



~~June 18, 2025~~ **July 25, 2025**

Ms. Diana Chandler-Zimmerman  
Board Secretary  
Township of West Orange Zoning Board of Adjustment  
66 Main Street  
West Orange, NJ 07052

Re: **Completeness Planning Review Letter**  
410 Eagle Rock Avenue  
Block #109 & 111, Lots 1.01 & 1.05  
Amended Major Site Plan Approval  
**ZB-25-04**

Dear Ms. Chandler-Zimmerman,

This office has reviewed the application submitted by *Panorama, LLC* ("**Applicant**"). The Applicant filed an application with the West Orange Board of Adjustment for amended Major Site Plan Approval to permit the construction of 104 parking spaces, which was previously approved for 85 parking spaces. The subject property is located within the Township's B-2 and PURD zones.

In preparation of this memorandum, the following documents were reviewed:

1. Correspondence from Michael Piromalli, dated May 9, 2025.
2. Township of West Orange Application Form for the Planning Board or Board of Adjustment, dated April 24, 2025.
3. Sustainability Checklist Form.
4. Application for Tree Removal and Replacement, dated April 21, 2025.
5. Project Proposal, dated April 21, 2024.
6. Business Entity Disclosure Statement.
7. Affidavit of Ownership, Konstantinos Katsanos, April 24, 2025.
8. Verification of Taxes & Sewer Charges Paid, dated May 5, 2025.
9. List and Buffer Report Map of Property Owners to be Served Notice, dated April 29, 2025.
10. Drainage Statement, prepared by Petry Engineering, LLC, dated January 24,

2025.

11. Survey, prepared by Lakeland Surveying, dated August 2, 2024.
12. Preliminary & Final Site Plan, prepared by Petry Engineering, dated January 24, 2025.
13. Resolution of Approval, ZB-16-18, West Orange Zoning Board of Adjustment, dated February 16, 2017.
14. Resolution of Approval, ZB-21-13, West Orange Zoning Board of Adjustment, dated January 20, 2022.
15. Resolution of Approval, ZB-15-11, West Orange Zoning Board of Adjustment, dated December 17, 2015.
16. Fee Explanation for Land Use
17. W-9, Panorama, LLC, dated May 12, 2025.
18. **Site Plan/Subdivision Checklist**

### Completeness

We recommend this application be deemed ~~INCOMPLETE~~ **COMPLETE**. ~~While this is an amended major site plan application, there are new variances being created. Therefore, the applicant should meet all the requirements associated with the "Checklist of Required Items "C" and "D" Applications, Interpretations and Appeals" and a newly completed checklist is required. No checklist has been provided to fully review the application for Completeness.~~

### Property Information

The property that is the subject of this Application is commonly known as 410 Eagle Rock Avenue and identified as **Block #109 & 111, Lots 1.01 & 105** in the municipal tax records for the Township of West Orange. The site is the location of a Chit Chat Diner, the site is accessed via Eagle Rock Avenue. It is irregular shaped and approximately 4.422 acres. To the north of the site is Eagle Rock Reservation, to the east and south of the site is Crown View Manor and Crown View Community. To the west of the site is 414 Eagle Rock Avenue, a multi-tenant office building and Iron Culture fitness center.



*Figure 1: 2025 Aerial Image of the site at 410 Eagle Rock Avenue is outlined in tan.*



*Figure 2: Bird's Eye View of the site facing north*

### Site Photos (taken July 25, 2025)



*Figure 3: Rear of existing parking lot area*



*Figure 4: View of cliff top from parking lot*



*Figure 5: Front of Chit Chat Diner*

## Project Overview

The Applicant, Panorama, LLC, proposes to expand its rear parking lot to create a total of 104 parking spaces, including 4 spaces as a result of an electric vehicle make-ready credit. This is an increase of 19 spaces from what was originally approved (85 total spaces) by the Board via Application ZB-25-13. A total of 117 spaces are required. The increase in parking spaces does lessen the variance from the required number of spaces, however, the minimum required setback from a cliff face is reduced from 14.6 feet as approved to 4.7 feet. 100 feet setback from the cliff face is required by ordinance.

## Zoning (§25-7.1)

The site is located within the B-1 Business District and PURD zones.

Permitted uses within the B-1 zone are as follows:

- One family, detached dwelling
- Two-family dwelling
- Water reservoir, well tower, filter bed



- Federal, state, county or township building
- Golf course and golf club house
- Farm, nursery, greenhouse and similar uses
- Hospital
- Retail Store
- Personal Service store or studio
- Office of office building
- Business or vocational school
- Restaurant
- Bar
- Massage, bodywork or somatic therapy establishment
- Fitness Center/health club

Permitted Accessory Uses include:

- Required accessory parking
- Private garage
- Home occupation
- Home professional office
- Signs
- Vending machines

Permitted Conditional Uses include:

- Motor vehicle fueling station
- Theater
- Public utility building or structure
- Telephone exchange
- Senior citizens housing project
- Hotel
- Private club, other than a golf club
- Video or amusement arcade
- Fast food restaurant
- Commercial antenna
- Microbreweries, craft distilleries and wineries
- Licensed Cannabis Retail
- Licensed Medical Marijuana Dispensary

The following are the bulk standards for the B-1 zone:

- Maximum Height: 2.5 stories and not to exceed 35 feet
- Minimum Lot Area: No minimum for non-residence
- Minimum Lot Width: No minimum for non-residence
- Minimum Front Yard: No minimum for business
- Minimum Side Front Yard – None required for business
- Minimum Side Yards: None required EXCEPT 6' min. for any side yard provided for business
- Minimum Rear Yard: 30 feet
- Maximum Building Coverage: 60%
- Maximum Lot Coverage: 75%

The following are the bulk standards for the PURD zone:

- Maximum Height: 2.5 stories and not to exceed 35 feet
- Minimum Lot Area: 20 acres
- Minimum Lot Width: 300 feet
- Minimum Front Yard: 30 feet
- Minimum Side Front Yard – 40 feet
- Minimum Side Yards: 50 feet in a natural state
- Minimum Rear Yard: 50 feet
- Maximum Building Coverage: 20%
- Maximum Lot Coverage: 35%

## Variances

The following “c” variances are required:

| Item                          | Code       | Required   | Approved  | Proposed   |
|-------------------------------|------------|------------|-----------|------------|
| Parking Stalls                | §25-12.2b1 | 117 spaces | 85 spaces | 104 spaces |
| Min. Distance from Cliff Face | §25-28.8a  | 100 feet   | 14.6 feet | 4.7 feet   |

N.J.S.A. 40:55D-70c sets forth the criteria for a planning board to grant variance from bulk requirements of zoning ordinance. Two types of “c” variances can be granted:

(c) 1: in cases of hardship, such as “exceptional narrowness, shallowness or shape of specific piece of property,” or by reason of exceptional or unique topographic conditions, physical features, or an exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.

(c) 2: where the purposes of zoning would be advanced, and the benefits derived by the variance would outweigh any detriments.

The applicant must also meet the negative criteria of the statute for the granting of a “c” variance, wherein a variance can be granted only “without substantial detriment to the public good” and where it “will not substantially impair the intent and the purpose of the zone plan and zoning ordinance.”

### **Zoning (§25-7.1)**

The site is located within the B-1 Business District and PURD zones.

Permitted uses within the B-1 zone are as follows:

- One family, detached dwelling
- Two-family dwelling
- Water reservoir, well tower, filter bed
- Federal, state, county or township building
- Golf course and golf club house
- Farm, nursery, greenhouse and similar uses
- Hospital
- Retail Store
- Personal Service store or studio
- Office of office building
- Business or vocational school
- Restaurant
- Bar
- Massage, bodywork or somatic therapy establishment
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- Required accessory parking



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- Signs
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Permitted Conditional Uses include:

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## Definitions

**CLIFF FACE** - A sheer, nearly vertical slope of exposed bedrock

**TOP OF CLIFF** - The portion of a hill located above the cliff face.

**PARKING AREA** - Shall mean an open area other than a street, public way or access driveway, but including aisles that serve parking spaces, used for the parking of motor vehicles and available for use whether for a fee or privilege for clients, customers, suppliers, residents or employees.

**PARKING SPACE** - Shall mean an off-street space available for the parking of one motor vehicle within a public or private parking facility.

## Planning Comments

1. The applicant shall provide testimony to the Board that the c variance required is due to a hardship (c1) or that the decreased distance from a cliff face is not a substantial detriment when weighed against the perceived public benefits of additional parking that is closer to the required number associated with the use and the purposed of zoning would be advanced by the board granting the variance (c2).
2. The applicant shall testify to any alternative parking arrangements made with adjacent sites and whether those arrangements would continue should the Board approve the application.
3. The applicant states it is providing 4 ADA spaces; however, 5 ADA spaces are required for total parking spaces between 101 and 150. The applicant shall identify an additional space for an ADA parking stall.  
<https://www.ada.gov/topics/parking/>



## Conclusions

The above comments are based on the review of the materials submitted to date. Nishuane Group reserves the right to provide new or updated comments as additional information becomes available. Further, this report should be cross-referenced with the Board Engineer's Review Letter and other Municipal Reviews. Should you have any questions, please do not hesitate to contact me.

Respectfully submitted,

George Wheatle Williams, PP, AICP  
Principal, Nishuane Group, LLC.

Erik DeLine, PP, AICP, LEED AP  
Associate, Nishuane Group, LLC.



## Appendices

### § 25-12 PARKING AND LOADING SPACE REQUIREMENTS.

#### § 25-12.2 Minimum Required Number of Parking Spaces.

##### **b.** Nonresidential Uses.

[Amended 9-22-2020 by Ord. No. 2617-20]

**1.** The number of off-street parking spaces required for any nonresidential use shall be determined by reference to Parking Schedule II below, except for uses in the B-1 and B-2 Zones in the Central Business District which are regulated by § **25-12.2b5**.

|                                                                        |                                                                                                                                                                                                               |
|------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Restaurant, fast food restaurant, bar, cabaret and catering facilities | 1 for each 3 seats or stools or 1 for each 45 square feet of floor area available to patrons, whichever requirement is greater. Benches shall be considered as 1 seat for each 2 linear feet of seating space |
|------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### § 25-28 STEEP SLOPE AND NATURAL FEATURES ORDINANCE.

- a. No soil or vegetation shall be disturbed or structures constructed within 100 feet of the ridge line, cliff face, and rock cuts along the roadways or quarries as defined herein, including, but not limited to, those identified in Exhibit A attached hereto, dated December 4, 1989, unless otherwise recommended by a qualified professional geotechnical engineer performing the geotechnical analysis stipulated in Subsection **25-28.7b12** above. (Exhibit A may be found on file in the Township offices.)