



WEST ORANGE ENVIRONMENTAL COMMISSION

print

July 29, 2024

West Orange Planning Board
Chairman & Members

RE: PB-24-01 West Essex Highlands, Inc.



Dear Planning Board Members:

The West Orange Environmental Commission met on July 24, 2024 to discuss the above-captioned matter regarding development of the property commonly known as the West Essex Highlands (the "Proposed Development"). Given the grave environmental impact that the Proposed Development will have on the property, on the watershed and wetlands located on the property and in surrounding towns (Essex Fells and Verona), on the steep slopes located on and around the property, and impact on surrounding neighborhoods and homes, we write to express our view that the Planning Board's consideration of the application is premature at this time. We ask that the Planning Board postpone consideration of the Proposed Development until such time that it may benefit from relevant information not currently available to the Planning Board. Specifically, consideration of this matter at this time will deprive the Planning Board of critical information to come as a result of the property owner's pending application with the New Jersey Department of Environmental Protection (the "DEP").

In 2023 the property owner presented the Proposed Development to the DEP for consideration and after hearing the owner's attorneys and representatives and after hearing from residents and other concerned citizens, the DEP was preparing its decision on the owner's application. Just before the deadline for the DEP to issue its opinion, the owner rescinded its application and no DEP decision was published. We understand that this month the owner refiled an amended application with the DEP for its consideration. That application is currently before the DEP and is pending resolution and therefore cannot be considered by the Planning Board in its analysis of the Proposed Development.

We believe that the Planning Board must include consideration of the expert opinions and decisions of the DEP. Without such information, the Planning Board risks issuing an opinion adverse to the DEP; thus wasting time and resources of our municipality. Planning Board consideration of the Proposed Development at this time indicates that the Planning Board may be substituting its opinions for that of the experts at the DEP. The Planning Board should therefore cancel the hearings currently scheduled for July 30 and 31, pending DEP review so that the



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Planning Board and all interested parties may consider DEP's expert opinion on the matter prior to any ruling being made by the Planning Board.

Respectfully submitted,

Michael Brick
Chairman
West Orange Environmental Commission