

MEMORANDUM

TO: Township of West Orange Planning Board

FR: Gerard M. Haizel, PP, AICP, Principal 

RE: PB-25-01 – 250-252 Main Street
Block 114, Lot 78

DT: February 19, 2025

The following is prepared on behalf of the West Orange Planning Board. The information is for advisory purposes only and is intended to assist the Board's decision-making process. Below are descriptions of the projects based on the supplied plans and documentation as well as commentary on issues evident from them.

Items Reviewed

In preparation of this report, I have reviewed the following items:

- Township of West Orange Application form for the Planning or Zoning Board of Adjustment, dated January 17, 2025.
- Site and Architectural drawings titled Classroom Renovation at 250 Main Street, West Orange, NJ 07052, 250 Main Street, West Orange consisting of two (2) sheets, dated 1-22-2024, with revisions dated 5-11-2024, 10-7-2024 and 1-14-2025, prepared by Dicara Rubino Architects.
- Survey of Property situated at 250-252 Main Street, Block:114, Lot:78, Township of West Orange, Essex County, New Jersey, consisting of one (1) sheet, dated 12-8-2017, prepared by Richard J. Hingos, Inc.

Project Summary

On property located in the Township's ***Downtown Redevelopment Area, Main Street Sub-Zone (MSS)***, the applicant, ***Paul Cito – West Orange Community House*** proposes to construct an exterior stairway on the southern side of the existing two-story building. The applicant does not propose to change the exterior of the building nor to impact impervious coverage or any other element of the property, as part of this application. The site is utilized

as a community center, which **is a permitted use** in the Main Street Sub-Zone. The applicant is seeking preliminary and final site plan approval.

Variances Required

None

Requested Checklist Waivers

A waiver is requested from providing the following items from Township of West Orange Site Plan/Subdivision Checklist:

- **4. Item:** A key map at specified scale showing location of tract with reference to surrounding properties, streets, municipal boundaries, etc. within 500-feet
Planner's Comment: *No objection to this waiver.*
- **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.
Planner's Comment: *No objection to this waiver.*
- **8. Item:** Signature blocks for Chairman, Secretary and Municipal Engineer.
Planner's Comment: *To maintain the clarity of the record, the Applicant should provide revised plans with the required signature block.*
- **12. Item:** One (1) of four (4) standardized sheets: 30"x42", 24"x36", 15"x21", 8.5"x13"
Planner's Comment: *No objection to this waiver.*
- **14. Item:** Affidavit of Ownership
Planner's Comment: *No objection to this waiver.*
- **15. Item:** Acreage of tract to the nearest tenth or an acre (for GDP-to nearest acre).
Planner's Comment: *No objection to this waiver.*
- **18. Item:** Location and dimensions of any existing or proposed streets (for GDP and pre-application-concept plan – general locations).
Planner's Comment: *No objection to this waiver.*

- **19. Item:** All proposed lot lines and area of lots in square feet.
Planner's Comment: No objection to this waiver. Applicant has provided a survey of the site which will suffice in this case.
- **20. Item:** Copy and/or delineation of any existing or proposed deed restrictions or covenants.
Planner's Comment: No objection to this waiver if there are no deed restriction.
- **21. Item:** Any existing or proposed easement or land reserved for or dedicated to public use.
Planner's Comment: Plans indicate that there is a proposed encroachment into the public right of way on the northern side of the building, which should be shown on the plans as required.
- **23. Item:** List of required regulatory approvals or permits.
Planner's Comment: The Applicant should identify any permits and approvals that will be required for the installation of the proposed improvement.
- **25. Item:** Requested or obtained design waivers or exceptions.
Planner's Comment: The Applicant should identify any waiver or exceptions that will be requested/required for this application.
- **27. Item:** Property owners and lines of all parcels within 200-feet identified on most recent tax map sheet.
Planner's Comment: The Applicant has provided the list of properties within 200-feet of the property. However, they do not provide an illustrative map showing this. Because of the limited scope of this project, the list will suffice.
- **28. Item:** All existing street, water course, flood plains, wetlands or other environmentally sensitive areas on and within 200-feet of site.
Planner's Comment: No objection to this waiver.
- **29. Item:** Existing right-of-way and/or easements on and within 200-feet of tract.
Planner's Comment: No objection to this waiver.
- **30. Item:** Topographical features of subject property from USGS map.
Planner's Comment: No objection to this waiver. The proposed limited scope of the project does not necessitate the need for this item.

- **35. Item:** Drainage Calculations
Planner's Comment: *No objection to this waiver. The proposed limited scope of the project does not necessitate the need for this item.*
- **36. Item:** Proposed utility infrastructure plans, including sanitary sewer, water, storm water management, telephone, electric and cable TV.
Planner's Comment: *No objection to this waiver. The proposed limited scope of the project does not necessitate the need for this item.*
- **38. Item:** Soil Erosion and Sediment Control Plan.
Planner's Comment: *No objection to this waiver. The proposed limited scope of the project does not necessitate the need for this item.*
- **44. Item:** Lighting Plan & details
Planner's Comment: *The Applicant should identify any lighting that is proposed on the exterior in proximity of the proposed staircase.*
- **45. Item:** Landscape plan & details prepared by a professional landscape architect.
Planner's Comment: *No objection to this waiver. The proposed limited scope of the project does not necessitate the need for this item.*
- **46. Item:** Solid Waste Management Plan
Planner's Comment: *No objection to this waiver. The proposed limited scope of the project does not necessitate the need for this item.*
- **47. Item:** Site identification signs, traffic control signs, and directional signs.
Planner's Comment: *No objection to this waiver. The proposed limited scope of the project does not necessitate the need for this item.*
- **48. Item:** Sight triangles
Planner's Comment: *No objection to this waiver. The proposed limited scope of the project does not necessitate the need for this item.*
- **49. Item:** Vehicle and pedestrian circulation patterns.
Planner's Comment: *The applicant should show the access path to and from the proposed staircase.*
- **50. Item:** Parking Plan showing spaces, size and type, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions.
Planner's Comment: *No objection to this waiver. The proposed limited scope of the project does not necessitate the need for this item.*

- **52. Item:** Plans and legal documents for compliance with West Orange COAH Ordinance.

Planner's Comment: *No objection to this waiver.*

Project Description

The subject site is an irregular-shaped lot, which is improved with a two-story building that is part of the *West Orange Community House* facility, which also occupies the property located to the immediate south.

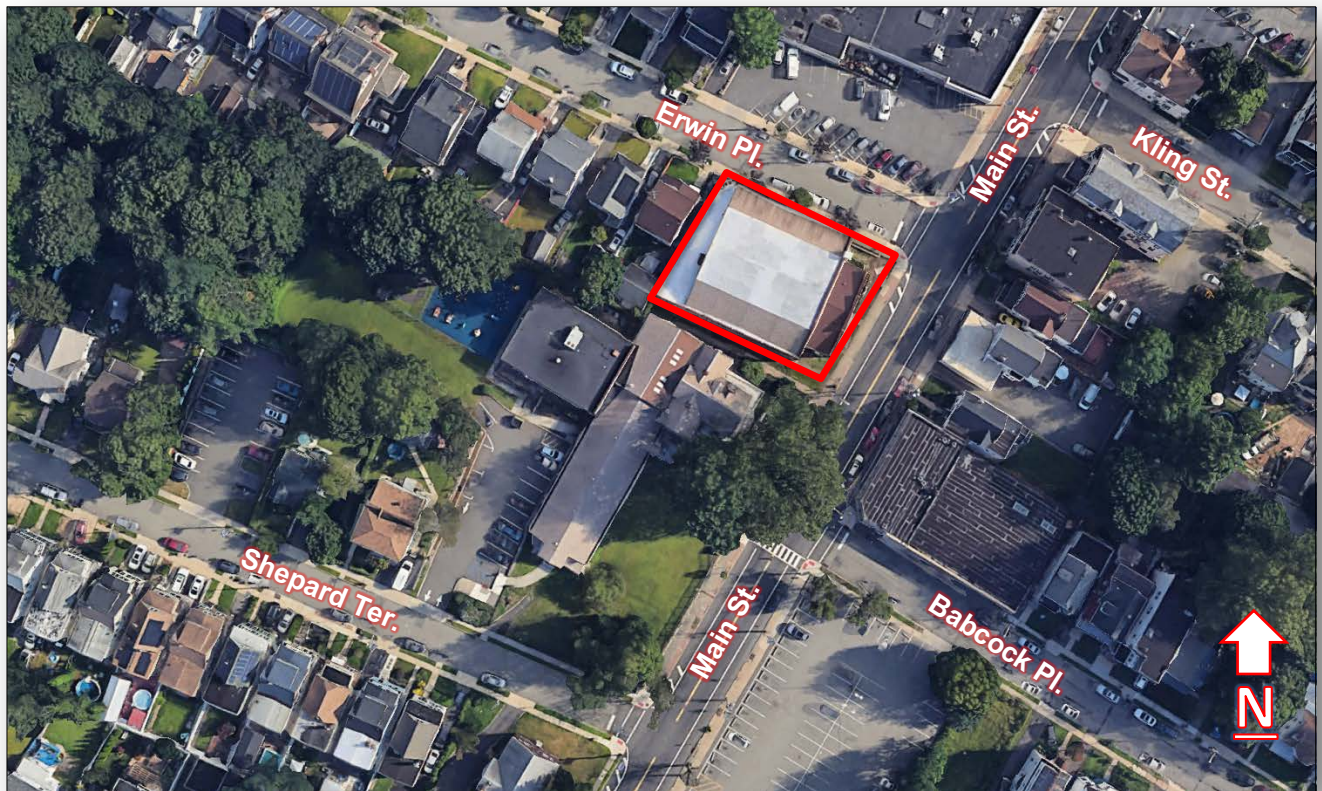
The applicant proposes to install a fabricated metal staircase on the exterior southern side façade, between the subject building and the *West Orange Community House* building to the south. The proposed staircase will be 5-feet wide and 11-feet in height to the top landing, with railings extending to a height 3.5-feet above that. The proposed staircase will extend from the western end of the 2nd floor on the southern façade, down to the east towards Main Street, for a distance of approximately 25.4-feet.

As indicated earlier, the subject building to which the proposed staircase is installed, houses a community center, which is a permitted use in the *Main Street Subzone* of the *Downtown Redevelopment Area*.

Site & Area Description

Street Address: 250-252 Main Street
Block & Lot: Block 114, Lot 78
Zoning District: Downtown Redevelopment Area, Main Street Sub-zone
Total Site Area: 12,500-SF (approx.)

Location Map



Location Map – The property in question is outlined in red on the Google aerial map above. The subject site is located on the western side of Main Street, at the intersection of Erwin Place. To the immediate south of the site is the West Orange Community House facility. To the north, across Erwin Place from the site is the former Walgreens Store site. To the west are detached dwellings fronting on the southern side of Erwin Place. To the east, across Main Street from the site, are mixed-use and commercial properties fronting on the eastern side of Main Street.

Photo Survey



Photo 1: View of the subject property located at 250-252 Main Street, from the front on Main Street.



Photo 2: View of the northern side of the subject property from the northeast on Erwin Place.



Photo 3: View of the southern facade of the subject property (right). This is the location that the proposed staircase will be located.



Photo 4: View of the subject property with the West Orange Community House abutting it to the south.

Planning Considerations

The subject site is located within the ***Downtown Redevelopment Area***, within the ***Main Street Sub-Zone***.

Among the permitted principal uses in this zone are:

- Loft residential units - second floor and above
- Loft office units – second floor and above
- Loft live/work units - second floor and above
- Ground floor retail/restaurants
- Outdoor cafes
- Public/civic buildings such as libraries, theaters, art galleries, and cultural and community centers
- Public open space
- Arts/Crafts studio space

The subject property, which houses a community center, **is a permitted use** in the *Main Street Sub-zone*.

Standards for Granting Variance Relief

C - (Bulk) Variances

The Municipal Land Use Law (MLUL) at **N.J.S.A. 40:55D-70c** sets forth the standards for variances from the bulk regulations of a zoning ordinance.

C(1) Variance - The Board must find that there is either undue hardship or practical hardship with the strict application of the zoning requirements as stipulated in the Zoning & Land Use Regulations, as a result of:

- a) exceptional narrowness, shallowness or shape of a specific property, or
- b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property or
- c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.

C(2) Variance – The Board must find that the proposed deviation from the Zoning & Land Use Regulations will advance the purposes of the MLUL and that the variance can be granted without substantial detriment to the public good, that the benefits of the deviation would substantially outweigh any detriment and that the variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance. The benefits identified in granting a C(2) variance must include benefits to the community as a whole, not only the applicant of the property owner. Here too, the Board must be satisfied 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 City.

Planner's Comments

The applicant proposes to construct an exterior stairway on the southern façade of the existing two-story building on the subject site. The applicant does not propose to change the exterior of the building nor to impact the impervious coverage or any other element of the property, as part of this application. The site is utilized as a community center, which **is a permitted use** in the *Main Street Sub-Zone* of the *Downtown Redevelopment Area*.

The proposed staircase will extend from the 2nd floor of the existing building on the site, down to grade level in the southern side yard. **The applicant should provide testimony offering some context to the proposed project, including the need for the staircase and how it will service the interior use and operation of the building. Testimony should also explain whether or not this staircase will be used as a means of emergency egress or whether it will be used as a regular means of ingress/egress into and out of the building.**

The proposed staircase will be installed on the southern façade of the building, between the subject building and the *West Orange Community House* main building on the adjacent lot. **The applicant should provide testimony describing the path that will be available to an individual once they have descended the staircase. Will they be channeled to the existing walkway between the two buildings or otherwise?**

The applicant should provide testimony describing any lighting or other measures that are proposed for the area where the staircase will be installed, to ensure the safety of individuals using it. Additionally, will any part of the proposed staircase be covered or otherwise protected from the elements? As a metal staircase is proposed, how will individuals be protected from slipping and falling when the stairs are wet?

Recommended Conditions of Approval

Should the Board be inclined to grant the requested variance relief in full or in part, or to approve the accompanying site plan, the following are recommended conditions that should be placed on the approvals.

1. The applicant shall comply with the recommendations provided by the Board Engineer.
2. The applicant shall provide testimony offering some context to the proposed project, including the need for the staircase and how it will service the interior use and operation of the building. Testimony should also explain whether or not this staircase

will be used as a means of emergency egress only, and whether it will become a regular means of ingress/egress in to and out of the building.

3. The applicant shall provide testimony describing the path that will be available to an individual once they have descended the staircase. Will they be channeled to the existing walkway between the two buildings or otherwise?
4. The applicant shall provide testimony describing any lighting or other measures that are proposed for the area where the staircase will be installed, to ensure the safety of individuals using it.
5. The applicant shall provide testimony indicating whether any part of the proposed staircase will be covered or otherwise protected from the elements? As a metal staircase is proposed, how will individuals be protected from slipping and falling when the stairs are wet?