

**NOTICE OF PUBLIC HEARING
TOWNSHIP OF WEST ORANGE PLANNING BOARD
COUNTY OF ESSEX, STATE OF NEW JERSEY**

TO:

PLEASE TAKE NOTICE that the Township of West Orange Planning Board (the “Board”) will hold a public hearing on April 30, 2025 at 6:30 p.m. (the “Hearing”), conducted in-person in the Council Chambers, Township of West Orange Municipal Building, 66 Main Street, West Orange, New Jersey, to consider the application made by **West Essex Highlands, Inc.** (“Applicant”) for Preliminary and Final Site Plan Approval, bulk variance approval, de minimis exceptions from New Jersey’s Residential Site Improvement Standards, N.J.A.C. 5:21-1, et seq. (“RSIS”), and such other relief as may arise during the course of the Hearing (“Application”) to permit the construction of: (1) a total of 496 multi-family residential units, 100 of which will be set-aside as affordable rental units for low and moderate income families, located in a total of 4 separate buildings; (2) a clubhouse/amenities building; and (3) recreational amenities, along with grading, drainage, stormwater basins, utilities, parking, paving, sidewalks, plantings, lighting, and other site plan improvements typically associated with residential development (the “Project”) on property identified as Block 179, Lot 32 on the West Orange Tax Map and located at the northern terminus of Warner Road (the “Property”). The Property is bordered to the west and north by the Township of Essex Fells, to the north by the Howell Drive single-family development, to the south by the West Essex Highlands Condominium development and The Grande at Pleasantdale Chateau single-family development, and to the east by the Mayfair Drive and Rosemont single-family developments. The Property is presently vacant, has a total area of approximately 120.5 acres, and is located in the IH-1 (Inclusionary Housing) Zoning District (the “IH-1 Zone”). The Hearing is a continuation of the public hearings for the Application, which previously took place on July 30, 2024, July 31, 2024, August 14, 2024, September 11, 2024, October 30, 2024, November 13, 2024, December 11, 2024, January 29, 2025, February 26, 2025, and March 19, 2025.

Applicant makes this Application pursuant to the requirements of the Township of West Orange (the “Township”) Land Use Regulations Ordinance, Chapter 25 of the West Orange Code (“LURO”), and the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq. (“MLUL”), and pursuant to a court-approved settlement of litigation before the Superior Court of New Jersey, Law Division, Essex County, captioned as follows: In the Matter of the Township of West Orange, Docket No. ESX-L-4697-15 (the “Litigation”), which Litigation concerned the Township’s constitutional obligation to provide its fair share of housing to families with low and moderate incomes. As part of the settlement of the Litigation, the Township, the Applicant, and the West Essex Highlands Condominium Association, Inc. (the “Association”) entered into a Settlement of Litigation Agreement in April 2020 (the “Settlement Agreement”). The Settlement Agreement was approved by the Court in the Litigation, and in consideration of the Township complying with its settlement obligations, including the rezoning of the Property. Pursuant to the Settlement Agreement, the Township obtained an Order of Judgment of Compliance and Repose entered by the Court on March 17, 2021 (the “Order”). Pursuant to the Order, the Township received immunity from affordable housing lawsuits through July 6, 2025. The IH-1 Zone and its zoning requirements were created specifically as part of the Township’s settlement obligations in the Litigation, including those obligations set forth in the Settlement Agreement. The Project and uses proposed by this Application are permitted within the IH-1 Zone. The Applicant seeks a bulk variance from the requirement of LURO Section 25-19(e)(10) (maximum exposure of perimeter walls for basements, cellars, or building foundations), where 50% is required and greater than 50% is proposed.

Primary access to the Property is provided via Warner Road, via Oval Road, via Eagle Rock Avenue. The Application also proposes access via Kuzik Drive, which connects the Property with Warner Road. Applicant has committed to installing certain off-tract improvements to Eagle Rock Avenue, an Essex County road, including the installation of a traffic signal at the intersection of Eagle Rock Avenue and Oval Road. Emergency access to the Property is provided via two single-family lots located on Howell Drive which are owned and/or controlled by the Applicant.

Pursuant to its obligation to the Association under the Settlement Agreement, Applicant seeks a de minimis exception from any RSIS requirement to provide permanent access to the Property via Kuzik Drive. In the event an exception or waiver is granted, then Kuzik Drive will serve as emergency access only. Applicant also seeks a de minimis exception from the RSIS requirement to install sidewalks on both sides of all streets where the Application proposes one sidewalk in certain locations.

The Applicant further requests all other variances, waivers, relief, exceptions, interpretations and/or approvals as may arise during the public hearing or be required under the circumstances pursuant to the LURO, the MLUL, and/or RSIS.

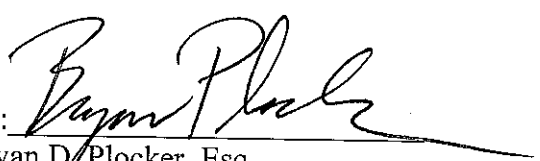
At the public hearing on the Application, members of the public may appear in person or by attorney to ask questions and to make comments and objections. As an accommodation to members of the public, the Board intends to broadcast the Hearing via the virtual Zoom platform by way of a link to be provided on the Board's agenda for its April 30, 2025 Special Meeting. The agenda link can be found on the Board's web page at:

<https://www.westorange.org/Archive.aspx?AMID=38>

YOU MUST BE PHYSICALLY PRESENT AT THE MEETING TO PARTICIPATE OR TO PRESENT ANY OBJECTIONS. ZOOM VIEWING OF THE HEARING IS OFFERED AS AN ACCOMMODATION ONLY. ANY TECHNICAL DIFFICULTIES AFFECTING THE BOARD'S ABILITY TO BROADCAST THE HEARING SHALL NOT SERVE AS A BASIS TO CHALLENGE THE BOARD'S JURISDICTION TO CONDUCT THE HEARING. THE ONLY GUARANTEED MEANS TO VIEW AND PARTICIPATE IN THE HEARING IS BY BEING PHYSICALLY PRESENT IN COUNCIL CHAMBERS.

All documents filed by the Applicant in connection with the Application will be on file and available for public inspection no later than ten (10) days in advance of the hearing date. The Application materials may be viewed in the Office of Planning Board Secretary located at 66 Main Street, West Orange, New Jersey 07052, during regular business hours, excluding holidays, and may also be accessed on the Township of West Orange website under the April 30, 2025 Special Meeting agenda at: <http://westorange.org/Archive.aspx?AMID=38>. To verify the hours to view the application materials in-person, or if you are having trouble accessing the application materials online, please contact the Planning Board Secretary. The Planning Board Secretary is Jamilet Baquerizo Vite. She may be reached by email at jvite@westorange.org or by telephone at (973) 325-4111, Monday through Friday from 8:30 AM and 4:30 PM.

West Essex Highlands, Inc.,
Applicant

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