

March 12, 2025

Via Electronic Mail only

Chairman and Members of the Planning Board
Dianna McGovern, Esq. Planning Board Counsel

RE: Application: TheWayMaker LLC
40 Eagle Ridge Way
West Orange, NJ

Counsel McGovern,

As you may recall, this firm represents TheWayMaker LLC with regard to the current Planning Board Application that is proceeding by consent and agreement, which requires a vote tonight.

I am in receipt of the March 10, 2025 letter from Herold Law and the March 11, 2025 letter from NewWorld Matrix Engineering addressed to this Board directing this Board not to proceed with the current Application, both of which are predicated on specious reasoning. **The letters are both rejected.** The Letter from Herold Law is unsupported by the facts and the regulations. The joining and adoption of that letter by NewWorld Matrix Engineering is surprising and equally unsupported. Mr. Scott's letter was artfully drafted by use of the words "all the engineers in the room agree..." inferring that even the Applicants engineer was in agreement. For the record, the Applicant's engineer was on a Zoom connection and did NOT agree with the unsupported theories put forth in this alleged meeting. Further for the record and to disabuse the Herold Law from their inflammatory statements, all work at the Applicant's property proceeded by permit. This Application is solely for a Stormwater Management Plan that fully and completely complies with the requirements of the NJ Administrative Code and the West Orange Ordinances.

The Chairman suggested a meeting of engineers to discuss the tangential ditch item with an optimistic belief that the issue could be put to rest. It was not. In good faith the Applicant directed its engineer to participate in a "ditch global solution" meeting with the engineers from Crystal Point, Llewellyn Park, the Township Engineer and the West Orange Planning Board Engineer. Rather than discussing a solution, the engineer from Llewellyn Park accused and threatened the Applicant's engineer with unfounded and ridiculous allegations, which were verbally supported by Crystal Point's and the Township's engineers. No solutions were presented or discussed. Professionally, it was a waste of time and money because the agenda was not serious, and the meeting appeared to be a planned ambush with an incorrect expectation. This did not seem to be the intent of the Chairman in suggesting that the professionals meet.

Letter: March 12, 2025
To: West Orange Chairman
RE: THEWAYMAKER LLC

The Applicant will present the testimony of Paul Grabowski who cleared the ditch and placed the rip rap as directed by HEP SCD. He will testify that he did not change the ditch direction, and that he cleared out brush and debris as instructed. Colliers will rebut any engineering hypotheses, speculation and misrepresentations.

The Applicant provided soil test results and a Geotechnical Report that demonstrate that the stormwater system was overdesigned (the seepage pits were more than sufficient for this Application) based on the calculations and engineering assumption used for the design, which is standard good engineering practices in proposing a conservative design.

We understand that Llewellyn Park may invite Eric Keller from Bowman Engineering to testify. We will object to any testimony which is duplicative of Mr. Simon's letter and/or concerning the ditch which was not created by the Applicant, and which carries stormwater from multiple offsite sources. We will also object to any testimony concerning the fabricated hysteria played out at the meeting on March 6, 2025. These were unserious positions that were totally unrelated to the stormwater management system that is the subject of this Application. The Application simply does not require pre-approval from the DEP, HEP SCD and the Township of West Orange that is separate from this Application. The necessary HEP SCD Application was filed and approved for the construction to date. Once the Stormwater Management Plan is approved, the permit will be amended and the plans submitted. Llewellyn Park can file any complaint with the NJ DEP that it chooses as a neighboring property Owner to the Applicant but has not done so for eighteen months that it has wrongfully delayed the completion of a single family back yard.

This Application must be concluded on March 12, 2025 and a vote taken. The Applicant has submitted a comprehensive stormwater management plan, fully supported by the original assumptions and proved by the soils tests. The Applicant will not consent to the matter being carried to another meeting for any reason.

Very truly yours,

Priscilla J. Triolo, Esq. /s/

PRISCILLA J. TRIOLO, ESQ.

CC: THEWAYMAKER LLC (via electronic mail)