

**Planning Board of the Township of West Orange
West Essex Highlands, Inc. (Block 179, Lot 32)
Application No. PB-24-01**

Written Proposal for Application for Preliminary and Final Major Site Plan Approval

The Applicant, West Essex Highlands, Inc. (“Applicant”), seeks preliminary and final major site plan approval in connection with the development of Block 179, Lot 32 (the “Subject Property”) for the development of a total of 496 multi-family apartments (100 of which will be affordable units) contained in 4 buildings; a clubhouse with swimming pool; and amenities including, but not limited to, walking trails, a fitness center, and pet-friendly amenities. Applicant also proposes onsite improvements for sewer, water, drainage, and lighting.

The Subject Property, which has a total area of approximately 120 acres, is located in the northwest corner of West Orange and is bordered by the West Essex Highlands Condominium and The Grande at Pleasantdale Chateau single-family development to the south, the Mayfair Drive and Rosemont single-family developments to the east, Howell Drive to the north, and the Township of Essex Fells to the West.

Primary access to the Subject Property is provided via Warner Road, via Oval Road, via Eagle Rock Avenue. The proposed site plan also provides access via Kuzik Drive, which connects the Subject Property with Warner Road. Applicant has committed to installing certain off-tract improvements to Eagle Rock Avenue, an Essex County road, including the installation of a traffic signal at the intersection of Eagle Rock Avenue and Oval Road. Emergency access is provided via two single-family lots located on Howell Drive which are owned and/or controlled by the Applicant.

The Subject Property is located in the Township’s IH-1 (Inclusionary Housing) Zoning District, the express purpose of which is “to provide for inclusionary development that contributes to the region’s fair share of affordable housing, in accordance with a court settlement agreement which outlines provisions for same.” (Ordinance § 25-19(a)). The settlement agreement referenced in the Ordinance is the Settlement of Litigation Agreement (the “Settlement Agreement”) dated April 2020 and entered into between the Township, the Applicant, and the West Essex Highlands Condominium Association (the “Association”). The Township adopted the ordinance for the IH-1 Zone pursuant to its obligations under the Settlement Agreement, which was approved pursuant to Court Order in connection with litigation filed by the Township seeking compliance with its constitutional obligation to provide its fair share of affordable housing. The Settlement Agreement was provided to the Board along with the other application materials submitted by Applicant.

Applicant’s proposal fully complies with the IH-1 Zoning Ordinance, and does not seek any variances. The proposal also complies with the Settlement Agreement, including the Design Terms and Conditions contained in Exhibit C (items focused on the betterment of the environment and sustainability), and the Association Terms and Conditions contained in Exhibit D (items designed to benefit the Association).

Pursuant to its obligation to the Association under the Settlement Agreement, Applicant seeks a waiver of any requirement to provide access to the Subject Property via Kuzik Drive.