

July 10, 2024

Via E-mail and Hand Delivery

Jamilet Baquerizo, Planning Board Secretary
Township of West Orange
Town Hall
66 Main Street
West Orange, New Jersey 07052

**Re: Applicant: IMMC Health/CACS
Property: 993 Pleasant Valley Way, West Orange, NJ 07052
Block 172.02, Lot 6
Application for Minor Site Plan Approval**

Dear Ms. Baquerizo:

This firm represents IMMC Health/CACS ("Applicant"), who is owner of the property known as 993 Pleasant Valley Way, West Orange, New Jersey, and identified on the official tax maps of the Township of West Orange as Block 172.02, Lot 6 (the "Property"). The Property is located in the B-2 General Business Zone district.

The Applicant is seeking minor site plan approval from the Township of West Orange Planning Board for a second-story addition to the existing medical office building for use as a residence.

In connection therewith, enclosed please find the following for initial completeness review purposes:

1. One (1) original and four (4) copies of a completed Planning Board Application.
2. Five (5) copies of the Check List of Required Items with waiver request.
3. Check in the amount of \$450.00 representing the application fees associated with this filing.
4. Check in the amount of \$4,000.00 representing the escrow fees associated with this filing.
5. Executed W-9.
6. Five (5) copies of a prior site plan resolution PB22-04 dated August 3, 2022.
7. Five (5) copies of the Property Owner's List issued by the Township of West Orange, dated June 16, 2024.
8. Five (5) copies of the Certification of Taxes Paid.



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9. Five (5) copies of the Architectural Design Plans, prepared by Square Center LLC, dated June 26, 2024.

We look forward to the opportunity to present this application to the Planning Board in the future. Please do not hesitate to contact me should you have any questions or comments. Thank you for your time and consideration to this matter.

Please reach out with any questions or if you require additional information regarding this matter.

Very truly yours,

/s/ Derek W. Orth
DEREK W. ORTH

DWO/kmf
Enclosures

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

A. APPLICANT INFORMATION

Full Legal Name: Elion Krok MD PC dba IMMC Health/CACS

Mailing Address: 993 Pleasant Valley Way, West Orange, New Jersey 07052

Telephone Number: (973) 544-8901 Email: immc993@gmail.com

Is the Applicant an: ☐ Individual, ☐ 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.

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: Elion Krok MD PC dba IMMC Health/CACS

Address: 993 Pleasant Valley Way, West Orange, New Jersey 07052

Telephone Number: (973) 544-8901 Email: immc993@gmail.com

C. PROPERTY INFORMATION

Street Address: 993 Pleasant Valley Way, West Orange, New Jersey 07052

Block Number(s): 172.02; Lot Number(s): 6

Tax Plate: _____; Zone of Property: B-2

The location of the property is approximately _____ feet from the intersection of _____
_____ and _____ (closest intersection.)

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

☒ Yes, Date(s): Resolution PB 22-04, adopted 08/03/2022; ☐ No

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

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: _____
Section: _____; Proposed: _____; Description: _____

E. DESCRIPTION OF PROPERTY

Existing Use of the Property

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

The application seeks minor site plan approval for a second-story addition to the existing medical office building for use as a residence.

The property is 18,645 sf (square feet); 0.428 acres (acres)

Impervious Surface Coverage: Present: 15,302 sf; Proposed: 14,120 sf (reduction)

Building Coverage: Present: 2,700 sf; Proposed: 2,700 sf (no change)

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: Derek W. Orth, Esq., Inglesino Taylor

Telephone Number: (973) 585-7721 Email: dorth@itfirm.law

Address: Inglesino Taylor, 600 Parsippany Road, Suite 204, Parsippany, NJ 07054

APPLICANT'S ENGINEER: _____

Telephone Number: () _____ Email: _____

Address: _____

APPLICANT'S ARCHITECT: William J. Gentile, Square Center LLC

Telephone Number: 973 495-2452 Email: william.squarecenter@gmail.com

Address: 85 Lawrence Ave., West Orange, NJ 07052

APPLICANT'S PLANNER: _____

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.
- 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
Architectural Plans	William J. Gentile	

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.

Applicant's Signature: _____

Date: 07/01/2024

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 statue time limit, the applicant grants permission for such an extension.

Applicant's Signature: _____

Date: 07/01/2024

OWNER'S AUTHORIZATION – MUST BE SIGNED

I hereby certify that I reside at _____
in the County of Essex 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) 172.02
Lot(s) 6 on the Tax Map of W. 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: 07/01/2024

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		General Development Plan	Major Application				COMPLETE	INCOMPLETE	WAIVER REQUESTED
Item Number	Description		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	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	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	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	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	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	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	
10. Item:	Monumentation as specified by Map Filing Law		X	X	X	X	X	X	X	X	X	
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.		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			
	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	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	N/A		
	14. Item: Affidavit of ownership. Comment: Map Filing Law for minor and major subdivision.	X	X		X	X	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	X	X	X	X		
	16. Item: Date of original and all revisions. Comment: Item necessary for continuity-history of project.		X		X	X	X	X	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	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	X	X	X	X		
	19. Item: All proposed lot lines and area of lots in square feet.		X		X			X	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	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	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	X	X	N/A		

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

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

ALL DOCUMENTS MUST BE PREPARED, SIGNED AND SEALED BY NEW JERSEY 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			
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		
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		
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			N/A	
34.	Item: Drainage Area Map. Comment: Necessary for major application; inapplicable at GDP stage.					X	X	X		X	N/A	
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		X
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		X
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			N/A	

ALL DOCUMENTS MUST BE PREPARED, SIGNED AND SEALED BY NEW JERSEY 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. Item: Soil Erosion and Sediment Control Plan. Comment: Required for soil disturbance over 5,000 sq. ft.				X		X	X		X	N/A		
39. Item: Spot and finished elevations at all property corners, corners of all structures or dwellings, existing or proposed first floor elevations. Comment: Not required for minor subdivision because not involving construction of buildings.				X	X	X	X		X	N/A		
40. Item: Construction details as required by ordinance. Comment: Such level of detail necessary only for major applications.						X	X		X	X		
41. Item: Road and paving cross-sections and profiles. Comment: See Item 40.						X	X		X	N/A		
42. Item: Proposed street names. Comment: Applicable only when new road is proposed.						X	X		X	N/A		
43. Item: New block and lot numbers confirmed with local assessor or municipal designee. Comment: Needed whenever a new lot is created.			X							N/A		
44. Item: Lighting plan & details. Comment: Not applicable for minor subdivision because just creating lots.				X		X	X		X			X
45. Item: Landscape plan & details prepared by a professional landscape architect Comment: Required for site plans because of magnitude of required landscaping.				X			X		X			X
46. Item: Solid waste management plan. Comment: Site plan consideration only; see Item 44.				X					X			X
47. Item: Site identification signs, traffic control signs, and directional signs. Comment: See Item 44.				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
Item Number	Description		Subdivision	Site Plan	General Development Plan	Subdivision		Site Plan					
						Preliminary	Final	Preliminary	Final				
48. Item:	Sight triangles. Comment: Necessary even for minor applications because sight triangle easement created.		X	X		X	X		X				X
49. Item:	Vehicular and pedestrian circulation patterns (less detail necessary for pre-application-concept plan and GSP stages). Comment: See Item 44.	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. Comment: See Item 44.			X		X	X		X				X
51. Item:	Preliminary architectural plan and elevations. Comment: Not required where building is not proposed.			X					X			X	
52. Item:	Plans and legal documents for compliance with West Orange COAII Ordinances.		X	X		X	X		X				X

⊕ 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\PIB-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:	N/A	
List of Energy Star and WaterSense appliances, fixtures and construction techniques:		
List of green and recycled building materials in new construction, renovation, and maintenance:	Recycled Metal Flashing, FSC Beam & Truss, Lumber	
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:	TBD	
Use of any water efficient landscaping:	Drought Tolerant Plantings-- (Previous Variances)	
Use of any on-site renewable energy systems such as: (i) Solar (ii) Wind (iii) Geothermal	Future plans to add Solar Panels to Roof	
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	(1) Exterior Deck - Renewable Wood Deck Panels (2) Single-Sheet Proof with color white or light gray.	
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	(iv) Dry Walls to capture roof drainage.	
A list of native and well adapted species used in landscaping to eliminate the need for fertilization and pesticides:	N/A	

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

IMMC993, LLC – SUBMISSION WAIVER CHECKLIST FOR MINOR SITE PLAN

- **Item No. 29 – Existing right of ways within 200' of tract**
 - Applicant requests a partial waiver. Applicant's plans detail streets adjacent to the site. Given that Applicant is seeking minor site plan approval, and in conjunction with the fact that the majority of the Applicant's proposed improvements are internal to the existing structure located on the Property, Applicant submits that a partial waiver is appropriate.
- **Item No. 35 – Drainage calculations**
 - This item is only required if deemed necessary by the Planning Board. Applicant proposes to utilize existing utility connections which are set forth on survey and architectural plans. Given that Applicant is seeking minor site plan approval, and in conjunction with the fact that the majority of the Applicant's proposed improvements are internal to the existing structure located on the Property, Applicant submits that a partial waiver is appropriate.
- **Item No. 36 – Proposed utility infrastructure plans, sanitary sewer, etc.**
 - Applicant requests a complete waiver. Applicant proposes to utilize existing utility connections which are set forth on survey and architectural plans. Given that Applicant is seeking minor site plan approval, and in conjunction with the fact that the majority of the Applicant's proposed improvements are internal to the existing structure located on the Property, Applicant submits that a waiver is appropriate.
- **Item No. 44 – Lighting plan and details**
 - Applicant requests a partial waiver. Existing utility structures are indicated on plan sets.
- **Item No. 45 – Landscape plans and details prepared by landscape architect**
 - Applicant requests a partial waiver. Proposed landscaping improvements, which are minor, are set forth on Applicant's architectural plans.
- **Item No. 46 – Solid waste management plan**
 - Applicant requests a complete waiver. Given that Applicant is seeking minor site plan approval, and in conjunction with the fact that the majority of the Applicant's proposed improvements are internal to the existing structure located on the Property, Applicant submits that a waiver is appropriate.
- **Item No. 47 – Site identification signs, traffic control signs, and directional signs**
 - Applicant requests a temporary waiver. The Applicant intends to install site identification signs in conformance with the Township's sign ordinance. With regard to traffic control and directional signage, the Applicant intends to develop

the same in consultation with the Board and the Board's professionals in the course of the application, particularly given the unique location of the subject Property.

- **Item No. 48 – Sight triangles**

- Applicant requests a temporary waiver. Applicant will produce sight triangles prior to a public hearing on the Application.

- **Item No. 49 – Vehicular and pedestrian circulation patterns**

- Applicant requests a partial waiver. Applicant's architectural plans detail the existing site circulation. The Applicant intends to develop the same in consultation with the Board and the Board's professionals in the course of the application, particularly given the unique location of the subject Property.

- **Item No. 52 – Plans and legal documents for COAH compliance**

- Applicant is proposing internal renovations to an existing structure. The proposed use is non-residential. As such, the Applicant is exempt from inclusionary ordinances and the non-residential development fee.

RESOLUTION

Township of West Orange

Planning Board

PB 22-04 IMMC993, LLC. / 993 Pleasant Valley Way

Block: 172.02 Lot: 6; Zone: B-2

Decided on July 6, 2022

Memorialized on August 3, 2022

C (2) Variance and Preliminary and Final Site Plan Approval

WHEREAS, IMMC993, LLC (Hereinafter the "Applicant") has made an application for a c (2) Variance and Preliminary and Final Site Plan approval in order to construct internal modifications to the existing structure to accommodate a medical office use and to re-stripe the parking lot and relocate the primary entry door located at 993 Pleasant Valley Way, also known as Block: 177.02; Lot 6, in the B-2 Zone; and

WHEREAS, a properly noticed public hearing was conducted on July 6, 2022; and

WHEREAS, the Applicant was represented by Derek W. Orth, Esq.; and

WHEREAS, the Applicant provided testimony by William Gentile, of Square Center LLC, Architecture Design Services, a licensed architect in the State of New Jersey whose credentials were accepted by the Board; and

WHEREAS, the Applicant submitted the following documents to the Board in the form of the application package:

ITEM	SIGNED BY	DATE/REVISION
Preliminary & Final Minor Site Plan (Consisting of Sheets A-1, A-2, A-3, A-4, A-5, A-6, A-7, and F-1)	William Gentile, RA of Square Center LLC, Architecture Design Services	6/1/2022/2022
Boundary Retracement Survey	Edward R. Teunisen	1/10/2022
Application	Dr. Elyon Krok, Principal	6/13/2022
Image of current business identification sign	Exhibit introduced at the hearing	7/6/2022

WHEREAS, representatives of the public asked questions of the witnesses and had an opportunity to offer statements in regard to the application; and

WHEREAS, the Board reviewed and considered the application, testimony and documents submitted therewith; and

WHEREAS, the Board also considered the input of its professionals at the hearing; and

NOW THEREFORE, the Board makes the following findings of fact, based upon the evidence presented at its public hearings, at which a record was made:

1. The Applicant is requesting preliminary and final site plan approval with variance relief for development of internal modifications to the structure to accommodate a medical office use, re-striping of the parking lot and relocation of the primary entry door.
2. Testimony established that Applicant purchased the property, which had previously been used as a pizza restaurant in December of 2020 and seeks to retrofit the existing building to create medical offices.
3. The property is located on the corner of Pleasant Valley Way and Mount Pleasant Avenue and the surrounding area is characterized by single family homes in the rear, and adjacent to a strip mall on Pleasant Valley Way.
4. The proposed medical offices practice will cater to patients who have been discharged from the hospital as is currently the practice located at 737 Northfield Avenue, West Orange, New Jersey.
5. The hours of operation will be Monday through Friday, 9AM to 5PM with late night hours on Mondays to 8PM once a month.
6. Waste removal of both medical and traditional waste will be addressed by a refuse pick up service on a month basis (As the office is paperless there is less office waste.)
7. Deliveries to the property are expected to arrive in passenger vehicles or vans such as those used by Amazon or FedEx.
8. There are 5 to 7 staff members typically employed by the practice with 4 to 5 members on site regularly. One patient is scheduled for every 45 minutes so it is anticipated that there will not be more than 2-3 patients in the office at any given time.
9. The building as situated is pre-existing, but the Applicant will reduce the parking from what exists currently to allow for safer and more efficient circulation around the building.
10. The corner of Mount Pleasant Avenue and Pleasant Valley Way where the property is located presents traffic challenges, though the intersection is governed by a traffic light. The proposed ingress and egress to the building is that traffic on Pleasant Valley Way may only make a right turn into the property and a right turn out of the property. The traffic coming from the Mount Pleasant side can make a right turn from Mount Pleasant Avenue or make a left turn into the site from Mount Pleasant as the traffic light will provide for safe entry. The Applicant will install "right turn" only from both points of egress to the property.
11. The property is irregularly shaped and presents challenges due to the configuration of the building on the land; however, the applicant is reducing the lot coverage.
12. The application requires the following bulk variance (c (2)) relief from the Board:

Section	Required	Existing	Proposed
25-7.1 Maximum Lot Coverage	60%	82%	75.73%

13. N.J.S.A. 40:55D-46a. and b. and N.J.S.A. 40:55D-50a. govern the Board's review of the preliminary and final site plan application. N.J.S.A. 40:55D-46a provides that an "ordinance requiring site plan review and approval shall require the developer submit to the administrative officer a site plan and such other information as is reasonably necessary to make an informed decision as to whether the requirements necessary for preliminary site plan approval have been met." N.J.S.A. 40:55D-46a further provides that "The site plan and any engineering documents to be submitted shall be required in tentative form for discussion purposes for preliminary approval. If any architectural plans are required to be submitted for site plan approval, the preliminary plans and elevations shall be sufficient." N.J.S.A. 50:55D-46b provides that "if the planning board required any substantial amendment in the layout of improvements proposed by the developer that have been the subject of a hearing, an amended application for development shall be submitted and proceeded upon, as in the case of the original application for development" and "the planning board shall, if the proposed development complies with the ordinance and this act, grant preliminary site plan approval." N.J.S.A. 40:55D-50a. provides that final site plan approval "shall" be granted if the detailed drawings, specifications, and estimates of the application conform to the standards of all applicable ordinances and the conditions of preliminary approval. As such if the applicant meets the standards set forth in the ordinances, the planning board lacks the authority to deny approval of the site plan and subdivision. N.J.S.A. 40:55D-50a; PRB Enters., Inc. v. S. Brunswick Planning Bd., 105 N.J. 1, 7 (1987); Dunkin' Donuts of N.J., Inc. v. Twp. of N. Brunswick Planning Bd., 193 N.J. Super. 513, 515 (App. Div. 1984).

Conversely, if the application does not comply with all ordinance requirements, the Board must deny approval. Cortesini v. Hamilton Planning Board, 417 N.J. Super. 201, 215 (App. Div. 2010). However, there are two exceptions: (1) The first exception is where an application does not comply with all ordinance requirements but the Board grants relief in terms of variances or exceptions. In that case, the Board then must review the application against all remaining ordinance requirements and grant approval if the application complies with all such remaining requirements.

14. N.J.S.A. 40:55D-60 permits a planning board to grant variances from the bulk regulations of a zoning ordinance and other zoning deviations that do not require a "d" variance as part of site plan or subdivision review. The variance proofs are the same as for "c" variances as set forth in N.J.S.A. 40:55D-70. A c (2) variance may be granted when the purposes of zoning are advanced and the benefits of deviating from the ordinance requirements outweigh any detriments. The benefits derived from granting a "c (2)"

variance must include benefits to the community as a whole, not just the applicant or property owner. A "c" variance 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.

NOW, THEREFORE, based upon the foregoing findings of fact, the Board reaches the following conclusions of law:

1. This application requires the following variance relief, as well as site plan approval:

2. Section	Required	Existing	Proposed
25-7.1 Maximum Lot Coverage	60%	82%	75.73%

3. Testimony established that the lot coverage exceeds the required lot coverage allowance as per the ordinance; however, the lot coverage is being reduced from what is presently located at the property and the proposed parking is a significant improvement as to what currently exists.
4. With respect to the negative criteria under the MLUL, the Board finds that entry into and out of the property has always been a challenge; but the proposed improvements and signage will allow for a more efficient and safer entry and exit to the property.
5. The project meets the goals of the Master Plan as it fulfills the goals and objectives including, creating a more efficient use of space and will promote a desirable visual environment through creative development.

NOW THEREFORE be it resolved by the Planning Board of the Township of West Orange that preliminary and final site plan approval for the modification of the building for use as a medical office with re-striping of the parking lot and relocation of the primary door with variance relief for the application of IMMC993, LLC for property located at 993 Pleasant Valley Way, is determined as follows:

1. The Board grants the following bulk variance relief pursuant to N.J.S.A. 40:55D-70 c (2):

2. Section	Required	Existing	Proposed
25-7.1 Maximum Lot Coverage	60%	82%	75.73%

2. Preliminary and final site plan approval is granted to IMMC993, LLC for the internal modifications to the structure to accommodate a medical office use and to re-stripe the parking lot and relocate the primary entry door along with the variance approvals set forth above.

3. Waivers granted include Application Item numbers: 28 (Existing street, water courses, flood plains and wetlands), 29 (Existing right of way and easements- satisfied by survey provided), 30 (Topographical features of subject property), 35 (Drainage calculations), 36 (Proposed utility infrastructure plans), 37 (Proposed utility infrastructure plans), 39 (Spot and finished elevations- not required), 46 (Waste management plan- addressed by testimony), 48 (Sight triangles), and 49 (Vehicular and pedestrian circulation patterns).

AND IT IS FURTHER RESOLVED that the above approval is subject to the following terms and 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. Without limitation of the foregoing, prior to the signing of the approved site plans, and prior to the commencement of any land disturbance or construction but excluding interior renovations, the Applicant shall submit to this Board, with a copy to the Board Engineer, proof that it has obtained all required governmental approvals.
2. If another governmental entity or agency grants a waiver or a 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 successor 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 construction, 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 the notification or this approval shall be deemed withdrawn.
6. All notes included in the approved plans, including notes required by this Resolution, shall be deemed conditions of approval having the same force and effect as conditions expressly set forth in this Resolution.

7. Applicant agrees to comply with the recommendations and directives set forth in the reports of the Township Engineer and Planner.
8. Applicant shall list all conditions of approval onto a final site plan submission.
9. Applicant shall install and maintain a lock box for any medical drop off or pick up.
10. The signage package for the property shall conform with the Ordinance requirements for size and shall be shown on the plans with a sign application to be submitted.
11. Applicant must supply a letter or report from an engineer attesting to the condition of the Westerly retaining wall.
12. Parking space #15 shall be designated for employees only.
13. Parking space #1 shall be marked as "Emergency Only or Ambulance Parking."
14. Applicant shall consider making Parking Space #5 as a full-size parking space and will work with the Township Engineer to determine the feasibility of a full-size space in that location.
15. Applicant must repair the sidewalk if deemed necessary by the Building Department.
16. Applicant shall submit to the County Planning Board for review if necessary.
17. Applicant shall stripe the parking lost strip (Approximately two feet section) with "No Parking" and striping on the rear/West side of the building.
18. Parking space #9 shall be employee only parking.
19. The fire lane must be striped onto the parking lot.
20. As per the memorandum of John J. Hess, Planning Board Engineer dated July 5, 2022, item 38, Applicant must supply verification to the Planning Board Engineer that they do not need a Soil Erosion or Sediment Control Plan.
21. As per the memorandum of John J. Hess, Planning Board Engineer dated July 5, 2022, item 44, Applicant must supply a Lighting Plan and details, including the level of foot candles to be used.
22. As per the memorandum of John J. Hess, Planning Board Engineer dated July 5, 2022, item 45, Applicant must provide a landscape plan detailing all landscaping proposed and such landscaping must be maintained in perpetuity.
23. Applicant shall supply a diagram of the dumpster enclosure as per the memorandum of John J. Hess, Planning Board Engineer dated July 5, 2022, Design Comment # 17.
24. Applicant will install signs "right turn only" and arrows painted on the ground at both exits and will address any site triangle issues for placement of those signs to the satisfaction of the Township Engineer.
25. As per the memorandum of John J. Hess, Planning Board Engineer dated July 5, 2022, item 52, Applicant must submit documents to the Township for West Orange COAH Ordinance compliance if applicable.
26. Applicant shall submit a letter to the Township confirming that there are no deed restrictions or covenants to satisfy item #20 of the memorandum of John J. Hess, Planning Board Engineer dated July 5, 2022.
27. To the extent that any letter from the State DOT stating they have no interest is required will be obtained by Applicant if necessary.

28. A fire truck turning template shall be supplied by Applicant.
29. Applicant will install curbs as per the memorandum of John J. Hess, Planning Board Engineer dated July 5, 2022, comment 8.
30. An electric vehicle parking space sign to be added to the plans as per the memorandum of John J. Hess, Planning Board Engineer dated July 5, 2022, Design Comment # 23.
31. Electric vehicle parking space to be installed in compliance with State Law.
32. As per the memorandum of John J. Hess, Planning Board Engineer dated July 5, 2022, Design Comment #11, a bollard at the Northwest corner must be added to the plans.
33. As per the memorandum of John J. Hess, Planning Board Engineer dated July 5, 2022, Design Comment #12, the details of the proposed retaining walls must be added to the plans.
34. As per the memorandum of John J. Hess, Planning Board Engineer dated July 5, 2022, Design Comment #13, wheel stops should be labeled, and a wheel stop detail added to the plans.
35. As per the memorandum of John J. Hess, Planning Board Engineer dated July 5, 2022, Design Comment #15, sheet A-5 must be revised to clearly identify the limits of the proposed concrete curb.
36. As per the memorandum of John J. Hess, Planning Board Engineer dated July 5, 2022, Design Comment #16, existing and proposed improvements must be clearly labeled on sheets A-4 and A-5.
37. As per the memorandum of John J. Hess, Planning Board Engineer dated July 5, 2022, Design Comment #18, Applicant must show the parking lot lights on Sheet A-4 and demonstrate that the parking lot lighting complies with the requirements of Section 25-14 of the Land Use Regulations.
38. As per the memorandum of John J. Hess, Planning Board Engineer dated July 5, 2022, Design Comment #19, a detail of the proposed bollard lights must be added to the plans (As noted on sheet A-6).
39. If a site identification sign is proposed then the location must be shown on sheet A-4 and a detail provided (As per the memorandum of John J. Hess, Planning Board Engineer dated July 5, 2022, Design Comment #21)
40. Details of the proposed pavement markings must be added to the plans as per the memorandum of John J. Hess, Planning Board Engineer dated July 5, 2022, Design Comment #22.

The undersigned secretary certifies the decision set forth herein was made by this Board on July 6, 2022 and memorialized herein pursuant to N.J.S.A. 40:55D-10(g) on August 3, 2022.

A handwritten signature in black ink, appearing to read "John J. Hess", is written over a horizontal line.

Jamilet Baquerizo Vite, Planning Board
Secretary

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)

Parcel Limits (1)

Municipality	Block	Lot	Qualifier	UNIQUEID	Parcel Address	Owner Name	Owner Street	Owner CityState	Owner Zip	Property Mailing
West Orange Township	172.02	6		0722-001720002-000060000-00000	993 PLEASANT VALLEY WAY	IMMC993 LLC,	993 PLEASANT VALLEY	WEST ORANGE, NJ	07052	993 Pleasant Valley Way, West Orange, NJ, 07052

§

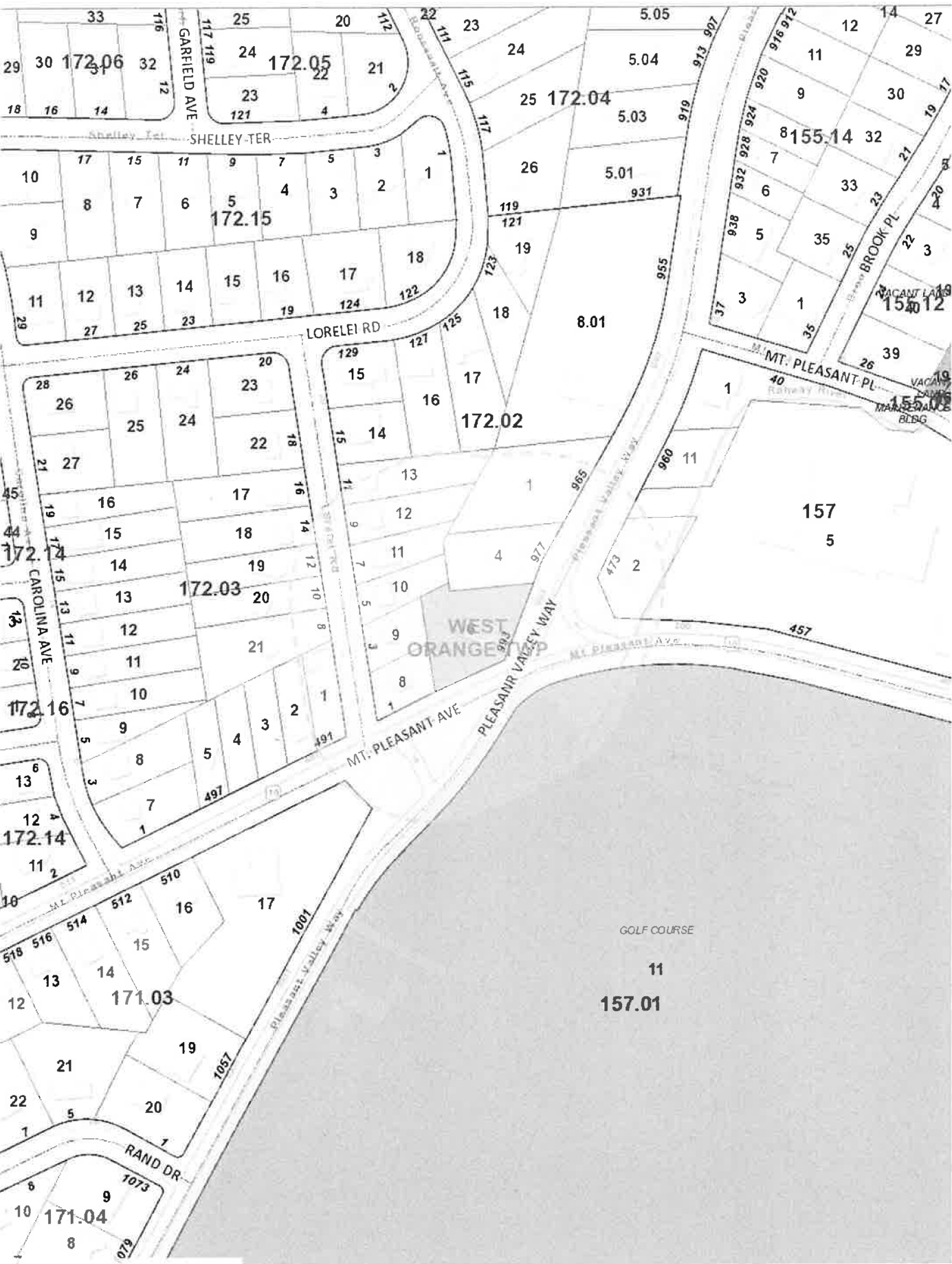
List of adjoining feature(s) that intersect 200 foot buffer from Parcel Limits.

Adjoining Properties (20)

Municipality	Block	Lot	Qualifier	Parcel Address	Owner Name	Owner Street	Owner CityState	Owner Zip	Property Mailing
West Orange Township	157	2		473 MT. PLEASANT AVENUE	ARMALADEX, LLC.	90 FOREST AVENUE	ORADELL, NJ	07649	473 Mt. Pleasant Avenue, West Orange, NJ, 07052
West Orange Township	157	5		457 MT. PLEASANT AVENUE	DIENER MT PLEASANT ASSOCIATES LTD.	25 MAIN STREET, SUITE 200	HACKENSACK, NJ	07601	457 Mt. Pleasant Avenue, West Orange, NJ, 07052
West Orange Township	157.01	11		MT. PLEASANT AVENUE	COUNTY OF ESSEX	115 CLIFTON AVENUE	NEWARK, N.J.	07114	Mt. Pleasant Avenue, West Orange, NJ, 07052
West Orange Township	171.03	17		1001 PLEASANT VALLEY WAY	SCIBETTI, ROBERT	29 DAHLIA ST	STATEN ISLAND, NY	10312	1001 Pleasant Valley Way, West Orange, NJ, 07052
West Orange Township	172.02	1		965 PLEASANT VALLEY WAY	965 PLEASANT VALLEY WAY, LLC.	1209 ORANGE STREET	WILMINGTON, DE	19801	965 Pleasant Valley Way, West Orange, NJ, 07052
West Orange Township	172.02	4		977 PLEASANT VALLEY WAY	977-983 PLEASANT VALLEY WAY CO.	5 MARTINDALE RD.	SHORT HILLS, N.J.	07078	977 Pleasant Valley Way, West Orange, NJ, 07052
West Orange Township	172.02	6		993 PLEASANT VALLEY WAY	IMMC993 LLC,	993 PLEASANT VALLEY	WEST ORANGE, NJ	07052	993 Pleasant Valley Way, West Orange, NJ, 07052

Municipality	Block	Lot	Qualifier	Parcel Address	Owner Name	Owner Street	Owner CityState	Owner Zip	Property Mailing
West Orange Township	172.02	8		1 LORELEI ROAD	JESTIN ASSOCIATES LLC	1 LORELEI ROAD	WEST ORANGE, NJ	07052	1 Lorelei Road, West Orange, NJ, 07052
West Orange Township	172.02	9		3 LORELEI ROAD	MOSER, JAMES & RYAN, BRITTANY C	3 LORELEI ROAD	WEST ORANGE, NJ	07052	3 Lorelei Road, West Orange, NJ, 07052
West Orange Township	172.02	10		5 LORELEI ROAD	SANTOS, JOSE & WENDOLYN	5 LORELEI RD	WEST ORANGE, NJ	07052	5 Lorelei Road, West Orange, NJ, 07052
West Orange Township	172.02	11		7 LORELEI ROAD	MORELOS, JOSE J GUEMES	7 LORELEI RD	WEST ORANGE, NJ	07052	7 Lorelei Road, West Orange, NJ, 07052
West Orange Township	172.02	12		9 LORELEI ROAD	ANTOINE, DUDLEY C. JR & WRIGHT, JAN	9 LORELEI ROAD	WEST ORANGE, NJ	07052	9 Lorelei Road, West Orange, NJ, 07052
West Orange Township	172.02	13		11 LORELEI ROAD	MULLINS, KAITLYN & TIZON, ARTHUR JR	11 LORELEI ROAD	WEST ORANGE, NJ	07052	11 Lorelei Road, West Orange, NJ, 07052
West Orange Township	172.02	16		127 ROOSEVELT AVENUE	CHARTON, AMBER & SMITH, ZACHARY	127 ROOSEVELT AVE	WEST ORANGE, NJ	07052	127 Roosevelt Avenue, West Orange, NJ, 07052
West Orange Township	172.03	1		491 MT. PLEASANT AVENUE	NIETO, PABLO & KATARINA	491 MT. PLEASANT AVENUE	WEST ORANGE, N.J.	07052	491 Mt. Pleasant Avenue, West Orange, NJ, 07052
West Orange Township	172.03	2		491 MT. PLEASANT AVENUE	NIETO, PABLO & KATARINA	491 MT. PLEASANT AVENUE	WEST ORANGE, N.J.	07052	491 Mt. Pleasant Avenue, West Orange, NJ, 07052
West Orange Township	172.03	18		14 LORELEI ROAD	ILOGIENBOH, CAROLINE	14 LORELEI ROAD	WEST ORANGE, N.J.	07052	14 Lorelei Road, West Orange, NJ, 07052
West Orange Township	172.03	19		12 LORELEI ROAD	ALARVA, RICHIE B & MARIA D L	12 LORELEI ROAD	WEST ORANGE, NJ	07052	12 Lorelei Road, West Orange, NJ, 07052
West Orange Township	172.03	20		10 LORELEI ROAD	HALL, KATHLEEN M.	2929 SE FRANKLIN STREET	PORTLAND, OR	97202	10 Lorelei Road, West Orange, NJ, 07052
West Orange Township	172.03	21		8 LORELEI ROAD	DELTZ, WILLIAM & DONNA	8 LORELEI ROAD	WEST ORANGE, N.J.	07052	8 Lorelei Road, West Orange, NJ, 07052

Buffer Report - Map



PUBLIC UTILITIES

ELECTRIC & GAS

Public Service Electric & Gas Company
Manager - Corporate Properties
80 Park Plaza, T6B
Newark, NJ 07102

WATER

New Jersey American Water Company
167 John F. Kennedy Parkway
Short Hills, NJ 07078

CABLE TV

Comcast Cablevision
800 Rahway Avenue
Union, NJ 07083

TELEPHONE

Verizon
1 Verizon Way
Basking Ridge, New Jersey 07920-1025

SEWER

Township of West Orange
Municipal Building
66 Main Street
West Orange, NJ 07052



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: 6/5/24

BLOCK: 172.02

LOT: 6

NAME: IMMC993, LLC

ADDRESS: 993 Pleasant Valley Way

TAXES PAID UNTIL: 7/31/24

2023 SEWER PAID IN FULL:

YES

NO

2024 SEWER NOT YET BILLED

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