



MEMORANDUM

To: *Chairman and Members of the
West Orange Planning Board*

From: *Ryan MacNeill, PE For
John J. Hess, PE, PP, CME
Planning Board Engineer*

Date: *December 16, 2025*

Re: *Application No. PB-25-09
Johnny R. Perez
Minor Subdivision with "C" Variances – Review #1
68 Whittlesey Avenue
Block 129, Lot 58
Our File: 115.WRP0129.V02 (60001)*

CC: *Geniece Gary-Adams – Director of Planning & Development/Zoning Official
Zayibeth Carballo, PE, PLS, PP, CME, CFM, CFS – Municipal Engineer
Diana McGovern, Esq. – Planning Board Attorney
Malvika Apte, PP, AICP – Planning Board Planner
Johnny R. Perez – Applicant
Alan G. Trembulak, Esq. – Applicant's Attorney
Richard T. Watson, PLS – Applicant's Surveyor
John McDonough, PP – Applicant's Planner*

Our office has received for review the following documents which were submitted in support of the above referenced application for Minor Subdivision approval with "C" Variances:

- A Proposed Minor Subdivision drawing (1 sheet) prepared Richard T. Watson, PLS with Borrie, McDonald & Watson Land Surveyors of Bloomfield, New Jersey and bearing a latest revision date of October 23, 2025.
- A completed Application Form.
- A Proposal and Reasons for Relief.
- A completed Site Plan/Subdivision Checklist.
- A copy of a Buffer Report which lists the owners of property within 200 Feet of Block 129, Lot 58 from the Office of the Assessor dated August 20, 2025.
- A copy of a Verification of Taxes & Sewer Charges Paid for Block 129, Lot 58 from the Office of the Tax Collector dated August 8, 2025.



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We have reviewed the submitted information and offer the following comments:

A. PROJECT DESCRIPTION

The property in question is a rectangular tract which fronts on the easterly side of Whittlesey Avenue. It is located in the R-T Two Family Residential Zone and has an area of 10,000 sf (0.23 acres). Lot 58 is currently occupied by a two and a half-story two-family dwelling and two sheds. The Applicant is seeking Minor Subdivision approval with "C" variances to subdivide the lot into two new residential lots. Proposed Lots 58.01 and 58.02 will both have an area of 5,000 sf (0.11 acres). Proposed Lot 58.02 will contain the existing two-family dwelling, and no improvements are shown on proposed Lot 58.01 at this time. However, the Applicant has indicated that they intend to develop the lot with a two-family dwelling.

B. WAIVERS AND/OR EXCEPTIONS FROM THE RESIDENTIAL SITE IMPROVEMENT STANDARDS (RSIS)

This application is subject to the requirements of the Residential Site Improvement Standards (RSIS) adopted as NJAC 5:21-1, et seq.

1. The Applicant has not requested any *minimis* exceptions from the RSIS.
2. The Applicant has not requested any waivers from RSIS.

C. VARIANCES AND/OR WAIVERS FROM LOCAL ORDINANCES

1. The Applicant has requested a variance to permit a lot area of 5,000 sf for both of the proposed lots. We note that a two-family dwelling requires a minimum lot area of 7,500 sf.
2. The Applicant has requested a variance to permit a lot width of 50 feet for both of the proposed lots. We note that a two-family dwelling requires a minimum lot width of 75 feet.
3. The Applicant has requested a variance to permit a side yard setback (one side) of 1.67 feet on proposed Lot 58.02. We note that a minimum side yard setback (one side) of 8 feet is required.

D. DESIGN COMMENTS AND PLAT DETAILS

1. The Applicant should clarify if the Minor Subdivision will be filed with the County Clerk's office by plat or by deed. If filed by plat, the Proposed Minor Subdivision drawing must be revised to comply with the requirements of the Map Filing Law.
2. As stipulated in the Municipal Land Use Law, the approval of this minor subdivision will expire 190 days after the date that the resolution of municipal approval is adopted unless within such period a minor subdivision plat or deed has been filed with the county recording officer, the municipal engineer and the municipal tax assessor.
3. The Proposed Minor Subdivision drawing should be revised to include an existing and proposed zoning bulk table consistent with the R-T zone requirements for two-family dwellings.



**Consulting & Municipal
ENGINEERS**

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4. The Proposed Minor Subdivision drawing should be revised to depict all existing improvements to remain as well as indicate which existing improvements are proposed to be removed.
5. A note should be added to the Proposed Minor Subdivision drawing stating that runoff from the future dwelling on proposed Lot 58.01 will not be directed onto any neighboring properties as stipulated in Section 25-8.16 of the Land Use Regulations.
6. A note should be added to the plan which states that any settled or damaged sidewalk along the site frontage of each lot shall be replaced as directed by the municipal engineer.
7. The proposed block and lot numbers and street addresses for the new lots must be approved in writing by the Tax Assessor.
8. Copies of any existing and/or proposed deed restrictions or covenants must be submitted to the Board.

The Applicant is hereby advised that any revised plans or other documents submitted to the Board should be accompanied by a cover letter which addresses each of the comments in this review letter and also details any other changes that have been made to the plans as these may not be readily apparent.