

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

A. APPLICANT INFORMATION

Full Legal Name: Panorama LLC
(Last) (First)
Mailing Address: 15 Mountain View Court Totowa NJ 07512
(Street) (City) (State) (Zip)
Telephone Number: (973) 759-2807 Email: rgaccione@gpmlegal.com
Robert A. Gaccione, Esq.

Is the Applicant an: ☐ Individual, ☐ Corporation, ☐ Partnership, ☒ Other LLC

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.

- See attached Business Entity Disclosure

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. - See attached affidavit

B. PROPERTY OWNER INFORMATION

☐ Check here if same as applicant. If the owner is not the applicant, please complete the following:

Owner's Name: Thea LLC
Address: 15 Mountain View Court, Totowa NJ 07512
Telephone Number: (973) 759-2807 Email: rgaccione@gpmlegal.com

C. PROPERTY INFORMATION

Robert A. Gaccione, Esq.

Street Address: 410 Eagle Rock Avenue, West Orange NJ 07052
Block Number(s): 109 / 111; Lot Number(s): 1.01 / 1.05;
Tax Plate: 72; Zone of Property: B-2 & PURD
The location of the property is approximately 700 feet from the intersection of
Eagle Rock Avenue and Prospect Avenue (closest intersection.)

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

☒ Yes, Date(s): ZB-15-11 (12/17/15); ZB-16-18 (2/16/17); ZB-21-13 (1/20/22); ☐ 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 - Diner with outdoor seating

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

The present application proposes to amend the prior site plan approval granted by the West Orange Zoning Board ZB-21-13 approval to incorporate additional parking spaces.

The property is 192,631 (square feet); 4.42 (acres)

Impervious Surface Coverage: Present: 26.44%; Proposed: 30.7%

Building Coverage: Present: 4.80%; Proposed: 4.80% (No change)

Is the property located:

Within 200 feet of another municipality?	☐ Yes	☒ No
Adjacent to an existing or proposed county road?	☒ Yes	☐ No
Essex County Route 611		
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: Robert A. Gaccione, Esq. of Gaccione Pomaco, P.C.

Telephone Number: (973) 759-2807 Email: rgaccione@gpmlegal.com

Address: 1 Boland Drive, Suite 102, West Orange NJ 07052

APPLICANT'S ENGINEER: J. Michael Petry, P.E., P.P. of Petry Engineering LLC

Telephone Number: (973) 227-7004 Email: info@petryengineering.com

Address: 155 Passaic Avenue, Suite 350, Fairfield NJ 07004

APPLICANT'S ARCHITECT: Not applicable

Telephone Number: () _____ Email: _____

Address: _____

APPLICANT'S PLANNER: J. Michael Petry, P.E., P.P. of Petry Engineering LLC

Telephone Number: (973) 227-7004 Email: info@petryengineering.com

Address: 155 Passaic Avenue, Suite 350, Fairfield NJ 07004

OTHER EXPERT(S): Not applicable

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
Amended Site Plan	J. Michael Petry, P.E.	1/24/25

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: Konstantinos Katsanos Date: 4-24-25
Konstantinos Katsanos, Member

CONTINUANCE Panorama LLC dba Chit Chat Diner

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: Konstantinos Katsanos Date: 4-24-25
Konstantinos Katsanos, Member
Panorama, LLC dba Chit Chat Diner

OWNER'S AUTHORIZATION - MUST BE SIGNED

I hereby certify that I reside at 15 Mountain View Court, Totowa
in the County of Passaic 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) 109 / 111;
Lot(s) 1.01 / 1.05 on the Tax Map of West 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: Konstantinos Katsanos Date: 4-24-25
Konstantinos Katsanos, Member
Thea, LLC

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.

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:	- Not provided	
List of Energy Star and WaterSense appliances, fixtures and construction techniques:	- Not provided	
List of green and recycled building materials in new construction, renovation, and maintenance:	- Not provided	
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:	- Not provided	
Use of any water efficient landscaping:	- Not provided	
Use of any on-site renewable energy systems such as: (i) Solar (ii) Wind (iii) Geothermal	- Not provided	
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	- Not provided	
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	- Not provided	
A list of native and well adapted species used in landscaping to eliminate the need for fertilization and pesticides:	- Not provided	

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



Permit No: _____
Date Issued: _____

Township of West Orange
Application for Tree Removal and Replacement Permit

ALL questions must be answered for the Applications to be considered COMPLETE.

Application Date: 4-21-25

This Application for a Tree Removal and Replacement Permit is made with reference to and the intent to comply with all applicable laws, rules, and regulations, including the General Revised Ordinances of the Township of West Orange.

1. Name of Applicant: Panorama LLC
Street Address: 15 Mountain View Court
City/State/Zip: Totowa, NJ 07512
Home Phone: 973-759-2807 Work/Cell Phone: _____
Email: rgaccione@gpmlegal.com Robert Gaccione, Esq. of
2. Location of Property Subject to Proposed Tree Removal Activity Gaccione Pomaco, P.C.
Street Address: 410 Eagle Rock Avenue
Block: 109 Lot: 1.01
3. Property Owner(s) of Record
Name of Owner: Thea LLC
Street Address: 15 Mountain View Court
City/State/Zip: Totowa, NJ 07512
Home Phone: 973-759-2807 Work/Cell Phone: _____
Email: rgaccione@gpmlegal.com Robert Gaccione, Esq. of
Gaccione Pomaco, P.C.
4. Status of Applicant (Check One)
☒ Tenant ☐ Owner ☐ Contract Purchaser ☐ Other: _____
If the Applicant is not the owner, attach hereto the notarized consent of the owner.
5. Has this property been the subject of an application and/or otherwise involved in a matter before the West Orange Planning Board and/or Board of Adjustment?
Yes ☒ No ☐ If yes, please state the dates and action taken or pending, identify the Township Agency who or is handling the matter, and enclose a copy of the resolution conserved by the Agency, if applicable: ZB-15-11 (approved 12/17/15); ZB-16-18 (approved 2/16/17); and ZB-21-13 (approved 1/20/22)
6. Has the property received a construction permit and/or is there a construction permit pending?
Yes ☒ No ☐ If yes, please state the reason for and the date of application or the date of the issuance of the permit:
Current diner constructed in 2016.

Permit No: _____
Date Issued: _____

7. Describe or attach the landscaping replacement planting plan, if applicable, including the number, size and species of trees to be replaced. Attach additional sheets if necessary: Nine trees over 4" in diameter to be removed.

Replacement trees shown on Tree Removal and Landscaping Plan.

8. Describe or attach grading plan if more than six (6) inches of soil will be removed or added within the drip line of a tree or trees on the site:

Grading plan provided.

9. Map, drawing or diagram must be attached hereto. List the names, address, phone number and email of the preparer of the map drawing or diagram attached:

J. Michael Petry, P.E. 155 Passaic Avenue, Suite 305, Fairfield NJ 07004

10. List the number, species, and diameter of each tree to be removed: 9 Total trees to be removed. 6 trees 4" in diameter;
2 trees 6" in diameter; and 1 tree 8" in diameter.

11. State reason for tree removal: Area to be paved for parking.

12. Identity contractor who will be providing tree removal services:

Name: To be determined

Address: _____

City/State/Zip: _____

Work Phone: _____

Cell Phone: _____

Email: _____

13. Proposed dated to commence tree removal: To be determined

Proposed dated to complete tree removal: To be determined

It is understood that the undersigned may be subject to statutory penalties for each violation of the terms and conditions of the West Orange Tree Preservation, Removal and Replacement Ordinance. The undersigned agrees to post a copy of the Tree Removal Permit on the site and to present a copy for review upon request.

Konstantinos Katsanos

Applicant's Signature

Print Name Legibly

Date

Konstantinos Katsanos, Member
Panorama LLC

4-24-25

Permit No: _____
Date issued: _____

For Administrative Purposes Only:	
Numbers of trees approved for removal:	_____ (living) _____ (dead/dying)
Number of trees replaced:	_____
Additional replacement /preservation requirements:	_____
Circle One: Basic Permit Fe: \$25.00 Total	Development Application Fee: \$500.00 Total
Signature of Forester: _____	Date: _____

West Orange Ordinance #2177-08 defines a tree as "a self-supporting single stem perennial woody plant having a diameter of at least four inches measured at a point of 4.5 feet (or 54 inches) from the ground at the base of the tree on its uphill side.

Up to three (3) live trees may be removed on an improved residential lot within any 365-day period without the necessity of obtaining a tree removal permit.

ROBERT A. GACCIONE
FRANK POMACO
DENNIS E. GAGLIONE
ALDO DITROLIO
ANTHONY G. DEL GUERCIO

DIANA POWELL McGOVERN
WILLIAM F. HARRISON

GACCIONE POMACO

A PROFESSIONAL CORPORATION

ONE BOLAND DRIVE

SUITE 102

WEST ORANGE, NEW JERSEY 07052

(973) 759-2807

TELEFAX: (973) 759-6968

MICHAEL J. PIROMALLI
STEVEN M. AHRENDT
WILFREDO CARABALLO

Of Counsel

LESLIE W. FINCH
(1973-2000)

Proposal

Re: Panorama LLC (dba Chit Chat Diner)
410 Eagle Rock Avenue
Blocks 109 / 111, Lots 1.01 / 1.05

Panorama LLC (the "Applicant") has filed an application to the West Orange Zoning Board of Adjustment requesting amended final major site plan approval in order to amend a previously approved site plan to permit the construction of an additional parking area to increase the number of available parking spaces for the existing restaurant use. Should the present application be approved the current parking layout which offers 85 parking spaces will be re-configured to provide 104 total parking spaces (96 physical parking spaces + 4 banked parking spaces + 4 EV credit parking spaces).

The subject property is located partially in the B-2 and PURD Zones and the existing and proposed restaurant with outdoor dining use is a pre-existing non-conforming use in the PURD Zone. In order to develop and use the subject property as proposed, the Applicant is requesting amended final major site plan approval in addition to any and all variances or waivers that the West Orange Zoning Board of Adjustment deems necessary for approval of the application.

Dated: April 21, 2025

ROBERT A. GACCIONE
FRANK POMACO
DENNIS E. GAGLIONE
ALDO DITROLIO
ANTHONY G. DEL GUERCIO

DIANA POWELL McGOVERN
WILLIAM F. HARRISON

GACCIONE POMACO

A PROFESSIONAL CORPORATION

ONE BOLAND DRIVE

SUITE 102

WEST ORANGE, NEW JERSEY 07052

(973) 759-2807

TELEFAX: (973) 759-6968

MICHAEL J. PIROMALLI
STEVEN M. AHRENDT
WILFREDO CARABALLO

Of Counsel

LESLIE W. FINCH
(1973-2000)

Business Entity Disclosure Statement

The Applicant for development at 410 Eagle Rock Avenue in West Orange, New Jersey (Block 109, Lot 1.01 & Block 111, Lot 1.05) is Panorama LLC. Panorama LLC is a New Jersey Domestic Limited Liability Company formed on October 14, 2014 with an address of 15 Mountain View Court, Totowa, New Jersey 07512. The following natural persons own a 10% or greater interest in the entity:

- | | | |
|-------------------------|---|---------------|
| • Konstantinos Katsanos | 15 Mountain View Court, Totowa NJ 07512 | 50% interest |
| • Lola Katsanos | 15 Mountain View Court, Totowa NJ 07512 | 50 % interest |

The Owner of the subject property is Thea LLC. Thea LLC is a New Jersey Domestic Limited Liability Company formed on October 14, 2014 with an address of 15 Mountain View Court, Totowa, New Jersey 07512. The following natural persons own a 10% or greater interest in the entity:

- | | | |
|-------------------------|---|---------------|
| • Konstantinos Katsanos | 15 Mountain View Court, Totowa NJ 07512 | 50% interest |
| • Lola Katsanos | 15 Mountain View Court, Totowa NJ 07512 | 50 % interest |



Konstantinos Katsanos, Member
Panorama LLC & Thea LLC

AFFIDAVIT OF OWNERSHIP

I, Konstantinos Katsanos (Property Owner) hereby certify that I am a Member of Thea LLC which owns the subject property located at 410 Eagle Rock Avenue, West Orange NJ 07052, Blocks 109 & 111, Lots 1.01 & 1.05.

I am further a Member of the applicant entity Panorama LLC and I hereby certify that Panorama LLC has the full authority to file this application to the West Orange Zoning Board of Adjustment in connection with the subject property.

Konstantinos Katsanos

Konstantinos Katsanos, Member
Thea LLC

Sworn before me this

Robert A. Gaccio 24th day of April, 2025
Notary Public
STATE OF N.J.