

PRIME TUVEL & MICELI

ATTORNEYS AT LAW

March 10, 2025

VIA UPS

Township of West Orange
Planning & Development
66 Main Street
West Orange, NJ 07052
Attn: Diana Chandler, Board Secretary

**RE: MPB Realty LLC (“Applicant”)
470 Eagle Rock Avenue (the “Property”)
Block 158, Lot 38
Affidavit Package**

Dear Ms. Chandler,

Enclosed please find the original Affidavit of Service, newspaper publication, original green and white certified mail cards and receipts, copy of notice, and a copy of the certified list of property owners, for the public hearing in the above matter, scheduled for **March 20, 2025 at 8:00 pm.**, before the Township of West Orange Zoning Board of Adjustment.

Thank you for your kind consideration and assistance with this application.

Very truly yours,

JRT/scl
Enclosures

Jason R. Tuvell
Jason R. Tuvell, Esq.
Attorney for Applicant

1 University Plaza Drive, Suite 500
Hackensack, NJ 07601
P 201 883 1010 | F 856 273 8383
W primelaw.com

ADDITIONAL OFFICES

Mount Laurel, NJ | Hoboken, NJ | Jersey City, NJ | Fort Washington, PA | New York, NY

PRIME TUVEL & MICELI
1 University Plaza Drive, Suite 500
Hackensack, New Jersey 07601
(201) 883-1010
Attorney for Applicants

IN RE: MPB Realty LLC 470 Eagle Rock Avenue Block 153, Lot 38 on the West Orange Tax Map	THE TOWNSHIP OF WEST ORANGE ZONING BOARD OF ADJUSTMENT AFFIDAVIT OF SERVICE AND PUBLICATION OF NOTICE
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[illegible]

I, SALLY C. LA-ZHENG, of full age, being duly sworn according to law, upon my oath, depose and say:

1. I am an employee with the law firm of Prime & Tuvel
2. The form of public notice (hereinafter referred to as "Notice") announcing the meeting on **March 20, 2025, at 8:00 pm** is attached as Exhibit "A."
3. The list of property owners within two hundred feet of the subject property prepared by the **Township of West Orange**, as well as other entities to whom the Notice in Exhibit "A" was sent, is attached as Exhibit "B."
4. The Notice in Exhibit "A" was sent by United States Certified Mail, Return Receipt Requested, to the property owners within two hundred feet of the site and to the other entities listed in Exhibit "B." Copies of the "white" return receipts post marked **March 10, 2025**, from the United States Post Office are attached as Exhibit "C."
5. The Notice in Exhibit "A" was published in **the Star Ledger** on **March 10, 2025**. A copy of the publication is attached as Exhibit "D." The original affidavit of publication will be provided to the Board once received.

Sworn to and Subscribed before
me this 10th day of March 2025

Luzyvette Alicia
 Notary Public LUZ IVETTE ALICIA
 COMMISSION NO. 2323851
 A NOTARY PUBLIC OF NEW JERSEY
 MY COMMISSION EXPIRES: 1/12/30


Sally C. La-Zheng

Exhibit “A”

NOTICE OF PUBLIC HEARING (VIRTUAL PUBLIC HEARING)

Township of West Orange Zoning Board of Adjustment

PLEASE TAKE NOTICE that the Township of West Orange Zoning Board of Adjustment (the "Board") will hold a virtual public hearing on March 20, 2025 at 8:00 PM to review and take formal action upon an application for preliminary and final major site plan approval, conditional use variance, bulk variance and design waiver/exception relief (the "Application") by MPB Realty LLC (the "Applicant") with respect to property having a street address of 470 Eagle Rock Avenue, West Orange, New Jersey 07052 and being designated as Block 153, Lot 38, on the Township of West Orange Tax Map (collectively, the "Property"). The Property is located in the B-2 Zone (the "Zone").

The Applicant proposes to renovate and expand the existing approximately 5,888 sq.ft. single-story restaurant building and convert same into an approximately 2,391 sq.ft. Popeyes fast food restaurant with ancillary drive-thru service ("Popeyes") and an approximately 3,797 sq.ft. IHOP restaurant ("IHOP") (total building area of approximately 6,188 sq.ft.). The proposed Popeyes (fast food restaurant with ancillary drive-through service) is a conditional use within the Zone, and the proposed IHOP (restaurant) is a permitted use within the Zone. The Applicant seeks conditional use variance relief pursuant to N.J.S.A. 40:55D-70(d)(3) for not complying with the following conditions: (1) Popeyes located within 500 ft. of existing fast food restaurants, where same is not permitted; (2) Popeyes located within 1,000 ft. of residential district boundary line where same is not permitted; (3) Property frontage less than required (200 ft. required along Rosney Terrace; 182.4 ft. existing/proposed along Rosney Terrace); and (4) Driveway distance to intersection less than required (100 ft. required; 13 ft. proposed). The Applicant also seeks use variance approval pursuant to N.J.S.A. 40:55D-70(d)(1) for multiple principal uses on the Property, if deemed necessary.

The Applicant also seeks bulk variances pursuant to N.J.S.A. 40:55D-70(c) and design waivers/exceptions, including: (1) Impervious coverage greater than permitted (60% permitted; 80.9% existing; 75.7% proposed); (2) Curbing distance from buildings less than required (5 ft. required; 0 ft. proposed); (3) Parking proposed in front yard where same is not permitted; (4) Residential buffer width less than required (20 ft. required; 8.8 ft. proposed); (5) Number of façade signs greater than permitted (1 sign permitted; 8 signs proposed); (6) Popeyes façade sign area greater than permitted (120 sq.ft. permitted; 139 sq.ft. proposed); (7) Planted trees not proposed within parking area where same are required; (8) 50% of existing tree canopy on the Property not proposed to be preserved where same is required; (9) 50% shade in parking lot area not proposed where same is required; (10) Lux/footcandles in parking area less than required (20 Lux/2.0 footcandles required; 0.6 footcandles proposed); (11) Loading space not proposed where same is required; and (12) Number of replacement trees less than required (109 2" caliper or 49 2.5" caliper trees required; 41 trees proposed).

The Applicant also seeks any additional deviations, exceptions, design waivers, submission waivers, variances, use variances, conditional use variances, interpretations, continuations of any pre-existing non-conforming conditions, modifications of prior imposed conditions and other

approvals reflected on the filed plans (as same may be further amended or revised from time to time without further notice) and as may be determined to be necessary during the review and processing of the Application.

The public hearing will be held by **online/virtual means and telephonically only**. During the public hearing, any interested party will have an opportunity to listen to and, if participating online, view the hearing in its entirety, be heard (ask questions, provide comments or offer evidence), personally or by attorney, by either (a) participating online by visiting <https://us06web.zoom.us/j/81009681428?pwd=ZjpxwcJamMUaurx5KE9K5usd9NrUys.1> and following the instructions provided to join the online/virtual meeting, including entering meeting identification number: 810 0968 1428 and passcode: 482398, if prompted; or (b) participating telephonically by calling 1 (646) 931-3860 and entering meeting identification number: 810 0968 1428 and password: 482398, if prompted. Participating via online/virtual means or telephonically is free of charge to the public.

Members of the public interested in participating in the public hearing on the Application can advise the Board Secretary, Diana Chandler, of their interest in participating in advance of the public hearing by reaching out to the Board Secretary at dchandler@westorange.org or (973) 325-4108. In addition, if any member of the public has a concern regarding utilizing the technology set forth above to participate in the public hearing, the member of the public may contact the Board Secretary by email at dchandler@westorange.org or by phone at (973) 325-4108 during regular business hours.

The Application and supporting materials (including maps and plans) will be available for public inspection free of charge to the public by going to agenda at the following webpage: <https://www.westorange.org/ArchiveCenter/ViewFile/Item/2967> and clicking on the link to the subject Application at least ten (10) days before the public hearing. Alternatively, members of the public may contact the Board Secretary by email at dchandler@westorange.org or by phone at (973) 325-4108 during regular business hours in order to make an appointment to review or pick up copies of the Application materials, plans, and related documents at the office of the Board Secretary, located at 66 Main Street, West Orange, New Jersey 07052. The public hearing may be continued without further notice on such additional or other dates as the Board may determine.

Jason R. Tuvel, Esq.
Prime Tuvel & Miceli
1 University Plaza Drive, Suite 500
Hackensack, New Jersey 07601
Phone: (201) 883-1010
Email: jason@primelaw.com
Attorneys for MPB Realty LLC

Exhibit “B”

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

903.06

43 NOTICES

Highlighted feature(s)

Parcel Limits (1)

Municipality	Block	Lot	Qualifier	Parcel Address	Owner Name	Owner Street	Owner CityState	Owner Zip	Property Mailing
West Orange Township	153	38	✓✓	470 EAGLE ROCK AVENUE	ORANGE DEV LLC	100 MENLO PARK DR #500	EDISON NJ	08837	470 Eagle Rock Avenue, West Orange, NJ, 07052

§

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

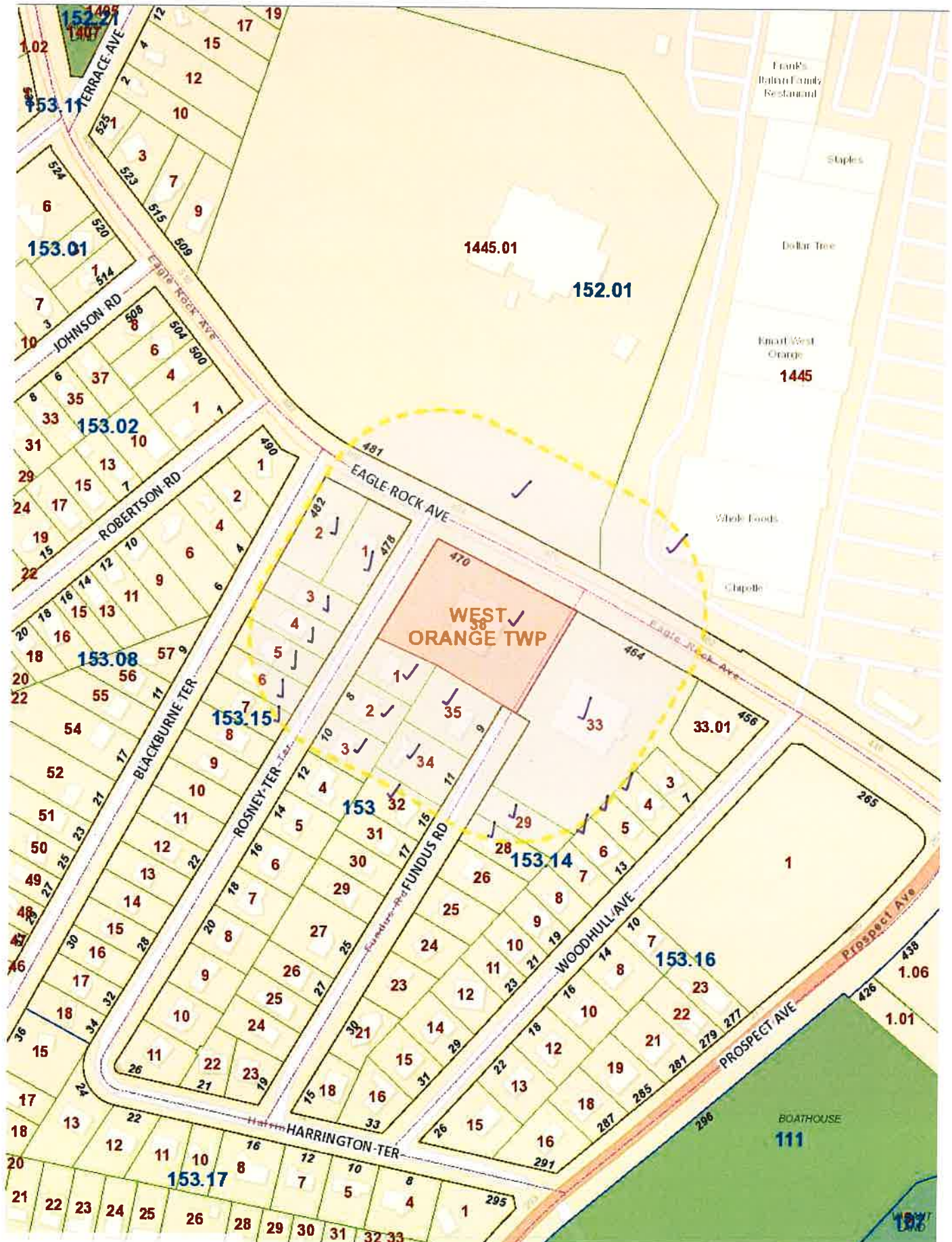
Adjoining Properties (22)

Municipality	Block	Lot	Qualifier	Parcel Address	Owner Name	Owner Street	Owner CityState	Owner Zip	Property Mailing
West Orange Township	152.01	1445	✓✓	EAGLE ROCK & PROSPECT AVE	WEST ORANGE PLAZA,	P.O. BOX 326	PLAINFIELD,NJ	07061	Eagle Rock & Prospect Ave, West Orange, NJ, 07052
West Orange Township	152.01	1445.01	✓✓	481 EAGLE ROCK AVENUE	MAYFAIR FARMS HOLDING CORP.	481 EAGLE ROCK AVENUE	WEST ORANGE, NEW JERSEY	07052	481 Eagle Rock Avenue, West Orange, NJ, 07052
West Orange Township	153	1	✓	6 ROSNEY TERRACE	ISMAIL, HUSSEIN	6 ROSNEY TERR.	WEST ORANGE, NJ	07052	6 Rosney Terrace, West Orange, NJ, 07052
West Orange Township	153	2	✓	8 ROSNEY TERRACE	TAKI, ABRAHAM B.	8 ROSNEY TER	WEST ORANGE, NJ	07052	8 Rosney Terrace, West Orange, NJ, 07052
West Orange Township	153	3	✓	10 ROSNEY TERRACE	BISE, JEAN-LUC & BANK, MARGARET	10 ROSNEY TERRACE	WEST ORANGE, NJ	07052	10 Rosney Terrace, West Orange, NJ, 07052
West Orange Township	153	32	✓	15 FUNDUS ROAD	ALTUNKAYA, EMRAH & FIGEN	15 FUNDUS ROAD	WEST ORANGE, N.J.	07052	15 Fundus Road, West Orange, NJ, 07052
West Orange Township	153	34	✓	11 FUNDUS ROAD	PRINCE, CHRISTINA M	11 FUNDUS ROAD	WEST ORANGE, N.J.	07052	11 Fundus Road, West Orange, NJ, 07052
West Orange Township	153	35	✓	9 FUNDUS ROAD	WRIGHT, BARRY N. & HELEN	9 FUNDUS RD	WEST ORANGE, NJ	07052	9 Fundus Road, West Orange, NJ, 07052

	Municipality	Block	Lot	Qualifier	Parcel Address	Owner Name	Owner Street	Owner CityState	Owner Zip	Property Mailing
X	West Orange Township	153	38		470 EAGLE ROCK AVENUE	ORANGE DEV LLC	100 MENLO PARK DR #500	EDISON NJ	08837	470 Eagle Rock Avenue, West Orange, NJ, 07052
13	West Orange Township	153.14	4	✓	9 WOODHULL AVENUE	CATALANO, GAETANO	9 WOODHULL AVENUE	WEST ORANGE, NJ	07052	9 Woodhull Avenue, West Orange, NJ, 07052
14	West Orange Township	153.14	5	✓	11 WOODHULL AVENUE	DIAZ, BERTHA	11 WOODHULL AVE	WEST ORANGE, NJ	07052	11 Woodhull Avenue, West Orange, NJ, 07052
15	West Orange Township	153.14	6	✓	13 WOODHULL AVENUE	ABDELAZIZ, HOSSAM & AHMED,JIHAN	13 WOODHULL AVENUE	WEST ORANGE, NJ	07052	13 Woodhull Avenue, West Orange, NJ, 07052
16 17	West Orange Township	153.14	28	✓✓	16 FUNDUS ROAD	16 FUNDUS ROAD CO	16 FUNDUS ROAD	WEST ORANGE, N.J.	07052	16 Fundus Road, West Orange, NJ, 07052
18	West Orange Township	153.14	29	✓	14 FUNDUS ROAD	LORENZANA, ROSEMARIE & ANGELO	14 FUNDUS ROAD	WEST ORANGE, NEW JERSEY	07052	14 Fundus Road, West Orange, NJ, 07052
19 20	West Orange Township	153.14	33	✓✓	464 EAGLE ROCK AVENUE	SL 469 EAGLE ROCK AVE LLC	788 MORRIS TPKE	SHORT HILLS, NJ	07078	464 Eagle Rock Avenue, West Orange, NJ, 07052
21	West Orange Township	153.15	1	✓	478 EAGLE ROCK AVENUE	NEISHA, ASSIF & GOPIE, MICHELLE	478 EAGLE ROCK AVE	WEST ORANGE, NJ	07052	478 Eagle Rock Avenue, West Orange, NJ, 07052
22	West Orange Township	153.15	2	✓	482 EAGLE ROCK AVENUE	CASTE, PAUL & ANN MARIE	482 EAGLE ROCK AVENUE	WEST ORANGE, NEW JERSEY	07052	482 Eagle Rock Avenue, West Orange, NJ, 07052
23	West Orange Township	153.15	3	✓	4 BLACKBURNE TERRACE	SIMEUS, ROLDY & GLENAH	4 BLACKBURNE TERRACE	WEST ORANGE, NJ	07052	4 Blackburne Terrace, West Orange, NJ, 07052
24	West Orange Township	153.15	4	✓	6 BLACKBURNE TERRACE	MESEHA, KYRILLOS & MOUSA, RANDA	6 BLACKBURNE TERRACE	WEST ORANGE N.J.	07052	6 Blackburne Terrace, West Orange, NJ, 07052
25	West Orange Township	153.15	5	✓	8 BLACKBURNE TERRACE	HAYES, PATRICK & DENISE GOOD-	8 BLACKBURNE TERR	WEST ORANGE,NJ	07052	8 Blackburne Terrace, West Orange, NJ, 07052
26	West Orange Township	153.15	6	✓	10 BLACKBURNE TERRACE	ONI, AKANNI R. & MERCY N.	10 BLACKBURNE TERR	WEST ORANGE, NJ	07052	10 Blackburne Terrace, West Orange, NJ, 07052

	Municipality	Block	Lot	Qualifier	Parcel Address	Owner Name	Owner Street	Owner CityState	Owner Zip	Property Mailing
27	West Orange Township	153.15	7	✓ 12	BLACKBURNE TERRACE	KARLSEN, ALEXANDER & KERYN RYAN	12 BLACKBURNE TERRACE	WEST ORANGE, NJ	07052	12 Blackburne Terrace, West Orange, NJ, 07052

Buffer Report - Map



PUBLIC UTILITIES

ELECTRIC & GAS

28✓ 29✓ Public Service Electric & Gas Company
Manager - Corporate Properties
80 Park Plaza, T6B
Newark, NJ 07102

WATER

30✓ 31✓ New Jersey American Water Company
167 John F. Kennedy Parkway
Short Hills, NJ 07078

CABLE TV

32✓ 33✓ Comcast Cablevision
800 Rahway Avenue
Union, NJ 07083

TELEPHONE

34✓ 35✓ Verizon
1 Verizon Way
Basking Ridge, New Jersey 07920-1025

SEWER

36✓ 37✓ Township of West Orange
Municipal Building
66 Main Street
West Orange, NJ 07052

903.06

Additional Addresses

OTHER GOVERNMENTAL AGENCIES

- 38.✓ Attn: Municipal Clerk
Township of West Orange
66 Main St.
West Orange, NJ 07052
- 39.✓ Attn: Anyone Authorized to Accept Service
Township of West Orange
66 Main St.
West Orange, NJ 07052
- 40. ✓ Essex County Planning Board
Dept. of Public Works
900 Bloomfield Ave.
Verona, NJ 07044
- 41.✓ Attn: Anyone Authorized to Accept Service
Essex County Planning Board
Dept. of Public Works
900 Bloomfield Ave.
Verona, NJ 07044
- 42.✓ Commissioner of Transportation
New Jersey Department of Transportation
David J. Goldberg Transportation Complex
1035 Parkway Ave., P.O. Box 600
Trenton, NJ 08625
- 43.✓ Attn: Anyone Authorized to Accept Service
New Jersey Department of Transportation
David J. Goldberg Transportation Complex
1035 Parkway Ave., P.O. Box 600
Trenton, NJ 08625

Exhibit “C”

U.S. Postal Service™
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Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
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Postage

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Total Postage and Fees

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Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Orange Dev LLC
100 Menlo Park Dr #500
Edison, NJ 08837

PS Form 3800, January 2023

See Reverse for Instructions

Code: 903.06
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Postage

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Sent To

Street, Apt. No.,
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City, State, Zip+4

Attn: Anyone authorized to accept service
Orange Dev LLC
100 Menlo Park Dr #500
Edison, NJ 08837

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☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
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☐ Adult Signature Restricted Delivery \$

Postage

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Total Postage and Fees

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Sent To

Street, Apt. No.,
or PO Box No.
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West Orange Plaza,
P.O. Box 326
Plainfield, NJ 07061

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Sent To

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or PO Box No.
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Attn: Anyone authorized to accept service
West Orange Plaza,
P.O. Box 326
Plainfield, NJ 07061

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☐ Adult Signature Restricted Delivery \$

Postage

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Total Postage and Fees

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Mayfair Farms Holding Corp.
481 Eagle Rock Avenue
West Orange, NJ 07062

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☐ Adult Signature Restricted Delivery \$

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Sent To

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Attn: Anyone authorized to accept service
Mayfair Farms Holding Corp.
481 Eagle Rock Avenue
West Orange, NJ 07062

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☐ Return Receipt (electronic) \$ \$4.10
☐ Certified Mail Restricted Delivery \$ \$0.00
☐ Adult Signature Required \$ \$0.00
☐ Adult Signature Restricted Delivery \$ \$0.00

Postage

\$ \$0.690

Total Postage and Fees

\$ \$9.640

Sent To

Ismail, Hussein
6 Rosney Terr.
West Orange, NJ 07052

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

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☐ Return Receipt (electronic) \$ \$4.10
☐ Certified Mail Restricted Delivery \$ \$0.00
☐ Adult Signature Required \$ \$0.00
☐ Adult Signature Restricted Delivery \$ \$0.00

Postage

\$ \$0.690

Total Postage and Fees

\$ \$9.640

Sent To

Taki, Abraham B.
8 Rosney Ter
West Orange, NJ 07052

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or PO Box No.
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☐ Return Receipt (electronic) \$ \$4.10
☐ Certified Mail Restricted Delivery \$ \$0.00
☐ Adult Signature Required \$ \$0.00
☐ Adult Signature Restricted Delivery \$ \$0.00

Postage

\$ \$0.690

Total Postage and Fees

\$ \$9.640

Sent To

Bise, Jean-Luc & Bank, Margaret
10 Rosney Terrace
West Orange, NJ 07052

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

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- ☐ Return Receipt (hardcopy) \$ \$4.10
☐ Return Receipt (electronic) \$ \$4.10
☐ Certified Mail Restricted Delivery \$ \$0.00
☐ Adult Signature Required \$ \$0.00
☐ Adult Signature Restricted Delivery \$ \$0.00

Postage

\$ \$0.690

Total Postage and Fees

\$ \$9.640

Sent To

Altunkaya, Emrah & Figen
15 Fundus Road
West Orange, NJ 07052

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

PS Form 3800, January 2023

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☐ Return Receipt (electronic) \$ \$4.10
☐ Certified Mail Restricted Delivery \$ \$0.00
☐ Adult Signature Required \$ \$0.00
☐ Adult Signature Restricted Delivery \$ \$0.00

Postage

\$ \$0.690

Total Postage and Fees

\$ \$9.640

Sent To

Prince, Christina M
11 Fundus Road
West Orange, NJ 07052

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

PS Form 3800, January 2023

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Extra Services & Fees (check box, add fee as appropriate)

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☐ Return Receipt (electronic) \$ \$4.10
☐ Certified Mail Restricted Delivery \$ \$0.00
☐ Adult Signature Required \$ \$0.00
☐ Adult Signature Restricted Delivery \$ \$0.00

Postage

\$ \$0.690

Total Postage and Fees

\$ \$9.640

Sent To

Wright, Barry N. & Helen
9 Fundus Rd
West Orange, NJ 07052

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

PS Form 3800, January 2023

See Reverse for Instructions

Code: 903.06
Code2: 12

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Certified Mail Fee

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Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Catalano, Gaetano
9 Woodhull Avenue
West Orange, NJ 07052

PS Form 3800, January 2023

See Reverse for Instructions

Code: 903.06
Code2: 13

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Certified Mail Fee

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Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Diaz, Bertha
11 Woodhull Ave
West Orange, NJ 07052

PS Form 3800, January 2023

See Reverse for Instructions

Code: 903.06
Code2: 14

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

15

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0438 64

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Abdelaziz, Hossam & Ahmed, Jihan
13 Woodhull Avenue
West Orange, NJ 07052

PS Form 3800, January 2023

See Reverse for Instructions

Code: 903.06
Code2: 15

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

16

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0438 71

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

16 Fundus Road Co
16 Fundus Road
West Orange, NJ 07052

PS Form 3800, January 2023

See Reverse for Instructions

Code: 903.06
Code2: 16

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

17

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0438 88

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Attn: Anyone authorized to accept service
16 Fundus Road Co
16 Fundus Road
West Orange, NJ 07052

PS Form 3800, January 2023

See Reverse for Instructions

Code: 903.06
Code2: 17

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

18

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0438 95

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Lorenzana, Rosemarie & Angelo
14 Fundus Road
West Orange, NJ 07052

PS Form 3800, January 2023

See Reverse for Instructions

Code: 903.06
Code2: 18

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

19

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0439 01

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ ~~\$4.10~~
☐ Return Receipt (electronic) \$ ~~\$4.10~~
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$ ~~\$0.00~~
☐ Adult Signature Restricted Delivery \$

Postage

\$ \$0.690

Total Postage and Fees

\$ \$9.640

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

SL 469 Eagle Rock Ave LLC
788 Morris Tpke
Short Hills, NJ 07078

PS Form 3800, January 2023

See Reverse for Instructions

Code: 903.06
Code2: 19

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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21

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0439 25

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ ~~\$4.10~~
☐ Return Receipt (electronic) \$ ~~\$4.10~~
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$ ~~\$0.00~~
☐ Adult Signature Restricted Delivery \$

Postage

\$ \$0.690

Total Postage and Fees

\$ \$9.640

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Nelsha, Assif & Gopie, Michelle
478 Eagle Rock Ave
West Orange, NJ 07052

PS Form 3800, January 2023

See Reverse for Instructions

Code: 903.06
Code2: 21

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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23

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0439 49

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ ~~\$4.10~~
☐ Return Receipt (electronic) \$ ~~\$4.10~~
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$ ~~\$0.00~~
☐ Adult Signature Restricted Delivery \$

Postage

\$ \$0.690

Total Postage and Fees

\$ \$9.640

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Simeus, Roldy & Glenah
4 Blackburne Terrace
West Orange, NJ 07052

PS Form 3800, January 2023

See Reverse for Instructions

Code: 903.06
Code2: 23

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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20

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0439 18

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ ~~\$4.10~~
☐ Return Receipt (electronic) \$ ~~\$4.10~~
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$ ~~\$0.00~~
☐ Adult Signature Restricted Delivery \$

Postage

\$ \$0.690

Total Postage and Fees

\$ \$9.640

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Attn: Anyone authorized to accept service
SL 469 Eagle Rock Ave LLC
788 Morris Tpke
Short Hills, NJ 07078

PS Form 3800, January 2023

See Reverse for Instructions

Code: 903.06
Code2: 20

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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22

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0439 32

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ ~~\$4.10~~
☐ Return Receipt (electronic) \$ ~~\$4.10~~
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$ ~~\$0.00~~
☐ Adult Signature Restricted Delivery \$

Postage

\$ \$0.690

Total Postage and Fees

\$ \$9.640

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Caste, Paul & Ann Marie
482 Eagle Rock Avenue
West Orange, NJ 07052

PS Form 3800, January 2023

See Reverse for Instructions

Code: 903.06
Code2: 22

U.S. Postal Service™
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24

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0439 56

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ ~~\$4.10~~
☐ Return Receipt (electronic) \$ ~~\$4.10~~
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$ ~~\$0.00~~
☐ Adult Signature Restricted Delivery \$

Postage

\$ \$0.690

Total Postage and Fees

\$ \$9.640

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Meseha, Kyrrillos & Mousa, Randa
6 Blackburne Terrace
West Orange, NJ 07052

PS Form 3800, January 2023

See Reverse for Instructions

Code: 903.06
Code2: 24

**U.S. Postal Service™
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25

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0439 63

Certified Mail Fee

\$ **\$4.85**

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$4.10**

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$

Postage

\$ **\$0.690**

Total Postage and Fees

\$ **\$9.640**

Sent To

**Hayes, Patrick & Denise Good-
8 Blackburne Terr.
West Orange, NJ 07052**

Street, Apt. No.,
or PO Box No.
City, State, Zip+4



Code 903.06
Code 2: 25

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26

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0439 70

Certified Mail Fee

\$ **\$4.85**

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$4.10**

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$

Postage

\$ **\$0.690**

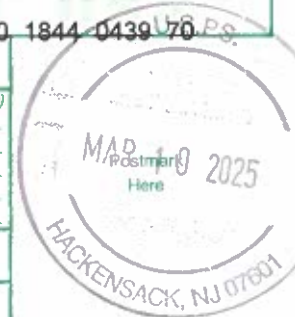
Total Postage and Fees

\$ **\$9.640**

Sent To

**Oni, Akanni R. & Mercy N.
10 Blackburne Terr
West Orange, NJ 07052**

Street, Apt. No.,
or PO Box No.
City, State, Zip+4



Code 903.06
Code 2: 26

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27

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9214 7969 0099 9790 1844 0439 87

Certified Mail Fee

\$ **\$4.85**

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$4.10**

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$

Postage

\$ **\$0.690**

Total Postage and Fees

\$ **\$9.640**

Sent To

**Karlson, Alexander & Keryn Ryan
12 Blackburne Terrace
West Orange, NJ 07052**

Street, Apt. No.,
or PO Box No.
City, State, Zip+4



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28

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0439 84

Certified Mail Fee

\$ **\$4.85**

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$4.10**

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$

Postage

\$ **\$0.690**

Total Postage and Fees

\$ **\$9.640**

Sent To

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

Street, Apt. No.,
or PO Box No.
City, State, Zip+4



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29

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0440 07

Certified Mail Fee

\$ **\$4.85**

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$4.10**

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$

Postage

\$ **\$0.690**

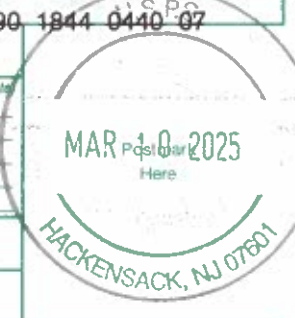
Total Postage and Fees

\$ **\$9.640**

Sent To

**Attn: Anyone authorized to accept service
Public Service Electric & Gas Company
Manager - Corporate Properties
80 Park Plaza, T6B
Newark, NJ 07102**

Street, Apt. No.,
or PO Box No.
City, State, Zip+4



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CERTIFIED MAIL® RECEIPT**
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30

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0440 14

Certified Mail Fee

\$ **\$4.85**

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$4.10**

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$

Postage

\$ **\$0.690**

Total Postage and Fees

\$ **\$9.640**

Sent To

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

Street, Apt. No.,
or PO Box No.
City, State, Zip+4



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U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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31

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0440 21

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$4.10**

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$

Postage

\$ **\$0.690**

Total Postage and Fees

\$ **\$9.640**

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Attn: Anyone authorized to accept service
New Jersey American Water Company
167 John F. Kennedy Parkway
Short Hills, NJ 07078

PS Form 3800, January 2023

See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

33

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0440 45

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$4.10**

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$

Postage

\$ **\$0.690**

Total Postage and Fees

\$ **\$9.640**

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Attn: Anyone authorized to accept service
Comcast Cablevision
800 Rahway Avenue
Union, NJ 07083

PS Form 3800, January 2023

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U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

35

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0440 69

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$4.10**

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$

Postage

\$ **\$0.690**

Total Postage and Fees

\$ **\$9.640**

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Attn: Anyone authorized to accept service
Verizon
1 Verizon Way
Basking Ridge, NJ 07920-1025

PS Form 3800, January 2023

See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

32

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0440 38

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$4.10**

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$

Postage

\$ **\$0.690**

Total Postage and Fees

\$ **\$9.640**

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Comcast Cablevision
800 Rahway Avenue
Union, NJ 07083

PS Form 3800, January 2023

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U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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34

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0440 52

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$4.10**

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$

Postage

\$ **\$0.690**

Total Postage and Fees

\$ **\$9.640**

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Verizon
1 Verizon Way
Basking Ridge, NJ 07920-1025

PS Form 3800, January 2023

See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

30

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0440 76

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$4.10**

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$

Postage

\$ **\$0.690**

Total Postage and Fees

\$ **\$9.640**

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

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

PS Form 3800, January 2023

See Reverse for Instructions

U.S. Postal Service™
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37

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0440 83

Certified Mail Fee

\$ **\$4.85**

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$4.10**

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$

Postage

\$ **\$0.690**

Total Postage and Fees

\$ **\$9.640**

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Attn: Anyone authorized to accept service
Township of West Orange
Municipal Building
66 Main Street
West Orange, NJ 07052

PS Form 3800, January 2023

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U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

39

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0441 06

Certified Mail Fee

\$ **\$4.85**

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$4.10**

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$

Postage

\$ **\$0.690**

Total Postage and Fees

\$ **\$9.640**

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Attn: Anyone authorized to accept service
Township of West Orange
66 Main St.
West Orange, NJ 07052

PS Form 3800, January 2023

See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

41

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0441 20

Certified Mail Fee

\$ **\$4.85**

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$4.10**

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$

Postage

\$ **\$0.690**

Total Postage and Fees

\$ **\$9.640**

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Attn: Anyone authorized to accept service
Essex County Planning Board
Dept. of Public Works
900 Bloomfield Ave.
Verona, NJ 07044

PS Form 3800, January 2023

See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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38

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0440 90

Certified Mail Fee

\$ **\$4.85**

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$4.10**

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$

Postage

\$ **\$0.690**

Total Postage and Fees

\$ **\$9.640**

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Attn: Municipal Clerk
Township of West Orange
66 Main St.
West Orange, NJ 07052

PS Form 3800, January 2023

See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

40

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0441 13

Certified Mail Fee

\$ **\$4.85**

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$4.10**

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$

Postage

\$ **\$0.690**

Total Postage and Fees

\$ **\$9.640**

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Essex County Planning Board
Dept. of Public Works
900 Bloomfield Ave.
Verona, NJ 07044

PS Form 3800, January 2023

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U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

42

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0441 37

Certified Mail Fee

\$ **\$4.85**

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ **\$4.10**

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$ **\$0.00**

☐ Adult Signature Restricted Delivery \$

Postage

\$ **\$0.690**

Total Postage and Fees

\$ **\$9.640**

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Commissioner of Transportation
New Jersey Department of Transportation
David J. Goldberg Transportation Complex
1035 Parkway Ave., P.O. Box 600
Trenton, NJ 08625

PS Form 3800, January 2023

See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

43

For delivery information, visit our website at www.usps.com®

9214 7969 0099 9790 1844 0441 44

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- | | | |
|--|----|--------|
| ☐ Return Receipt (hardcopy) | \$ | \$4.10 |
| ☐ Return Receipt (electronic) | \$ | |
| ☐ Certified Mail Restricted Delivery | \$ | |
| ☐ Adult Signature Required | \$ | \$0.00 |
| ☐ Adult Signature Restricted Delivery | \$ | |

Postage

\$

\$0.690

Total Postage and Fees

\$

\$9.640

Sent To

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

Attn: Anyone authorized to accept service
New Jersey Department of Transportation
David J. Goldberg Transportation Complex
1035 Parkway Ave., P.O. Box 600
Trenton, NJ 08626

PS Form 3800, January 2023

See Reverse for Instructions



Exhibit “D”

The Star-Ledger, Newark

The Star-Ledger

Publication Name:

The Star-Ledger, Newark

Publication URL:

www.nj.com/starledger

Publication City and State:

Newark , NJ

Publication County:

Essex

Notice Popular Keyword Category:

Notice Keywords:

mpb realty

Notice Authentication Number:

202503101331191481822

2906008597

Notice URL:

[Back](#)

Notice Publish Date:

Monday, March 10, 2025

Notice Content

NOTICE OF PUBLIC HEARING (VIRTUAL PUBLIC HEARING) Township of West Orange Zoning Board of Adjustment PLEASE TAKE NOTICE that the Township of West Orange Zoning Board of Adjustment (the "Board") will hold a virtual public hearing on March 20, 2025 at 8:00 PM to review and take formal action upon an application for preliminary and final major site plan approval, conditional use variance, bulk variance and design waiver/exception relief (the "Application") by MPB Realty LLC (the "Applicant") with respect to property having a street address of 470 Eagle Rock Avenue, West Orange, New Jersey 07052 and being designated as Block 153, Lot 38, on the Township of West Orange Tax Map (collectively, the "Property"). The Property is located in the B-2 Zone (the "Zone"). The Applicant proposes to renovate and expand the existing approximately 5,888 sq.ft. single-story restaurant building and convert same into an approximately 2,391 sq.ft. Popeyes fast food restaurant with ancillary drive-thru service ("Popeyes") and an approximately 3,797 sq.ft. IHOP restaurant ("IHOP") (total building area of approximately 6,188 sq.ft.). The proposed Popeyes (fast food restaurant with ancillary drive-through service) is a conditional use within the Zone, and the proposed IHOP (restaurant) is a permitted use within the Zone. The Applicant seeks conditional use variance relief pursuant to N.J.S.A. 40:55D-70(d)(3) for not complying with the following conditions: (1) Popeyes located within 500 ft. of existing fast food restaurants, where same is not permitted; (2) Popeyes located within 1,000 ft. of residential district boundary line where same is not permitted; (3) Property frontage less than required (200 ft. required along Rosney Terrace; 182.4 ft. existing/proposed along Rosney Terrace); and (4) Driveway distance to intersection less than required (100 ft. required; 13 ft. proposed). The Applicant also seeks use variance approval pursuant to N.J.S.A. 40:55D-70(d)(1) for multiple principal uses on the Property, if deemed necessary. The Applicant also seeks bulk variances pursuant to N.J.S.A. 40:55D-70(c) and design waivers/exceptions, including: (1) Impervious coverage greater than permitted (60% permitted; 80.9% existing; 75.7% proposed); (2) Curbing distance from buildings less than required (5 ft. required; 0 ft. proposed); (3) Parking proposed in front yard where same is not permitted; (4) Residential buffer width less than required (20 ft. required; 8.8 ft. proposed); (5) Number of faade signs greater than permitted (1 sign permitted; 8 signs proposed); (6) Popeyes faade sign area greater than permitted (120 sq.ft. permitted; 139 sq.ft. proposed); (7) Planted trees not proposed within parking area where same are required; (8) 50% of existing tree canopy on the Property not proposed to be preserved where same is required; (9) 50% shade in parking lot area not proposed where same is required; (10) Lux/footcandles in parking area less than required (20 Lux/2.0 footcandles required; 0.6 footcandles proposed); (11) Loading space not proposed where same is required; and (12) Number of replacement trees less than required (109 2" caliper or 49 2.5" caliper trees required; 41 trees proposed). The Applicant also seeks any additional deviations, exceptions, design waivers, submission waivers, variances, use variances, conditional use variances, interpretations, continuations of any pre-existing non-conforming conditions, modifications of prior imposed conditions and other approvals reflected on the filed plans (as same may be further amended or revised from time to time without further notice) and as may be determined to be necessary during the review and processing of the Application. The public hearing will be held by online/virtual means and telephonically only. During the public hearing, any interested party will have an opportunity to listen to and, if participating online, view the hearing in its entirety, be heard (ask questions, provide comments

or offer evidence), personally or by attorney, by either (a) participating online by visiting <https://us06web.zoom.us/j/81009681428?pwd=ZjpxwcJamMUaurx5KE9K5usd9NrUys.1> and following the instructions provided to join the online/virtual meeting, including entering meeting identification number: 810 0968 1428 and passcode: 482398, if prompted; or (b) participating telephonically by calling 1 (646) 931-3860 and entering meeting identification number: 810 0968 1428 and password: 482398, if prompted. Participating via online/virtual means or telephonically is free of charge to the public. Members of the public interested in participating in the public hearing on the Application can advise the Board Secretary, Diana Chandler, of their interest in participating in advance of the public hearing by reaching out to the Board Secretary at dchandler@westorange.org or (973) 325-4108. In addition, if any member of the public has a concern regarding utilizing the technology set forth above to participate in the public hearing, the member of the public may contact the Board Secretary by email at dchandler@westorange.org or by phone at (973) 325-4108 during regular business hours. The Application and supporting materials (including maps and plans) will be available for public inspection free of charge to the public by going to agenda at the following webpage: <https://www.westorange.org/ArchiveCenter/ViewFile/Item/2967> and clicking on the link to the subject Application at least ten (10) days before the public hearing. Alternatively, members of the public may contact the Board Secretary by email at dchandler@westorange.org or by phone at (973) 325-4108 during regular business hours in order to make an appointment to review or pick up copies of the Application materials, plans, and related documents at the office of the Board Secretary, located at 66 Main Street, West Orange, New Jersey 07052. The public hearing may be continued without further notice on such additional or other dates as the Board may determine. Jason R. Tuvel, Esq. Prime Tuvel & Miceli 1 University Plaza Drive, Suite 500 Hackensack, New Jersey 07601 Phone: (201) 883-1010 Email: jason@primelaw.com Attorneys for MPB Realty LLC 3/10/25 \$226.06

[Back](#)