# TOWNSHIP OF WEST ORANGE

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

## Department of Planning and Development

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**TO:** Planning Board Members

**FROM:** Paul Grygiel, AICP, PP, Township Planner

**DATE:** March 13, 2024

**RE:** **PB 23-12/L&B Realty Group LLC**  
Block: 62; Lot: 1; Zone: I  
106 Ashland Avenue/5 White Street  
Application for Major Site Plan Approval with Variances

### INTRODUCTION

The applicant is proposing to renovate and replace existing industrial buildings and undertake related site improvements on a developed property in the Industrial zone. Certain “c” or bulk variances are required to permit the proposal.

### LAND USE

The subject property is located in the east central section of West Orange near its border with the City of Orange. It is an L-shaped through lot with frontages on Ashland Avenue and White Street. The area surrounding the subject property is developed with a mix of land uses, which include one-, two- and multi-family residential, commercial and industrial.



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## **SUBMISSIONS**

### **ITEM**

### **SIGNED BY**

### **DATE/REVISION**

Site Plan (6 sheets, includes survey) Anthony Marrucci, PE  
Architectural plans (3 sheets) Marc R. Parette, AIA

2/23/24  
11/6/23

## **VARIANCES REQUIRED**

| <b>SECTION/REQUIREMENT</b>                   | <b>PERMITTED<br/>/REQUIRED</b> | <b>EXISTING</b> | <b>PROPOSED</b>          |
|----------------------------------------------|--------------------------------|-----------------|--------------------------|
| 25-7.1 Minimum side yard                     | 6 ft. <sup>1</sup>             | 1.3 ft.         | 1.3 ft. for new building |
| 25-7.1 Maximum lot coverage                  | 75%                            | 100%            | <100% <sup>2</sup>       |
| 25-12.2b.1 Minimum off-street parking spaces | 26                             | ± 15            | 25                       |

## **PROPOSED DEVELOPMENT**

The subject property is currently developed with three industrial buildings ranging in height from one to three stories. Photographs of existing site conditions are attached.

The existing one- to three-story building on the southern leg of the property is proposed to remain, with changes limited to interior improvements and provision of a rollup door on the White Street frontage. On the northern portion of the property, an existing 2 ½-story building in the northeast corner of the lot is proposed to remain. A one-story building along the northern lot line is proposed to be partially rebuilt and expanded. Three rollup doors are proposed on the southern façade of this building. A reinforced concrete sidewalk is proposed along the western and southern facades of this building. An existing sign on the building is proposed to remain.

The specific proposed uses of the buildings have not been provided on the plans, although parking calculations have been provided for warehouse and wholesale business uses.

An existing unstriped asphalt parking area on the northern portion of the site is proposed to be striped to provide 17 parking spaces, including one accessible space and two electric vehicle

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<sup>1</sup> None required, but 6 ft. required if a side yard is provided.

<sup>2</sup> See discussion on following page.



charging parking spaces. The driveway access along Ashland Avenue is proposed to be relocated slightly to the south.

There is a concrete box culvert in a storm sewer right of way that runs through the property. New stormwater management structures are proposed to be installed beneath the parking lot to the south of the existing box culvert. The subject property is located in a flood zone with a 0.2% annual chance flood, per FEMA Flood Insurance Rate Maps. The applicant indicated mechanical equipment will be elevated and other measures taken in light of this designation.

## **DISCUSSION/RECOMMENDATIONS**

### **Variance Proofs**

The subject property is located in the I Industrial zone, which permits a range of industrial, commercial and other nonresidential uses. The existing and proposed uses are permitted in the I zone. However, there are some existing nonconforming conditions with regard the I zone bulk standards and other zoning regulations, which are proposed to be maintained or improved. For side yard setback, the existing distance to the northern property line is proposed to be maintained, although a new building is being constructed with the same setback as the existing one. The site plan indicates that lot coverage of 100 percent will not be improved. However there is some limited landscaping proposed, along with a 2.5-foot wide strip along the southern property line on the Ashland Avenue portion of the property, meaning the lot coverage would be reduced at least a small amount. However, “c” or bulk variances are still required.

An applicant for a “c” variance must comply with the requirements of the Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-70c. A “c” variance applicant must demonstrate that there is either undue hardship or practical difficulty associated with the strict application of the requirements of the Zoning Ordinance in connection with this specific piece of property; or that one or more purposes of zoning would be advanced by the deviation and the benefits of granting the variance for this specific piece of property would substantially outweigh any detriment. In addition, a variance applicant must address the “negative criteria,” and affirmatively demonstrate that the variance can be granted “without substantial detriment to the public good” and “without substantial impairment to the intent and purpose of the zone plan and zoning ordinance” of the municipality.

### **Other Issues**

The application was reviewed at the January 9, 2024 meeting of the Township of West Orange Site Plan Review Advisory Board (SPRAB). Nearly all of the issues raised at that meeting have



been addressed by the applicant in the revised submittal currently being reviewed by the Planning Board. The changes from the original plans include:

- Providing a pedestrian warning device at the White Street garage door
- Providing electric vehicle charging spaces
- Adding vehicle turning templates of the largest vehicle that would access the site to the site plans
- Indicating on the site plan that the entire parking lot and driveway areas will be repaved
- Providing plantings along the Ashland Avenue frontage

One potentially outstanding issue pertains to signage. The applicant should indicate whether any additional signage will be provided.





*Views along Ashland Avenue frontage*



*Looking into site from 106 Ashland Avenue driveway*



*Views along White Street frontage*