

April 3, 2024

VIA EMAIL & MESSENGER DELIVERY

Township of West Orange Zoning Board of Adjustment
Attn: Diana Chandler-Zimmerman, Board Secretary
66 Main Street
West Orange, New Jersey 07052

Re: Police Athletic League of West Orange Inc. (“Applicant”)
Application for D Variance, Conditional Use, Minor Site Plan & Soil Removal
Approval in R-1 Zone
28 Prospect Place (Block 114, Lot 31)

Dear Ms. Chandler-Zimmerman:

This office represents Police Athletic League of West Orange Inc., the owner of property located at 28 Prospect Place and designated on the tax maps of the Township of West Orange as Block 114, Lot 31 (the “Property”). The Property is located within the R-1 Zone.

Applicant seeks C & D Variances, Conditional Use, Minor Site Plan & Soil Removal Approval from the Township of West Orange Zoning Board of Adjustment (the “Board”) for the proposed modifications to the existing athletic field at the Property.

In support of this Application, the following are enclosed for your review:

- One (1) Original and Five (5) copies of the Township of West Orange Land Development Application package, with applicable Checklists and Soil Removal application form, to which the following Exhibits are attached:
 - o **Exhibit A:** Project Description; Justification of Reasons for Variance Relief & Justification for Waivers from Submission Checklist Requirements;
 - o **Exhibit B:** Verification of Taxes & Sewer Charges Paid, dated March 6, 2024;
 - o **Exhibit C:** List of Properties within 200 Feet with Radius Map, dated March 6, 2024;
 - o **Exhibit D:** Affidavit of Ownership and Consent;
 - o **Exhibit E:** Corporate Ownership Disclosure;
 - o **Exhibit F:** Prior Planning Board Resolution of Approval for Minor Subdivision, adopted May 5, 2010; and
 - o **Exhibit G:** Certificate of Approval from Hudson-Essex-Passaic Soil Conservation District, dated March 14, 2024;
- Six (6) signed and sealed full sized sets of Existing Conditions Survey, prepared by RWC Surveying, dated August 29, 2023, last revised March 15, 2024;

GIBBONS P.C.

Township of West Orange Zoning Board of Adjustment
Attn: Diana Chandler-Zimmerman, Board Secretary
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- Six (6) signed and sealed full sized sets of Civil Plans, prepared by Gianforcaro Engineering, dated January 29, 2024, last revised March 19, 2024;
- Executed Form W9;
- One (1) Check payable to the Township of West Orange in the amount of \$2,500.00 (escrow deposit);
- One (1) Check payable to the Township of West Orange in the amount of \$1,000.00 (application fees); and
- One (1) Check payable to the Township of West Orange in the amount of \$125.00 (Soil Removal fees).

Also, pursuant to your instructions one (1) digital copy of this submission has been emailed to the Zoning Board of Adjustment at ZoningBoard@westorange.org. If you or the Board should require anything further in order to deem this application complete, please let me know. Thank you for your assistance in the review and consideration of this application. We look forward to sharing it with the Board in short order.

Very truly yours,

/s/ Cameron W. MacLeod

Cameron W. MacLeod
Director

Enclosures

Cc (via email):
Police Athletic League of West Orange
Geniece Gary Adams
Paul Grygiel, AICP, PP
John J. Hess, PE
Gianforcaro Engineering
Anthony Marucci, PP
Kenneth D. McPherson III, Esq.

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

A. APPLICANT INFORMATION

Full Legal Name: Police Athletic League of West Orange Inc.

Mailing Address: (Last) 28 Prospect Place, West Orange, New Jersey (First) 07052

Telephone Number: (973) 809-4032 (Street) (City) (State) (Zip)
Email: ldepas67@gmail.com

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

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

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: 28 Prospect Place

Block Number(s): 114 ; Lot Number(s): 31

Tax Plate: Tax Map- Sheet 53 ; Zone of Property: R-1

The location of the property is approximately 285 feet from the intersection of
Prospect Place and Glennon Place (closest intersection.)

Has there been any previous Zoning Board of Adjustment or Planning Board hearings involving this property?

☒ Yes, Date(s): 5/10/2010: Minor Subdivision to convey a portion of Lots 32 & 33 to the WOPAL (Lot 34), ☐ No

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

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) ☒ ^{Minor} 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: 25-24.2(b)(1)(c)(2); Proposed: See Attached Project Description/Statement of Reasons for Relief; Description: _____
Section: _____; Proposed: _____; Description: _____
Section: _____; Proposed: _____; Description: _____
Section: _____; Proposed: _____; Description: _____

E. DESCRIPTION OF PROPERTY

Existing Use of the Property Athletic Field (Private Club)

Briefly describe the major elements of your proposal: (a more detailed description is required in Section G.)
See Attached Project Description/Statement of Reasons for Relief

The property is 119, 131 (square feet); 2.735 (acres)

Impervious Surface Coverage: Present: See Attached Site Plan; Proposed: See Attached Site Plan

Building Coverage: Present: See Attached Site Plan; Proposed: See Attached Site Plan

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: Gibbons P.C.- Cameron W. MacLeod, Esq.; Kenneth D. McPherson III, Esq.

609-858-2445
Telephone Number: (973) 596-4415 Email: cmacleod@gibbonslaw.com
kmcperson@gibbonslaw.com

Address: One Gateway Center, Newark, NJ 07102

APPLICANT'S ENGINEER: Anthony Gianforcaro, PE

Telephone Number: (908) 879-6001 Email: anthony@gianforcaroalp.com

Address: 111 Howard Boulevard, Suite 203, Mount Arlington, NJ 07856

APPLICANT'S ARCHITECT: Anthony Gianforcaro, AIA

Telephone Number: (908) 879-6001 Email: anthony@gianforcaroalp.com

Address: 111 Howard Boulevard, Suite 203, Mount Arlington, NJ 07856

APPLICANT'S PLANNER: Anthony Marucci, P.P.

Telephone Number: (973) 887-3066 Email: anthony@marucciengineering.com

Address: 116 Whippany Road, Whippany, NJ 07981

OTHER EXPERT(S): John J. Hanlon, PLS

Telephone Number: (888-) 676-4435 Email: john@rwcsurveying.com

Address: PO Box 3652, Toms River, NJ 08756

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

G. REQUIREMENTS FOR VARIANCES

See Attached Project Description/Statement of Reasons for Relief

- 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
Site Plan (8 Sheets)	Anthony Gianforcaro, PE	1-29-24/3-19/24
Survey (2 Sheets)	John J. Hanlon, PLS	8-29-23/3/15/24

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.

POLICE ATHLETIC LEAGUE OF WEST ORANGE INC.

Applicant's Signature: Louis DePasquale Date: 3-11-2024
Title: Treasurer

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.

POLICE ATHLETIC LEAGUE OF WEST ORANGE INC.

Applicant's Signature: Louis DePasquale Date: 3-11-2024
Title: Treasurer

OWNER'S AUTHORIZATION – MUST BE SIGNED (SEE ATTACHED OWNER'S AFFIDAVIT & CONSENT)

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

(SEE ATTACHED OWNER'S AFFIDAVIT & CONSENT)

Owner's Signature: _____ Date: _____

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

TOWNSHIP OF WEST ORANGE

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-PLAT 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 plat.	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'.	X	X	X	X	X	X	X	X	X		
Comment: Describes setting; may be less detailed in pre-application-concept plan and GDP stages.												
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.	X	X	X	X	X	X	X	X	X		
Comment: Schedule may be less detailed in pre-application-concept plan stages.												
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	X		
8. Item:	Signature blocks for Chairman, Secretary and Municipal Engineer.	X	X	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	X	X	N/A	
10. Item:	Monumentation as specified by Map Filing Law	X	X	X	X	X	X	X	X	X	N/A	
Comment: Monumentation required only for final subdivision.												
11. Item:	Date of current property survey.	X	X	X	X	X	X	X	X	X		
Comment: Required by Map Filing Law for final subdivision and site plan; necessary for vesting on GDP.												

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

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

Item Number Description

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.

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.

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.

34. Item: Drainage Area Map.

Comment: Necessary for major application; inapplicable at GDP stage.

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.

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.

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.

Pre-Application -
Concept Plan

Minor Application

Subdivision

Site Plan

Major Application

General
Development
Plan

Subdivision

Final

Preliminary

Final

COMPLETE

INCOMPLETE

WAIVER
REQUESTED

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ALL DOCUMENTS MUST BE PREPARED,
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LICENSED PROFESSIONAL.

Item Number Description		Pre-Application - Concept Plan	Minor Application		General Development Plan	Subdivision		Site Plan		COMPLETE	INCOMPLETE	WAIVER REQUESTED
			Subdivision	Site Plan		Preliminary	Final	Preliminary	Final			
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			N/A
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	X		
41. <u>Item:</u> Road and paving cross-sections and profiles. <u>Comment:</u> See Item 40.						X	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			N/A
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				N/A
44. <u>Item:</u> Lighting plan & details. <u>Comment:</u> Not applicable for minor subdivision because just creating lots.				X		X	X	X	X			W
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			W
46. <u>Item:</u> Solid waste management plan. <u>Comment:</u> Site plan consideration only; see Item 44.				X				X	X			W
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	X	

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	
			Subdivision	Site Plan	General Development Plan	Subdivision		Site Plan						
						Preliminary	Final	Preliminary	Final					
48. <u>Item:</u> Sight triangles. <u>Comment:</u> Necessary even for minor applications because sight triangle easement created.			X			X		X		X		X		
49. <u>Item:</u> 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		
50. <u>Item:</u> 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.														
51. <u>Item:</u> Preliminary architectural plan and elevations. <u>Comment:</u> Not required where building is not proposed.				X				X		X		X		N/A
52. <u>Item:</u> Plans and legal documents for compliance with West Orange COAII Ordinances.			X	X		X		X		X		X		N/A

⊕ 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.

REVISED: 8/30/05 aw

F:\Forms & Awards\PB-ZBAPP.FRM\CHECKLIST\CHECKLIST.FRM

SUSTAINABILITY CHECKLIST FORM

SUSTAINABLE BUILDING AND DESIGN STANDARDS	APPLICANT – PRINT OR TYPE – ALL SECTIONS TO BE COMPLETED:	TOWNSHIP OK (Date)
Name of LEED Accredited Professional working on project:		
List of Energy Star and WaterSense appliances, fixtures and construction techniques:		
List of green and recycled building materials in new construction, renovation, and maintenance:		
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:		
Use of any water efficient landscaping:		
Use of any on-site renewable energy systems such as: (i) Solar (ii) Wind (iii) Geothermal		
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		
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		
A list of native and well adapted species used in landscaping to eliminate the need for fertilization and pesticides:		

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.

The procedure for applying for and issuance of a Soil Removal Permit shall be as follows:

See response below in blue

a.

Form of Application. On forms prescribed and supplied by the Planning Board or the Zoning Board of Adjustment, the applicant shall set forth, in duplicate:

See Attached Application

1.

His or her name and address. West Orange PAL

2.

The description of the lands in question. Athletic Field

3.

The name and address of the owner of the lands. 28 Prospect Pl, West Orange, New Jersey 07052

4.

The purpose or reason for moving the soil and whether it will be done in connection with a proposed subdivision; if so, the date of filing of the application for subdivision. Construct Turf Field

5.

The kind and quantity in cubic yards of soil to be moved. 1,350

6.

In case of removal, the place to which the soil is to be removed, and the kind and quantity of soil to be removed. The soil will be taken to a facility permitted to accept the soil. The soil will be mostly topsoil from within the existing field.

7.

The proposed date of completion of the work. The work will be completed within the spring months of 2024

8.

A certification that he/she has had a licensed land surveyor place or caused to be placed stakes at each corner of the lands from which soil is to be removed, and further that he/she has had a licensed professional engineer place or caused to be placed grade stakes at the existing elevation points designated on the topographical map pursuant to the provisions of paragraph c of this

section, clearly marked to indicate the soil cuts or fill. [The certification will be produced at the time of construction.](#)

9.

Other pertinent data which the Planning Board or the Zoning Board of Adjustment may, by resolution, require. [N/A](#)

b.

Signatures. The application shall bear the signature of the applicant and the endorsement of the owner or owners of the lands signifying approval of the application, consent to the applicant to perform the proposed work, and consent to the Township, in the event of failure of the applicant to do so, to cause the proposed work to be completed or otherwise terminated in keeping with the purposes and objectives of this chapter. [See submitted ZBA application.](#)

c.

Topographical Map. Accompanying the application shall be eight prints of a topographical map of the lot with minimum two-foot contour intervals upon which the proposed soil moving operations are to be conducted and of all surrounding lands within 200 feet of the perimeter of the lot, prepared and certified by a licensed professional civil engineer or land surveyor of the State of New Jersey, on a scale of not less than one inch to 100 feet and referring to United States Coast and Geodetic Survey data, showing both as to the lot and as to all of the surrounding lands. [See Site Plans.](#)

1.

The dimensions of the lot, and the lot and block number of the lot and of each lot in the surrounding lands and the present ownership of each as shown on the tax assessment map of the Township. [See Site Plans.](#)

2.

The existing elevations of all lands on the 100-foot grid layout. [See Site Plans.](#)

3.

The existing elevations of all buildings, structures, streets, streams, bodies of water and watercourses, natural or artificial. [See Site Plans.](#)

4.

All existing surface and subsurface water drainage conditions and provisions therefor. [See Site Plans.](#)

5.

All wooded areas and all trees having a diameter of six inches or more at the base. [See Site Plans](#).

6.

The limits of the area or areas within the lot or lots in question within which the soil moving operations are to be conducted, and the existing elevations of the limits at intervals of not more than 100 feet. [See Site Plans](#)

7.

The proposed final elevation at each point where existing elevations shown on the map are to be changed as a result of completion of the proposed work. [See Site Plans](#)

8.

Proposed slopes showing a minimum of two-foot contour intervals and lateral supports at the limits of the area upon completion of the soil moving operations. [See Site Plans](#)

9.

Proposed provisions and facilities for surface water drainage and where applicable channels of any streams, bodies of water and watercourses, natural or artificial, including detailed cross sections showing proposed channel widths, bank slopes, and method of erosion and control thereof. [See Site Plans](#)

10.

Accurate cross sections showing the locations and quantities, in cubic yards of soil to be moved. [See Site Plans](#)

11.

All proposed elevations in enclosed rectangular boxes, and all existing elevations to be indicated without any kind of enclosure. [See Site Plans](#)

12.

Other pertinent data which the Planning Board or the Zoning Board of Adjustment may, by resolution, require. [N/A](#)

d.

Permit Fee. The application shall be submitted to the Secretary of the Planning Board or the Zoning Board of Adjustment with a permit fee to the order of the Township in an amount computed at the rate of \$0.05 per cubic yard multiplied by the number of cubic yards to be moved, as stated in the application and certified on the topographical map. In no event shall the fee be less than \$125.

In the event of refusal to issue a Soil Removal Permit, as hereinafter provided in this section, the aforesaid fee paid by the applicant shall be refunded, except that all monies and costs incurred by the Township for engineering surveys and reports, inspection fees and legal fees shall be retained by the Township and the balance remaining shall be refunded to the applicant, together with a statement of the costs and expenses incurred by the Township in the processing of the soil application. $\text{Soil to be removed} = 1350 \times 0.05 = \67.5 therefore the fee will be \$125.00

e.

Inspection of Site. The Township Engineer shall make an inspection of the site from which soil is to be moved and shall make such engineering studies as may be required to determine the effect of the removal of soil from the location as it relates to:

1.

Soil erosion by water and wind.

2.

Surface and subsurface water drainage.

3.

Soil fertility.

4.

Lateral support of abutting streets and lands.

5.

Public health and safety.

6.

Sidewalks, curbs, roads, storm sewers, etc.

7.

Such other factors as may bear upon or relate to the coordinated, adjusted and harmonious physical development of the Township.

The Township Engineer shall also inspect the site to determine whether stakes have been placed on each corner thereof and whether grade stakes have been placed at the existing elevation points designated on the topographical map pursuant to the provisions of paragraph a of this section.

f.

Hearing. The Planning Board or the Zoning Board of Adjustment shall, within a reasonable time after receipt of the application, fix a date for a hearing for the

purpose of considering the application and shall give to the applicant, by registered mail, notice of the time and place of the hearing. The applicant shall, at least 10 days prior to the date appointed for the hearing, serve written notice either in person or by registered mail upon such persons as are shown on the Township tax records to be the owner so the lots within 200 feet of the property in question. The applicant shall, at the hearing, present to the Planning Board or the Zoning Board of Adjustment satisfactory proof, in affidavit form of the service of the notices.

g.

Factors to Be Considered in Determining Application. In considering the application, the Planning Board and/or the Zoning Board of Adjustment shall be guided by the general purpose of municipal planning, and shall take into consideration the following factors:

1.

Soil erosion by water and wind.

2.

Surface and subsurface water drainage.

3.

Soil fertility.

4.

Lateral support of abutting streets and lands.

5.

Public health and safety.

6.

Land values and uses.

7.

Effects on sidewalks, curbs, roads, storm sewers, etc.

8.

Other factors which may bear upon or relate to the coordinated, adjusted, and harmonious physical development of the Township.

h.

Decision. The Planning Board or the Zoning Board of Adjustment shall review and consider the application and shall render its report and recommendation to the Secretary of the Planning Board or the Zoning Board of Adjustment, who

shall grant or refuse the permit in accordance with the recommendation. The report and recommendation shall be made within 60 days after the receipt of the application.

i.

Appeal. In the event of refusal by the Planning Board, the applicant may, not later than 30 days after the date of such refusal, appeal to the Township Council. The Township Council may by a majority vote of the members present sustain or by a 2/3 vote of the entire membership overrule the recommendations of the Planning Board.

EXHIBIT A



**Police Athletic League of West Orange Inc.
28 Prospect Place
Block 114, Lot 31**

**Project Description; Justification of Reasons for Variance Relief &
Justification for Waivers from Submission Checklist Requirements**

April 3, 2024

Prepared by Gibbons P.C.

Introduction

This Project Description; Statement of Reasons for Relief & Justification for Waivers from Submission Checklist Requirements is hereby submitted in support of an application filed by Police Athletic League of West Orange Inc. (hereafter “WOPAL” or “Applicant”) to modify an existing athletic field to serve WOPAL’s youth sports program for the West Orange community. The modification of the WOPAL athletic field is part of WOPAL’s continued commitment to provide the highest quality recreational athletic opportunities for children via accommodating multiple age groups.

The application seeks minor site plan and soil permit removal approval with “c” and “d” variance relief. This submission is intended to address § 25-51.10.c. of the Township of West Orange land use application requirements.

The project will be funded pursuant to a State of New Jersey Department of Community Affairs state budget Grant-In-Aid appropriation of \$500,000.00. Grants-In-Aid state budget appropriations represent funding of grants made to individuals and various public and private agencies for services that are considered to be the overall responsibility of the State, but that are provided for by third parties¹. See P.L.2022, Chapter 49 (June 30, 2022).

Project Description

The site is located at 28 Prospect Place and is designated as Block 114 Lot 31 on the Township of West Orange tax maps (the “Property”). It comprises approximately 2.7 acres and is developed with an existing athletic field, a two story office building, 16 parking spaces and related improvements, all of which serve the non-profit WOPAL mission. WOPAL is a dedicated member of the West Orange community and supporter for youth sports for more than fifty (50) years. The site is used to serve the WOPAL’s youth baseball and softball programs.

The proposed project is limited to modifications to the existing athletic field in order to replace the existing grass field with synthetic field turf. The modifications include expanding the athletic field footprint by, at a maximum point, approximately 34 feet along the left field base line. The project includes limited site modifications related to the new field turf installation, including relocation of

¹ <https://www.nj.gov/treasury/omb/organizedbudget.shtml>

outfield fencing, utility adjustments, pavement improvements, and the movement of approximately 1, 350 cubic yard of soil. No new lighting or improvements to the existing building are proposed.

Zoning Considerations

The site is in the R-1 District where private clubs are permitted conditional uses. The zone also permits commercial recreation, parks, and playgrounds as conditional uses. Golf courses are permitted as a principal use.

The existing development is a preexisting nonconforming private club conditional use. The Township Code at § 25-4 defines a private club as a nonprofit or public building and related facilities owned or operated by a corporation, association or group of individuals established for the fraternal, social, educational, recreational or cultural enrichment of its members, which is not conducted as a business, and whose members pay dues and meet certain prescribed qualifications for membership. WOPAL meets the Township Code's private club use definition by virtue of its status as a 501(c)(3) non-profit corporation established for the recreational enrichment of the youth community West Orange. Families whose children participate in WOPAL athletic leagues pay registration fees to cover the operating costs of the WOPAL.

By virtue of its existence and use at the site for decades, as well as the Township's prior issuance of permitting for the site, the existing development is a lawfully existing preexisting nonconforming use. To the extent that the Board requires it as part of this application, WOPAL seeks certification of same pursuant to N.J.S.A. 40:55D-68.

The existing development does not fully conform to the conditional use requirements at §25-24.2(c)(3) pertaining to buffers along residential property lines, however none of the existing nonconforming conditions related to buffers are being increased or intensifying. Very simply, this application seeks to replace the field turf and add some incidental improvements. However, due to this existing condition, and the new minor improvements, the application will require relief pursuant to N.J.S.A. 40:55D-70.d.(3) for a conditionally permitted use that deviates from one of the conditional use standards.

Standards for Relief

The Board has the power to grant "d(3)" conditional use variances pursuant to N.J.S.A. 40:55D-70d(3) "in particular cases and for special reasons." This is the so-called "positive criteria" of a "d(3)" variance. While the statutory language is identical regarding "d(3)" and "d(1)" variances, different standards apply to each. As pertains to the positive criteria of a "d(3)" variance, the applicant must prove and the Board must find "that the site proposed for the conditional use, in the context of the applicant's proposed site plan, continues to be appropriate for the conditional use notwithstanding the deviations from one or more conditions imposed by the ordinance." Coventry Square v. Westwood Board of Adjustment, 138 N.J. 285, 298 (1994).

Under this standard, the "focus" of both the applicant and the Board must be on the "specific deviation from the conditions imposed by the ordinance." Id. This standard does not require a finding that the site is particularly suitable for the use, as is the case with a "d(1)" use variance. Id.

at 297. In addition, the so called negative criteria must also be satisfied. Pursuant to the last unlettered paragraph of N.J.S.A. 40:55D-70: “No variance or other relief may be granted ... without a showing that such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance.”

WOPAL’s use at the Property deviates from §25-24.2(c)(3) ordinance standard for the private club conditional use pertaining to buffers along residential property lines. Specifically, §25-24.2(c)(3) provides that: “[t]here shall be a twenty-five-foot wide buffer adjacent to all residential property lines, within the required setback, which shall consist of natural vegetation and, if required by the Planning Board or Board of Adjustment, new vegetation to supplement the existing vegetation.”

Justifications for Relief

Neither of the existing nonconforming residential property line buffer conditions are being increased or intensifying under this application. As evidenced by its compliance with the remaining standards for the conditional use, the Property continues to be appropriate for the conditional use in the residential zone, notwithstanding the deviations.

The requested relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance. The site is in the R-1 District where private clubs are permitted conditional uses. The zone also permits commercial recreation, parks, and playgrounds as conditional uses. Golf courses are permitted as a principal use. Here, we submit that WOPAL’s long-standing use of the Property is *prima facie* evidence of the lack of negative impact.

Pursuant to N.J.S.A. 40:55D-2, the project furthers the following specific purposes of the Municipal Land Use Law (MLUL):

- a. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;
- c. To provide adequate light, air and open space;
- f. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;
- g. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens; and
- i. To promote a desirable visual environment through creative development techniques and good civic design and arrangement

Conclusion

The proposed modification to the existing athletic field at the Property will be a positive addition to the WOPAL site and advance its mission to provide safe and fun recreational opportunities for the children of West Orange . The proposal does not trigger any relief related to parking, coverage, or building height. For all the reasons set forth above, the Property continues to be appropriate for the conditional use in the residential zone, notwithstanding the deviations. It will have minimal, if any, negative effects.

Justification for Waivers from Submission Checklist Requirements

Submission Waivers: As part of its application for development, the Applicant seeks waivers from the following required Minor Site Plan Checklist items:

- Item 44-46: Applicant does not propose any changes to existing lighting or landscaping, and is not proposing any modifications requiring a new solid waste management plan for the Property.

Applicant seeks any and all variances, design waivers or other approvals as may be determined to be required during the Board's review of this application. Additional justification in support of the required relief will be provided by Applicant's Professional Planner via separate submission and via testimony at the public hearing.

EXHIBIT B



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: 3/6/24

BLOCK: 114

LOT: 31 QUAL: _____

NAME: Police Athletic League IN

ADDRESS: 28 Prospect Place

TAXES PAID UNTIL: Tax Exempt

2023 SEWER PAID IN FULL: ☒ YES ☐ NO

2024 SEWER NOT YET BILLED



AN EQUAL OPPORTUNITY EMPLOYER

www.westorange.org

EXHIBIT C

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) (2)

Town	Block	Lot	Qualifier	Location	Owner	Owner Address	Owner City/State	Owner Zip
West Orange Township	114	31		28 PROSPECT PLACE	POLICE ATHLETIC LEAGUE INC	P.O. BOX 71 T.C.B.	WEST ORANGE,NEW JERSEY	07052
West Orange Township	114	31.01		28 PROSPECT PLACE	POLICE ATHLETIC LEAGUE INC	P.O. BOX 71 T.C.B.	WEST ORANGE,NEW JERSEY	07052

§

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

Adjoining Properties (61)

Town	Block	Lot	Qualifier	Location	Owner	Owner Address	Owner City/State	Owner Zip
West Orange Township	114	9		1 GLENNON PLACE	HARTE, CALVIN D.	1 GLENNON PL	WEST ORANGE, NJ	07052
West Orange Township	114	10		3 GLENNON PLACE	PAUCAR, LUIS S V & VIJAY, INES Z	3 GLENNON PL	WEST ORANGE, NJ	07052
West Orange Township	114	11		5 GLENNON PLACE	DE LA CRUZ, MERSY SISA	5 GLENNON PLACE	WEST ORANGE, NJ	07052
West Orange Township	114	12		7 GLENNON PLACE	KHALFANI, SOPHIA	7 GLENNON PL	WEST ORANGE, NJ	07052
West Orange Township	114	13		9 GLENNON PLACE	ORDONEZ, ANDREA & VIVANCO,JOSE	9 GLENNON PL	WEST ORANGE, NJ	07052
West Orange Township	114	14		11 GLENNON PLACE	11 GLENNON PLACE LLC,	11 GLENNON PL	WEST ORANGE, NJ	07052
West Orange Township	114	15		13 GLENNON PLACE	DENTE, JOSEPH	13 GLENNON PLACE	WEST ORANGE NJ	07052
West Orange Township	114	16		15 GLENNON PLACE	DENTE, JOSEPH LEO	15 GLENNON PLACE	WEST ORANGE N J	07052
West Orange Township	114	17		2 GLENNON PLACE	KIENZLE, RAYMOND	2 GLENNON PLACE	WEST ORANGE, N.J.	07052
West Orange Township	114	18		4 GLENNON PLACE	NEW ASSETS MANAGEMENT LLC	67 ELMORA AVENUE	ELIZABETH, NJ	07202
West Orange Township	114	19		6 GLENNON PLACE	TORRES, RAYMOND N JR	6 GLENNON PL	WEST ORANGE, NJ	07052
West Orange Township	114	20		8 GLENNON PLACE	PALMER, JANEL A & SMITH, MICHAEL A	8 GLENNON PLACE	WEST ORANGE, NJ	07052

Town	Block	Lot	Qualifier	Location	Owner	Owner Address	Owner City/State	Owner Zip
West Orange Township	114	21		10 GLENNON PLACE	10 GLENNON PLACE LLC,	10 GLENNON PLACE	WEST ORANGE, N.J.	07052
West Orange Township	114	22		12 GLENNON PLACE	ARIKO,NORAH & OPONDO,MAX & AURA, J	12 GLENNON PLACE	WEST ORANGE, N.J.	07052
West Orange Township	114	23		14 GLENNON PLACE	FEARON, ANDRE	14 GLENNON PLACE	WEST ORANGE, NJ	07052
West Orange Township	114	24		16 GLENNON PLACE	DIFFRANCESCANTOINO, D.& L	16 GLENNON PLACE	WEST ORANGE, NJ	07052
West Orange Township	114	25		68 LLEWELLYN AVENUE	JOHNSON, BRIAN	PO BOX 325	BLOOMFIELD, NJ	07003
West Orange Township	114	28.01		57 GLEN AVE.	SOLONDZ,PAUL B.	7 SPRING HILL DRIVE	WEST ORANGE,N.J.	07052
West Orange Township	114	30		49 GLEN AVE.	ALEXIA DELICARI GAFFNEY REVOCABLE	49 GLEN AVE	WEST ORANGE, NJ	07052
West Orange Township	114	31		28 PROSPECT PLACE	POLICE ATHLETIC LEAGUE INC	P.O. BOX 71 T.C.B.	WEST ORANGE,NEW JERSEY	07052
West Orange Township	114	31.01		28 PROSPECT PLACE	POLICE ATHLETIC LEAGUE INC	P.O. BOX 71 T.C.B.	WEST ORANGE,NEW JERSEY	07052
West Orange Township	114	32		45 GLEN AVE.	STIRBERG, VALERIE	45 GLEN AVE	WEST ORANGE, NJ	07052
West Orange Township	114	34		43 GLEN AVE.	PAN, XUEMEI & HUANG, YONGXING	5412 POWHATAN ST	RIVERDALE, MD	20737
West Orange Township	114	35.01		41 GLEN AVE.	WROBLEWSKI, RICHARD	41 GLEN AVENUE	WEST ORANGE, NJ	07052
West Orange Township	114	39		26 PROSPECT PLACE	TOWNSHIP OF WEST ORANGE	66 MAIN STREET	WEST ORANGE, N.J.	07052
West Orange Township	114	40		22 PROSPECT PLACE	ORTEGA, OTILIA	22 PROSPECT PLACE	WEST ORANGE, NJ	07052
West Orange Township	114	42		20 PROSPECT PLACE	AKPAHU, BENEDICTA C	20 PROSPECT PL	WEST ORANGE, NJ	07052
West Orange Township	114	44		16 PROSPECT PLACE	SOTO, ISRAEL & JOYCE	16 PROSPECT PLACE	WEST ORANGE, NJ	07052
West Orange Township	114	47		10 PROSPECT PLACE	LUNA, CARMEN	10 PROSPECT PLACE	WEST ORANGE, N.J.	07052
West Orange Township	114	58		13 ERWIN PLACE	ADAMES, AURIC	13 ERWIN PL	WEST ORANGE, NJ	07052
West Orange Township	114	59		15 ERWIN PLACE	CID-QUEVEDO,JOANNA+QUEVEDO-ORREGO,H	15 ERWIN PLACE	WEST ORANGE, NJ	07052
West Orange Township	114	60		17 ERWIN PLACE	CARIAS, RONALD	17 ERWIN PL	WEST ORANGE, NJ	07052

Town	Block	Lot	Qualifier	Location	Owner	Owner Address	Owner City/State	Owner Zip
West Orange Township	114	61		19 ERWIN PLACE	MAKACHI, CHARLES	19 ERWIN PLACE	WEST ORANGE, N.J.	07052
West Orange Township	114	62		21 ERWIN PLACE	FORRESTER, MICHELLE & BURNEY, WILLI	21 ERWIN PL	WEST ORANGE, NJ	07052
West Orange Township	114	63		23 ERWIN PLACE	LAGUERRE, BARBARA JEAN	23 ERWIN PLACE	WEST ORANGE, NJ	07052
West Orange Township	114	64		25 ERWIN PLACE	PALMIERI, ROSEMARIE (TRUSTEE)	25 ERWIN PL.	WEST ORANGE, NJ	07052
West Orange Township	114	65		27 ERWIN PLACE	MCLAUGHLIN, DONNA & JOHN	190 WOODLAND AVE	VERONA, NJ	07044
West Orange Township	114	66		29 ERWIN PLACE	LUONGO JR, EMANUEL & JAMES	29 ERWIN PL	WEST ORANGE, NJ	07052
West Orange Township	114	67		31 ERWIN PLACE	JOSEPH, NANCY	31 ERWIN PLACE	WEST ORANGE, NJ	07052
West Orange Township	114	68		30 ERWIN PLACE	TUTALO, LEONARD N. & W. JOANN M.	30 ERWIN PLACE	WEST ORANGE, NEW JERSEY	07052
West Orange Township	114	69		28 ERWIN PLACE	RAMOS, MARIA	28 ERWIN PLACE	WEST ORANGE, NJ	07052
West Orange Township	114	70		26 ERWIN PLACE	TIMA, PIERRELYNE & MYTIL, LAURA M	26 ERWIN PL	WEST ORANGE, NJ	07052
West Orange Township	114	71		24 ERWIN PLACE	CLINTON, ADOLPHUS & SAMARIA	24 ERWIN PLACE	WEST ORANGE, NJ	07052
West Orange Township	114	72		20 ERWIN PLACE	DORT, DORVIL	20 ERWIN PLACE	WEST ORANGE, NJ	07052
West Orange Township	114	73		18 ERWIN PLACE	TRUJILLO, MIGUEL A	18 ERWIN PL	WEST ORANGE, NJ	07052
West Orange Township	114	74		16 ERWIN PLACE	WILLIAMS, ALDWIN & JUNE	16 ERWIN PLACE	WEST ORANGE, NEW JERSEY	07052
West Orange Township	114	88.01		SHEPARD TERRACE	TOWNSHIP OF WEST ORANGE	66 MAIN STREET	WEST ORANGE,N.J.	07052
West Orange Township	114	89		19 SHEPARD TERRACE	WALTERS, DAVID & UNNA, YVONNE	19 SHEPARD TERRACE	WEST ORANGE, N.J.	07052
West Orange Township	114	90		23 SHEPARD TERRACE	ENCARNACION, ANNA	23 SHEPARD TERR	WEST ORANGE, N.J.	07052
West Orange Township	114	91		25 SHEPARD TERRACE	D'AURIA, JOSEPH A	25 SHEPARD TERRACE	WEST ORANGE, N.J.	07052
West Orange Township	114	92		29 SHEPARD TERRACE	STEELE, CLIVE L & PATRICIA P	669 CAMERON RD	SOUTH ORANGE, NJ	07079
West Orange Township	114	93		SHEPARD TERRACE-REAR	WEST ORANGE COMMUNITY HOUSE	242 MAIN STREET	WEST ORANGE, N.J.	07052
West Orange Township	114	93.01		SHEPARD TERRRACE REAR	TOWNSHIP OF WEST ORANGE	242 MAIN STREET	WEST ORANGE, N.J.	07052

Town	Block	Lot	Qualifier	Location	Owner	Owner Address	Owner City/State	Owner Zip
West Orange Township	114.01	6		14 LLEWELLYN AVENUE	ANGELES, A & Z & C & M.	14 LLEWELLYN AVENUE	WEST ORANGE, N.J.	07052
West Orange Township	114.01	31		13 PROSPECT PLACE	CHASE, DENISE	13 PROSPECT PLACE	WEST ORANGE, NJ	07052
West Orange Township	114.01	31.01		19-21 PROSPECT PLACE	POMPANO LLC,	19-21 PROSPECT PL	WEST ORANGE, NJ	07052
West Orange Township	114.01	31.02		17 PROSPECT PLACE	ANDERSON, JOHN & JANICE	17 PROSPECT PL.	WEST ORANGE, NJ	07052
West Orange Township	114.01	36		23 PROSPECT PLACE	JONES, ARTENTRY	23 PROSPECT PL.	WEST ORANGE, NJ	07052
West Orange Township	114.01	38		29 PROSPECT PLACE	REIS, AMY E.	29 PROSPECT PLACE	WEST ORANGE, N.J.	07052
West Orange Township	114.01	39		11 SAYERS PLACE	RODRIGUEZ, JOSE ALFREDO&PEREZ, EDIEL	11 SAYERS PLACE	WEST ORANGE, NJ	07052
West Orange Township	114.01	40		9 SAYERS PLACE	LEWIS, GILLIAN & CHARLES	9 SAYERS PLACE	WEST ORANGE, NEW JERSEY	07052

Buffer Report - Map

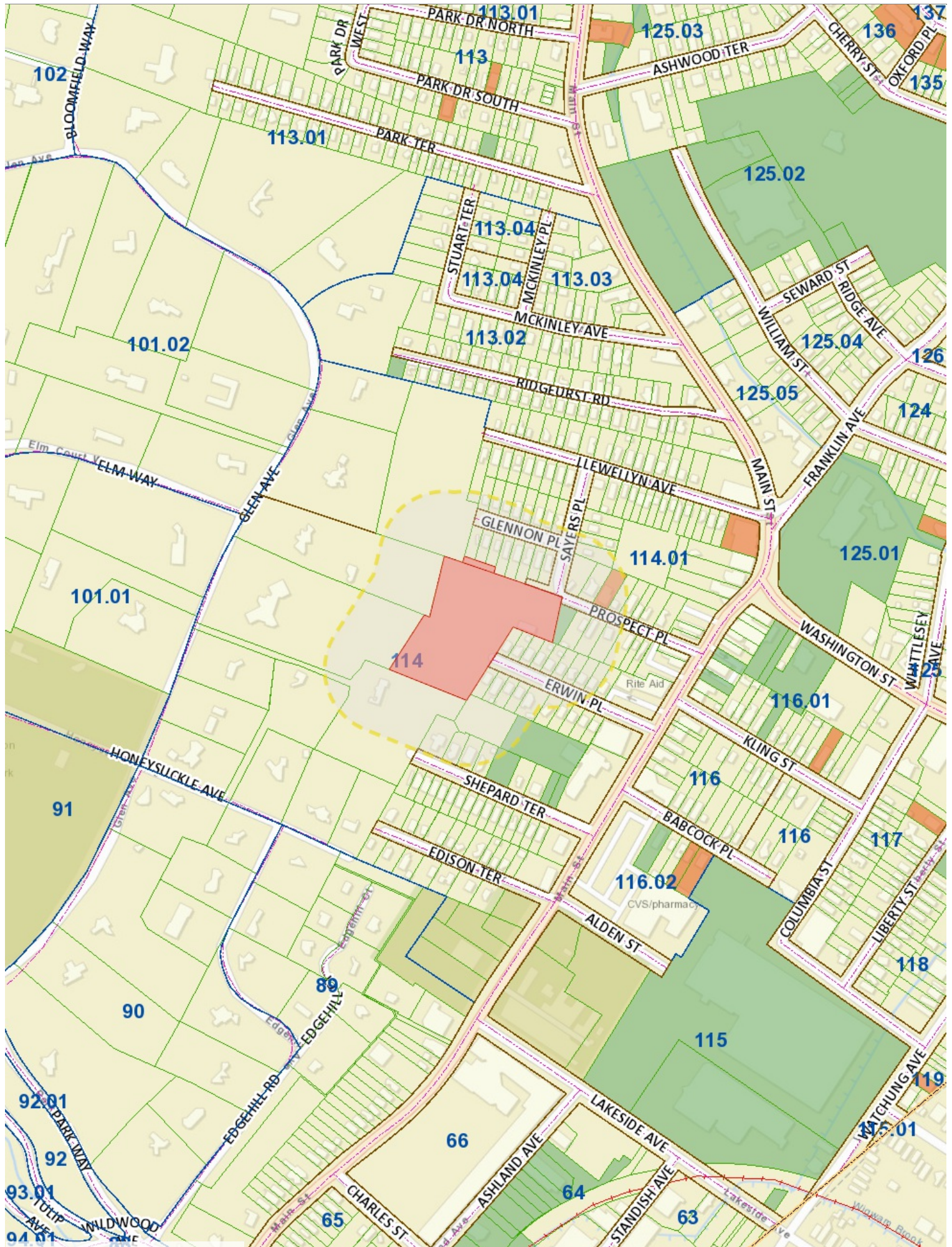


EXHIBIT D

AFFIDAVIT OF OWNERSHIP AND CONSENT

STATE OF NEW JERSEY }

} SS.

COUNTY OF Essex }

I, Louis DePasquale being fully sworn, do hereby depose and say:

1. I am an authorized representative of Police Athletic League of West Orange Inc. ("Applicant" and/or "Owner"), having a business address at 28 Prospect Place, West Orange, New Jersey 07052.
2. Applicant is the owner of certain property known as 28 Prospect Place, West Orange, New Jersey 07052, and otherwise known on the official tax maps of the Township of West Orange as Block 114, Lot 31 (the "Property").
3. Owner hereby grants its attorneys, Gibbons P.C., consent to apply for conditional use approval, preliminary and major site plan approval, waivers, exceptions, and any other related approvals as may be necessary. This consent permits Applicant's attorneys, as well as any consultants and representatives, to seek all necessary governmental approvals, including those from any municipal, regional, County, or State agency which may have jurisdiction over either the proposed development or the Property itself.
4. Owner hereby authorizes representatives of governmental agencies from which any permit or approval is sought as may be required for the development of the Property to enter the Property as necessary to inspect same.
5. Owner hereby affirms that the statements of fact in the application are true.

POLICE ATHLETIC LEAGUE OF
WEST ORANGE INC.

By: Louis DePasquale
Title: Treasurer

Subscribed and sworn before me
This 11 day of MARCH, 2024

Denise M. CORSO

Notary Public of the State of New Jersey
My Commission Expires: 7/14/2024

EXHIBIT E

Corporate Ownership Disclosure for Police Athletic League of West Orange Inc.

*This Disclosure is provided to the Township of West Orange ^{Zoning}, Board in
compliance with the requirements of N.J.S.A. 40:55D-48.1 et seq.*

Police Athletic League of West Orange Inc., (“Applicant”) is a 501c(3) non-profit organization having an address of 28 Prospect Place, West Orange, New Jersey 07052. The following entities or individuals have at least a 10% interest in Applicant:

- No Ownership. Police Athletic League of West Orange Inc. is a 501c(3) non-profit organization.

EXHIBIT F

RESOLUTION OF APPROVAL
PLANNING BOARD OF THE TOWNSHIP OF WEST ORANGE

Decided: April 7, 2010
Memorialized: May 5, 2010

NAT J. STIRBERG and VALERIE STIRBERG
APPROVAL – RESUBDIVISION WITHOUT VARIANCE
45 GLEN AVENUE
BLOCK 114, LOTS 32 & 33
and
28 PROSPECT PLACE
BLOCK 114, LOT 31
ZONE: R-1
CASE NO. PB-10-04

WHEREAS, Nat J. Stirberg and Valerie Stirberg (hereinafter “the Applicant”) are the owners of the property located at 45 Glen Avenue and designated as Block 114, Lots 32 and 33 (hereinafter “the Property”) and situated in the R-1 Single Family Residential District; and

WHEREAS, the Applicant filed an application with the Planning Board of the Township of West Orange (hereinafter “the Planning Board”) to resubdivide the property and change the boundary line with adjoining Lot 31 which is owned by the Police Athletic League (“PAL”); and

WHEREAS, the Applicant submitted Minor Subdivision plans (2 sheets) prepared by Marucci Engineering Associates, LLC dated February 12, 2010; and

WHEREAS, the Planning Board conducted a public hearing on the application on April 7, 2010; and

WHEREAS, the Planning Board considered the submitted plans, the testimony of the Applicant’s witness Anthony Marucci, P.E., the exhibits (A-1 a reduced version of sheet A-4, A-2 a 200 ft. radius map dated Feb. 12, 2010, A-3 a minor subdivision plan dated Feb. 12, 2010 and A-4 a revised minor subdivision plan dated Feb. 12, 2010, and the other evidence presented; and

WHEREAS the Board having considered the evidence the Planning Board made the following findings of fact and conclusions of law:

1. The Property located at 45 Glen Avenue is an oversized lot situated in Llewelyn Park consisting of 221,056 sq. ft. (approximately 5 acres)

2. The Applicant seeks minor subdivision approval to subdivide the property and change the boundary line with adjoining lot 31 which is owned by the Police Athletic League.

3. The subdivision would remove 40,731 sq. ft. from the Property (Lots 32 & 33 owned by the Applicant) and add that amount to Lot 31 (owned by the PAL).

4. The minor subdivision as proposed by the Applicant would make Lot 31, which is currently undersized, into a conforming lot. The minimum lot size in the zone is 80,000 sq. ft. Lot 31 presently has 68,443 sq. ft and after subdivision would have 109,175 sq. ft. After subdivision both Lots 31/32 and Lot 31 would meet all of the requirements of the zoning ordinance and all of the requirements of the subdivision ordinance, including but not limited to required setbacks and required coverages. The Board notes that the location of the proposed boundary line was changed by Applicant prior to the hearing and is now shown as on Exhibit A-4.

5. The minor subdivision as proposed by the Applicant does not require any variances from the zoning ordinance or any exceptions from the subdivision ordinance.

6. The minor subdivision as proposed by the Applicant is a conforming minor subdivision without variances and is entitled to minor subdivision approval.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of West Orange that the within application Nat J. Stirberg and Valerie Stirberg for minor subdivision approval is hereby approved and granted, subject to the following conditions.

1. The Applicant shall comply with all applicable Township, County, State and Federal laws, ordinances, regulations and directives, including without limitation, obtaining all applicable local, state and federal approvals and/or permits.

2. If another governmental entity or agency grants a waiver or variance affecting the plans and/or exhibits submitted by the Applicant, this approval or the conditions attached to it, then the Applicant shall re-apply to this Board respecting the same and this Board shall have the right to view that issue as it relates to this approval and these conditions and modify and amend same, if appropriate.

3. In the event that any other required regulatory approval conflicts with the terms and conditions hereof, or materially alters the same, or the terms and conditions hereof are materially altered by any change in applicable law or regulation other than those municipal regulations for which change is prohibited by the Municipal Land Use Law (MLUL), or in the event Applicant or its successors or assigns construct or attempt to construct any improvement in conflict with or in violation of the terms of this approval, the Board hereby reserves the right to withdraw, amend or supplant the instant approval.

4. All use and development of the property shall be in conformance with the plans approved herein, all representations of the Applicant and its witnesses during the public hearing, all exhibits introduced by the Applicant, and all terms and conditions of this resolution.

5. The Applicant shall pay all outstanding taxes, tax liens, application fees and technical review fees, as well as any inspection fees that may be required hereunder. The Applicant shall pay any additional fees or escrow deposits which may be due and owing within thirty (30) days of notification or this approval shall be deemed withdrawn.

Certified to be a true copy of the Resolution adopted on the 5th day of May, 2010.


Elizabeth Kulinich, Secretary

Voting on the Application

Motion to Approve by: Bagoff

Seconded by: Lester

Members voting in favor of action taken: Bagoff, Jhaveri, Lester, McCartney, and Weston

Members voting against action taken: n/a

Members abstaining: n/a

Voting on the Memorializing Resolution

Motion to Approve by: Weston

Seconded by: McCartney

Members voting in favor: Bagoff, Jhaveri, McCartney, and Weston

Members voting against: n/a

Members abstaining: n/a

EXHIBIT G



HUDSON-ESSEX-PASSAIC SOIL CONSERVATION DISTRICT

80 ORCHARD STREET
BLOOMFIELD, NJ 07003-5104
Telephone: (862) 333-4505
Fax: (862) 333-4507
www.hepsoilnj.org

March 14, 2024

Joseph DePasquale
West Orange PAL
28 Prospect Place
West Orange, NJ 07052

RE: **West Orange PAL Synth Turf Ballfield**
28 Prospect Place, West Orange, NJ
Block: 114 Lot: 31
HEPSCD Ch.251 ID# **224-E-7092**, SESC plan by Anthony Gianforcaro, AIA, PE, dated 3/7/24

Dear Applicant:

The District has completed the review of the soil erosion and sediment control plan for the above referenced project and hereby reports that the plan meets the Standards for Soil Erosion and Sediment Control in New Jersey (N.J.A.C.290-1.1 et seq., promulgated pursuant to the New Jersey Soil Erosion and Sediment Control Act, N.J.S.A.4-24-39 et seq.). Accordingly, the plan is **certified** by the Hudson-Essex-Passaic Soil Conservation District subject to the following conditions:

- 48 hours prior to the commencement of any construction activity, complete & submit the District **Start Notice** form. The form is included in this mailing.
- A copy of the certified plan must be kept on the job site at all times.
- The applicant or contractor must request a final inspection (once landscaping and final soil stabilization is complete) & obtain a Report of Compliance prior to seeking a temporary or permanent Certificate of Occupancy.
- The District must be provided with written notification of any conveyance of this project, subject property, or portions thereof, including individual residential lots if applicable. Said notice must provide the names, addresses, and telephone numbers of subsequent owners.
- The District must be informed of address and or telephone number changes of owners, agents responsible for site construction, and job supervisors.

Please be advised that the Soil Erosion and Sediment Control Act authorizes the issuance of stop construction orders and penalties of up to \$3000 per day for violations of the certified plan or for failure to comply with the aforementioned requirements. Please be further advised that any conveyance of this project or portions thereof will transfer full responsibility for compliance with the certified plan to subsequent owners. Please contact the District if you require assistance implementing the certified soil erosion and sediment control plan. This certification is valid for 3-1/2 years from the date of this letter and is limited to the controls specified in this plan. It is not authorization to engage in proposed land use unless such use has been previously approved by the municipality or other controlling agency.

Yours truly,

Matthew J. Ward
Chairman

Cc: Planner, Municipality, County



APPLICATION FOR SOIL EROSION AND SEDIMENT CONTROL PLAN CERTIFICATION

The enclosed soil erosion and sediment control plan and supporting information are submitted for certification pursuant to the Soil Erosion and Sediment Control Act, Chapter 251, P.L. 1975 as amended (N.J.S.A. 4:24-39 et. seq.) An application for certification of a soil erosion and sediment control plan shall include the items listed on the reverse side of this form.

For District Use Only

224-E-7092
WA/ed: 3/14/24

Name of Project WEST ORANGE PAL Synth Turf Ballfield			Project Location: Municipality WEST ORANGE	
Project Street Address 28 PROSPECT PLACE			Block 114	Lot 31
Project Owner(s) Name WEST ORANGE PAL			Email BLUCCO@AOL.COM	Phone # 973-736-3595
Project Owner(s) Street Address (No P.O. Box Numbers) SAME AS ABOVE			City WEST ORANGE	State NJ
Total Project Area (Acres) 0.74	Total Disturbed Area (Acres) 0.74	Total Soil Restoration Area (Acres) 0.2	No. Dwelling or other Units 0	Fee \$ 925.00
Plans Prepared by* GIANFORCINO ARCH., ENG. & PLANN.			Email of plan preparer: ANTHONY@GIANFORCINO.COM	Phone # 908-879-6001
Street Address 555 EAST MAIN ST.			City CHESTER	State NJ
Agent Responsible During Construction TBD			Email 	
Street Address 				
City 		State 	Zip 	Phone
				Fax #

*(Engineering related items of the Soil Erosion and Sediment Control Plan MUST be prepared by or under the direction of and be sealed by a Professional Engineer or Architect licensed in the State of New Jersey, in accordance with NJAC 13:27-6.1 et. seq.)

The applicant hereby certifies that all soil erosion and sediment control measures are designed in accordance with current Standards for Soil Erosion and Sediment Control in New Jersey and will be installed in accordance with those Standards and the plan as approved by the Soil Conservation District and agrees as follows:

1. To notify the District in writing at least 48 hours in advance of any land disturbance activity. Failure to provide such notification may result in additional inspection fees.
2. To notify the District upon completion of the Project (Note: No certificate of occupancy can be granted until a report of compliance is issued by the District.
3. To maintain a copy of the certified plan on the project site during construction.
4. To allow District agents to go upon project lands for inspection.
5. That any conveyance of this project or portion thereof prior to its completion will transfer full responsibility for compliance with the certified plan to any subsequent owners.
6. To comply with all terms and conditions of this application and certified plan including payment of all fees prescribed by the district fee schedule hereby incorporated by reference.

The applicant hereby acknowledges that structural measures contained in the Soil Erosion and Sediment Control Plan are reviewed for adequacy to reduce offsite soil erosion and sedimentation and not for adequacy of structural design. The applicant shall retain full responsibility for any damages which may result from any construction activity notwithstanding district certification of the subject soil erosion and sediment control plan. It is understood that approval of the plan submitted with this application shall be valid only for the duration of the initial project approval granted by the municipality. All municipal renewals of this project will require submission and approval by the district. In no case shall the approval extend beyond three- and one-half years at which time resubmission and certification will be required. Soil Erosion and Sediment Control Plan certification is limited to the controls specified in the plan. It is not authorization to engage in the proposed land use unless such use has been previously approved by the municipality or other controlling agency. It is further understood that all documents, site plans, design reports etc. submitted to the district shall be made available to the public (upon request) pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

1. Applicant Certification* X Signature Joseph DePasquale Date 1/31/24 X Applicant Name (Print) Joseph DePasquale	3. Plan determined complete: Date 3/12/24 Signature of District Official
2. Receipt of fee, plan and supporting documents is hereby acknowledged: Signature of District Official Date 2/6/24	4. Plan certified, denied or other actions noted above. Special Remarks: Date 3/14/24 Signature of District Official

*If other than project owner, written authorization of owner must be attached.

SSCC251 AP10 4/19

START NOTICE

HUDSON-ESSEX-PASSAIC SOIL CONSERVATION DISTRICT

THIS FORM IS TO BE SUBMITTED TO PROVIDE THE REQUIRED 48 HOUR ADVANCE NOTICE OF THE START OF SOIL DISTURBING ACTIVITIES AND THE IMPLEMENTATION OF THE SOIL EROSION AND SEDIMENT CONTROL PLAN

This project requires / does not require the NJDEP 5G3 (RFA) permit prior to groundbreaking.

PROJECT NAME: West Orange PAL Synthetic Turf Ballfield

HUDSON-ESSEX-PASSAIC SCD 251 ID #: 224-E-7092

PROJECT LOCATION: STREET ADDRESS: 28 Prospect Place

MUNICIPALITY: West Orange

PROJECT OWNER/APPLICANTS NAME: _____

ADDRESS: _____

PHONE #: _____ FAX: _____

E-MAIL: _____ CELL# _____

ON-SITE AGENT RESPONSIBLE DURING CONSTRUCTION or CONTRACTOR

NAME: _____

ADDRESS: _____

PHONE #: _____ FAX _____

EMAIL : _____ CELL# _____

PROJECT START DATE :

(including DEMOLITION, CLEARING, LAND GRADING) This form must be provided to the District at least 48 hours in advance of any soil disturbing activity pertaining to a plan previously certified by this office. Failure to provide this notification is a violation of the New Jersey Soil Erosion and Sediment Control Act, ch.251, P.L 1975, and may result in additional fees.

MAIL THIS NOTICE TO: HUDSON-ESSEX-PASSAIC SCD
80 ORCHARD ST.
BLOOMFIELD NJ 07003

Or send via FAX: (862) 333-4507 or EMAIL: information@hepscd.org