



**Consulting & Municipal
ENGINEERS**

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December 10, 2025

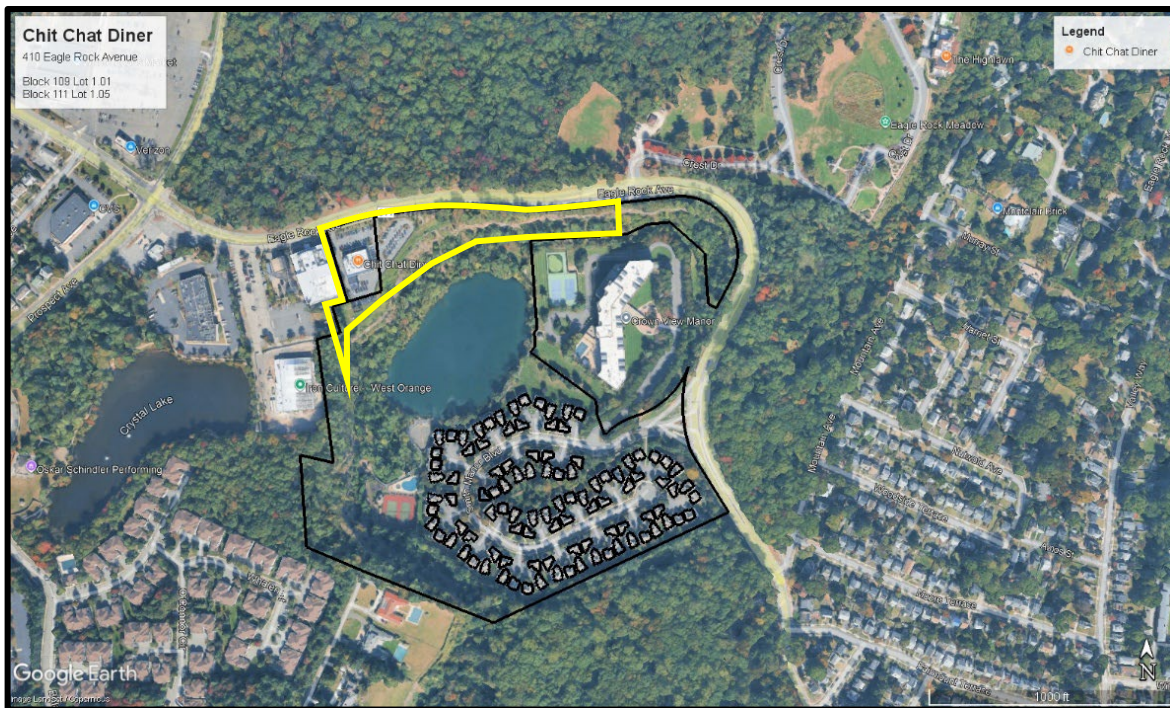
West Orange Township – Zoning Board
66 Main Street
West Orange, NJ 07052

Re: Panorama, LLC – CME Planning Review #1
410 Eagle Rock Avenue
Block 109, Lot 1.01; Block 111, Lot 1.05
Zone: B-2 General Business and PURD Planned Unit Residential Development
Our File No. 115.WRZ0109.V01

Dear Chairman and Board Members:

1. Summary

The subject site is the Chit Chat diner, located at 410 Eagle Rock Avenue. The Applicant proposes to reconfigure and expand the rear parking lot to provide a net of 15 additional parking spaces for the diner. Variances are required to permit insufficient parking, and improvements within 100 feet of the face of a cliff.





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2. Project and Property Description

The subject property is a 192,631 square feet, or 4.42 acres, irregularly shaped parcel located on the southern side of Eagle Rock Avenue that is currently developed with the Chit Chat diner. The site includes currently 85 off-street parking spaces that are accessed by one ingress driveway and one egress driveway onto Eagle Rock Avenue. The majority of the site lies within the B-2 General Business District, while a portion is situated in the PURD Planned Unit Residential Development District.

The surrounding land uses include Eagle Rock Reservation and West Orange Plaza to the north; Crown View Manor, Crown View Community, and Crystal Lake to the east and south; and 414 Eagle Rock Avenue, which contains a multi-tenant office building and the Iron Culture fitness center, to the west.

There are several previous variance approvals on the site that were granted by the Zoning Board. These include the following:

- Resolution ZB-15-11 – Granted a d-1 use variance to permit the diner parking to be located in the PURD district, and bulk variances to permit 85 parking spaces where 91 were required, as well as bulk variances for the diner building and its signage.
- Resolution ZB-16-18 – Amended the variance and site plan to allow for building modifications.
- Resolution ZB-2113 – Amended site plan approval to permit the construction of a parking deck (not constructed since then), and variance to allow for 85 parking spaces where 117 spaces were required.

The Applicant now seeks Amended Preliminary and Final Site Plan approval, to reconfigure the rear (southern) parking area behind the diner and expand it to include 15 additional off-street parking spaces. Four of the new parking spaces are proposed as EV make-ready spaces. With the expansion, this will bring the total amount of parking for the diner to 100 spaces. Along with the parking lot reconfiguration, the applicant proposes tree removal and new landscaping improvements, stormwater management infrastructure, and new lighting for the parking lot.

This is a supplemental review of the application as additional materials have been provided. For additional information, please see the Planning Report issued by the Nishuane Group on July 25, 2025.

The applicant has provided the following additional materials:

- Response letter to previous professional review comments.
- Revised site plans including identification of trees for removal.



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3. Zoning Compliance

The site is located partially within the B-2 General Business district and partially within the PURD Planned Unit Residential Development District of the Township. The diner building and most of the existing parking are located in the B-2 district, while 26 of the off-street parking spaces are located within the PURD district.

Restaurants are permitted as a principal use in the B-2 district.

Restaurants are not permitted in the PURD. However a d-1 use variance was previously granted to permit diner parking in the PURD portion of the site.

4. Bulk Standards

The following bulk requirements apply to all development in the B-2 and PURD district:

B-2 District and PURD District Standards				
	B-2 District	PURD	Proposed	Variance
Max Building Height	2 ½ story / 35 feet	35 feet	1 story/33.64 FT	No
Min Lot Area	10,000 s.f.	20 acres	192,631 s.f.	No / ENC
Min Front Yard Setback	30 feet	30 feet	87.15 feet	No
Min Side Yard Setback	10 feet + 10 feet	50 feet	23.3 feet	No
Min Rear Yard Setback	30 feet	50 feet	152.33 feet	No
Max Building Cover	40%	20%	4.80%	No
Max Lot Coverage	60%	35%	30.7%	No
Min Setback from Cliff Face	100 feet	100 feet	4.7 feet	Yes

Parking and Loading Requirements:

in accordance with § 25-12.2b5(a) Restaurant uses require the greater of 1 parking space for each 4 seats or stools.

256 seats/4 = 64 spaces; OR



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1 parking space for each 45 square feet of floor area available to patrons.

5,249 s.f. for Patrons / 45 = 117 spaces

117 parking spaces are required.

85 spaces currently exist on the site. 100 parking spaces are proposed, inclusive of 96 actual stalls, 4 banked parking stalls, as well as 4 of the 96 spaces which will be EV ready spaces, permitting the parking requirement to be reduced by 4 spaces to 113 spaces.

One loading space is required for any commercial building up to 15,000 square feet. No loading spaces are proposed. A variance was previously granted to permit this condition.

Steep Slopes:

Several portions of the side and rear areas of the property proposed for parking and associated drive aisles are situated on slopes with grades of 25 percent or greater. Under the Township Code, development is prohibited on slopes that are equal to or exceed 25 percent.

Lighting Requirements

The level of illumination around the ground level for property lines shall not exceed 0.5 footcandles, where there are 1.1 footcandles along the frontage of the property.

Within the B-2 district parking areas are required to be illuminated at a minimum of 2.0 footcandles, where the minimum footcandles proposed within the parking area is 1.7 footcandles.

Within the B-2 district streets are required to be illuminated at a minimum of 1.2 footcandles, where a minimum illumination of 0.5 footcandles is proposed within the northwest portion of the proposed drive aisle.

Additionally, the maximum height of light fixtures is required to be less than or equal to 18 feet. A light fixture including a twenty-foot mounting height is proposed.

5. Variances & Waivers Required

It appears that the following conditions are not in compliance with the Township's land development regulations and will require variance or design waiver relief from the Board to permit the project as proposed:

Variances:

- a. **§25-28.8(a) Min. Distance from Cliff Face** – The minimum distance required from the cliff face is 100 feet, where a distance of 4.7 feet is proposed.



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- b. **§25-12.2(b)(1) Parking Stalls** – The minimum number of parking spaces required is 113 spaces, where 100 spaces are proposed. A variance was previously granted to permit 85 stalls on the site.
- c. **§25-28 Steep Slope** Several areas of the property contain slopes with grades of 25 percent or greater, which are not permitted to be disturbed under the Township Code. Portions of the proposed drive aisles and parking spaces may require disturbance of steep slope areas.

Design Waivers:

- d. **§ 25-14.3 Minimum Levels of Illumination** – The parking area illumination measures at a minimum footcandle of 1.7, where a minimum of 2.0 footcandles is required. Additionally, the street illumination measures at a minimum of 0.5 footcandles, where the minimum footcandle required is 1.2 footcandles.
- e. **§ 25-14.1(c) Height of fixtures** – The height of the light fixture is 20 feet, where the maximum height of light fixtures shall not be greater than 18 feet.

6. Planning Comments

- a. This planning report is a supplement to the planning report previously provided to the Board. All comments provided in the previous planning report of the Nishuane Group, dated July 25, 2025, remain valid and should be addressed by the applicant.
- b. The applicant should discuss the proposed parking expansion and project in relation to all previous approvals granted by the Zoning Board.
- c. The application as proposed will require several bulk or 'c' variances, for insufficient parking, and development within 100 feet of a cliff, and steep slope disturbances. The applicant must satisfy both the positive and negative criteria for each of these variances:
 - i. **Positive Criteria:** The applicant must show that either there is an undue hardship (practical difficulty) in strictly conforming to the code that is caused by the unique conditions of the property (c-1 hardship), or that the proposed conditions represent a preferable alternative to conforming to the standards of the code, that the purposes of zoning will be advanced, and that the benefits of the deviation would outweigh any detrimental impacts (c-2 flexible).
 - ii. **Negative Criteria:** The applicant must show that the variance can be granted without substantial detriment to the public good, and without substantially impairing the intent and purpose of the zone plan.



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- f. Regarding the parking, we note that a variance was previously granted, and the required parking is not changing, and with the expansion of the parking lot the property will be brought closer to conformity with requirements.
- g. The applicant has not requested relief from disturbance of any steep slopes, however we note that the development is adjacent to a cliff, and it appears that there are steep slopes on site in the area proposed for the parking expansion. The applicant should confirm that no steep slope disturbance is required to properly grade the driveway and parking lot.
- h. We defer comment on impacts to cliffs and steep slopes to the Board Engineer.
- i. The application as proposed includes several areas that do not meet the minimal illumination standards. The applicant should provide testimony to address the deviation from the illumination standards.
- d. The application as proposed requires the removal of several specimen trees, and the disturbance of steep slopes. The applicant should provide testimony addressing any attempts or consideration that has been made to develop additional parking while minimizing the removal of trees and disturbance to steep slope areas.
- e. The applicant shall provide testimony addressing the tree replacement requirements of the Township code at §28-8. We note that payment in lieu of planting is permitted. We defer any further comment on tree removal and replacement to the Township Forester.
- f. We defer any comment on grading, drainage, utilities, and stormwater management to the Board Engineer.
- g. The applicant should address the status of any necessary outside agency approvals.



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If you have any questions about this report, please do not hesitate to reach out to our office.

Sincerely,

CME Associates

Christopher N. Dochney – PP, AICP
Zoning Board Planner

CD

cc: Geniece Gary-Adams – Township Zoning Official
Zayibeth Carballo, PE, PLS, PP, CME, CFM – Township Engineer
Steven Warner, Esq. – Zoning Board Attorney
Alex Fisher, Esq. – Board Attorney
John Hess, PE, PP, CME – Board Engineer
Christopher Dochney – PP, AICP – Zoning Board Planner
Panorama, LLC – Applicant
Robert A. Gaccione, Esq. – Applicant's Attorney
J. Michael Petry, PE, PP, RA – Applicant's Engineer and Planner
Jeffery S. Grunn, PLS – Applicant's Surveyor



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7. Materials Submitted

The following materials have been submitted and reviewed in association with this application:

- Project Proposal, dated April 21, 2024.
- Township of West Orange Application Form for the Planning Board or Board of Adjustment, with accompanying checklists and forms, dated April 24, 2025.
- Correspondence from Michael Piromalli submitting revised plans and drainage statement, dated November 21, 2025.
- Correspondence from Michael Piromalli, dated May 9, 2025 Preliminary & Final Site Plan drawings, prepared by Petry Engineering, dated January 24, 2025.
- Fourteen (14) sheet set of revised site plans, prepared by Petry Engineering and Lakeland Surveying, dated October 27, 2025.
- Survey, prepared by Lakeland Surveying, dated August 2, 2024.
- Drainage Statement prepared by Petry Engineering, dated January 24, 2025, revised on October 27, 2025.
- Application for Tree Removal and Replacement, dated April 21, 2025.
- Drainage Statement, prepared by Petry Engineering, LLC, dated January 24, 2025.
- Resolution of Approval, ZB-16-18, West Orange Zoning Board of Adjustment, dated February 16, 2017.
- Resolution of Approval, ZB-21-13, West Orange Zoning Board of Adjustment, dated January 20, 2022.
- Resolution of Approval, ZB-15-11, West Orange Zoning Board of Adjustment, dated December 17, 2015.
- Petry Engineering Response Letter to the Engineering and Planning review letters and SPRAB report dated October 27, 2025.