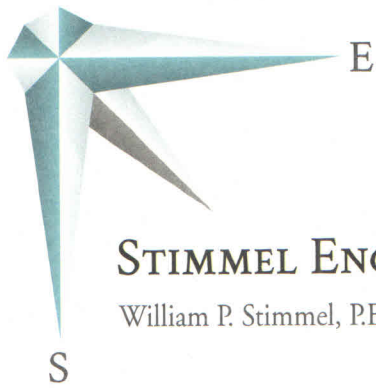




STIMMEL ENGINEERING

William P. Stimmel, P.E., P.P., PTOE

December 30, 2025

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

RE: Planner's Report
Juan & Zenobia Perez
66 Whittlesey Avenue – Block 129, Lot 60
Township of West Orange, Essex County, New Jersey

This report has been prepared by Stimmel Engineering ("SE") to support the application to construct an addition to an existing single-family dwelling and convert said dwelling to a three-family dwelling. SE has reviewed the following documents during the preparation of this report:

- Grading Plan consisting of one (1) sheet prepared by Joseph N. Bachi, P.E., CME of EKA Associates, P.A., last revised July 7, 2025
- Architectural Plans consisting of four (4) sheets prepared by Jeffrey L. Weltz, A.I.A., of Weltz Molinari Architecture, dated September 15, 2025
- Transmittal Letter from Michael J. Piromalli, Esq. of Gaccione Pomaco PC, dated September 26, 2025
- Township of West Orange Application to the Zoning Board dated August 25, 2025 (with attachments)

In addition, representatives of SE visited the site on December 9, 2025 to evaluate the subject property and the surrounding area.

Existing Conditions

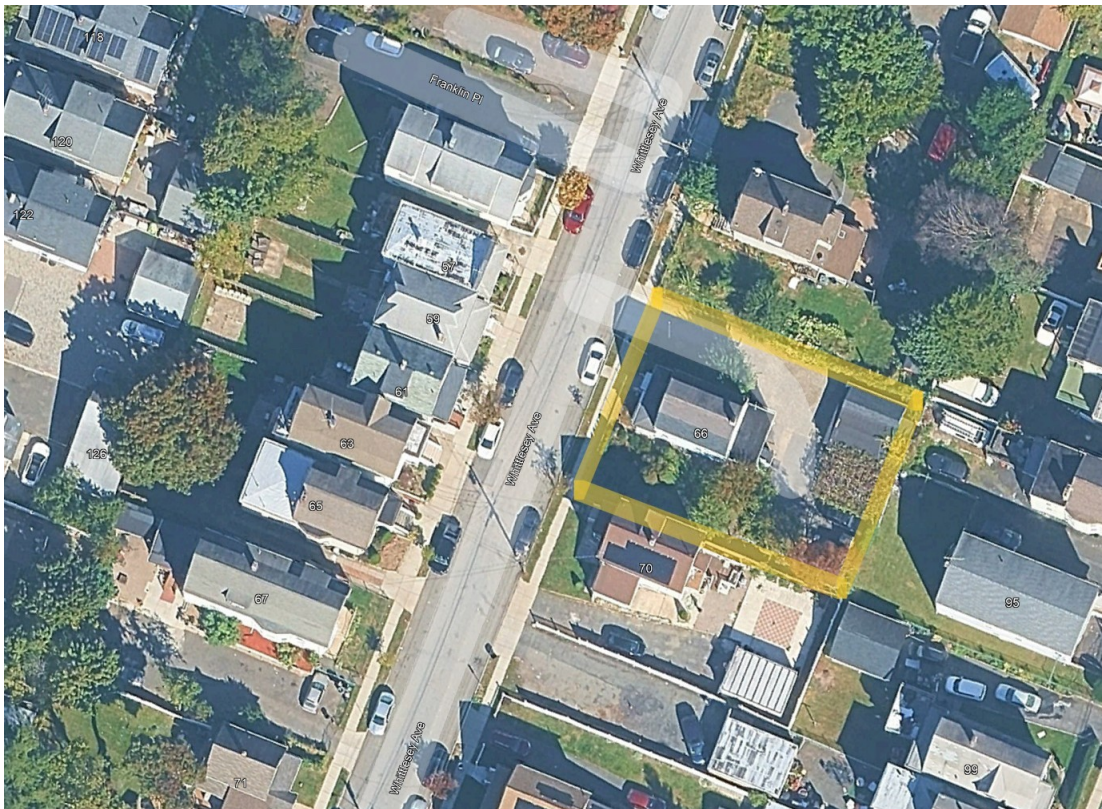
- The site consists of a 7,500 s.f. lot (75 ft. wide x 100 ft. deep)
- Bound by Whittlesey Avenue to the west and adjoining residential lots to the north, south and east
- Occupied by an existing 2-1/2 story single-family dwelling centrally located on the property.
- Vehicular access to the site via a paved driveway along the northern property line which leads to a single-car frame garage at the rear of the property.
- Several outbuildings and a patio to the rear of the existing dwelling
- Remainder of the property is landscaped.
- Lighting consists of fixtures common to detached residential dwellings.

Proposed Conditions

- The applicant proposes to construct a 2-1/2 story addition to the existing building on what is currently the southern facade.
- The expanded building will provide a total of three residential dwelling units.
- There is no change to the existing two-bedroom unit.
- Two (2) new two-bedroom units will be constructed in the addition.
- The paved driveway and parking area will be expanded to accommodate four vehicles, including one garage space.
- Drainage improvements consisting of a seepage pit will be constructed at the southeast corner of the property.



The above photo was taken by SE on 12/09/25 and depicts the front (westerly) facade of the existing building.



The above photo is an aerial taken from Google Maps with the site perimeter highlighted in yellow.

Zoning Ordinance

Zone for the Property

The site is located in the R-T Zone, per the Township of West Orange Zoning Map, as are all adjoining parcels within 200 feet of the site.

Permitted principal uses in the R-T Zone, per §25-7.1, Part A:

- A. Those purposes specified in R-1 Zone
 - 1. One-family detached dwelling
 - 2. Water reservoir, well tower, filter bed
 - 3. Federal, state, county or township building
 - 4. Golf course and golf club house
 - 5. Farm, nursery, greenhouse and similar uses
 - 6. Hospital
- B. Two-family dwelling

Permitted accessory uses in the R-T Zone, per §25-7.1, Part A:

- A. Those accessory uses permitted in the R-1 Zone
 - 1. Required accessory parking
 - 2. Private garage
 - 3. Horticultural or agricultural building
 - 4. Customary accessory building or structure
 - 5. Private swimming pool
 - 6. Private recreation facility
 - 7. Home occupation
 - 8. Home professional office
 - 9. Signs
 - 10. Fences and dividing walls
 - 11. Farm produce stand for produce grown on premises
 - 12. Private storage shed
 - 13. Greenhouses

Permitted conditional uses in the R-T Zone, per §25-7.1, Part A:

- A. Those conditional uses permitted in the R-1 and R-4 Zones
 - 1. Public School
 - 2. Private school
 - 3. Library
 - 4. Museum
 - 5. Park or playground
 - 6. Public utility building or structure
 - 7. Telephone exchange
 - 8. Private club, other than a golf club
 - 9. House of Worship
 - 10. Banquet and Conference Center
- B. Nursing home
- C. Long-term care residential health care facility
- D. Additional off-street parking

The proposed three-unit dwelling is not a permitted use in the zone.

Development Pattern

The development pattern along both sides of Whittlesey Avenue is almost exclusively residential in nature with a few commercial properties being limited to select corner locations.

Residential buildings are either one- two- or three-unit dwellings in the vicinity of the site with densities ranging from 1 unit per 1,250 s.f. (2 units on a 2,500 s.f. lot) to 1 unit per 10,000 s.f.

D or Use Variances

D(1) Use Variance for Multi-Family Dwelling - Not Permitted in the R-1 Zone

Positive Criteria - The proposed variance can be granted in particular cases for special reasons which in this case consist of a demonstration that the site is particularly suited for the proposed use and that the purposes of zoning (typically the “general welfare”) are advanced.

Site Suitability - The site is particularly suited to the proposed development for the following reasons which aren't applicable to adjoining parcels.

- *Large Site – The subject property is larger than 40/44 lots along Whittlesey Avenue between Chestnut Street and Ridge Avenue.*
- *Position of dwelling on the property allows for the construction of an addition without impacting setback requirements.*
- *Provides adequate parking on the subject property without taking away any street parking.*

The project must advance the purposes of zoning:

(40:55D-2 a) To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals and general welfare; - *The redevelopment will provide new housing stock and advance of various master plan objectives.*

(40:55D-2 c) To provide adequate light, air and open space. *Generally meets and exceeds setback requirements for the zone in which it is located. The noted exception is the front yard setback requirement where the proposed setback matches the existing condition and is consistent with nearby dwellings along Whittlesey Avenue.*

(40:55D-2 e) To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment; - *The proposed density of one dwelling unit per 2,500 square feet is the same as or less intense than 23/43 residential properties along Whittlesey Avenue between Chestnut Street and Ridge Avenue, providing a development pattern more in keeping with the existing neighborhood.*

(40:55D-2 g) To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens; *The Township has limited available land for future development and this location allows for the construction of two new housing units at an appropriate location.*

(40:55D-2 i) To promote a desirable visual environment through creative development techniques and good civic design and arrangement; *The proposed addition will compliment the existing dwelling on the subject property and enhance the aesthetic appeal of the neighborhood as a whole. In addition, the position of the proposed dwelling will screen the rear yard parking from Whittlesey Avenue.*

Promotion of the General Welfare

The 2019 Master Plan Re-Examination generally re-affirms the goals and objectives of the 2010 Master Plan. Several of these objectives are supported by the proposed application and are listed below:

Objective 3 (pg 28) – Provide and preserve adequate light, air and open space

Objective 5 (pg 28) – Encourage the preservation of Neighborhoods and the environment

Objective 9 (pg 28) – Promote a desirable visual environment

Objective 12 (pg 28) – Provide for the Housing needs of Senior Citizens and Low and Moderate Income Households

Objective 13 (pg 28) – Improve and Maintain existing residential neighborhoods

Principle 1 (pg 29) – Encourage Appropriate Residential Development

Principle 4 (pg 29) – Maintain the Appropriate Scale of the Community

Negative Criteria - The variance can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

1. There will be no substantial detriment to the public good.

Generally complies with the setback requirements, lot size, etc.

Adequate parking is provided.

Minimal generator of traffic.

Proposed density is in keeping with the existing development pattern in the area.

2. The proposed use is not inconsistent with the intent and purpose of the master plan and zoning ordinance. *This is a residential use in a residential zone which provides an opportunity for residential development in an appropriate location.*

3. Enhanced quality of Proof - Address the omission of the use from those permitted in the zone. *Although the ordinance does not permit multi-family dwellings in the R-T Zone, it does acknowledge the need for additional housing for Senior Citizens and Low and Moderate Income Households, Improving Residential Neighborhoods and Encouraging Appropriate Residential Development, all of which are achieved by this development.*

"C" Variances

"C" variances are subsumed in a consideration of the "D(1)" variance per *Puleio vs. North Brunswick*.

Generally application for a "c" variance and a "d" variance cannot coexist. If the application is for a use not permitted in the zone, the bulk regulations designed for that zone cannot be applicable to the intended use. For example, an application for a gasoline service station in a residential zone should not be held to the bulk requirements of the residential zone. Lot area requirements and front and side yard setbacks for a residence were not contemplated to be made applicable to a service station. A Zoning Board, in considering a "use" variance must then consider the overall site design. In essence, the "c" variances are subsumed in the "d" variance.

Although not directly applicable to the proposed multi-family dwelling, the following deviations from bulk standards for a two-family dwelling in the R-T Zone are noted:

Min. Front Yard Setback – 30 feet required, 9.35 feet existing, 9.29 feet proposed.

The positioning of the proposed addition is consistent with the location of the existing house on the property as well as with the locations of the existing dwellings along Whittlesey Avenue.

Max. Lot (Impervious) Coverage – 55% permitted, 62.8% existing, 73.81% proposed.

The proposed increase in impervious coverage represents a minor increase over the existing condition and will be mitigated by the installation of drainage improvements.

Min. Parking Supply – 6 parking spaces req. - 4 parking spaces proposed (incl. 1 garage space)

The requirement of 6 parking spaces is the maximum allowed per RSIS. The municipality may accept a lower parking supply when it better reflects the conditions in the area. Mitigating factors include the availability of mass transit, availability of on-street parking and household characteristics. It should be noted that the NJTRANSIT 21 and 97 bus routes are 0.3 miles from the site. In addition, a review of census data indicates an average of 1.44 vehicles available per household for the census tract where the site is located and that 57% of households in census tract have 0 or 1 vehicles available.

Positive Criteria

C(1) Hardship – The variance can be granted in cases of hardship, such as “exceptional narrowness, shallowness or shape of a 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) Flexible – The variance can be granted where the purposes of zoning would be advanced and the benefits derived by the variance would outweigh any detriments. *The arguments for the deviations from the bulk standards for a two-family dwelling in the zone would come under the heading of a C(2) variance should the Board deem it appropriate/necessary. The proposed front yard setback is more in keeping with the development pattern along Whittlesey Avenue and provides a more harmonious design.*

The impervious coverage is a relatively minor increase over the existing condition and runoff will be mitigated by the installation of drainage improvements.

The parking supply is adequate to accommodate the demand associated with the proposed use as noted above.

Negative Criteria

The variance can be granted without substantial detriment to the public good and where it will not substantially impair the intent and the purposes of the zone plan and zoning ordinance.

For the reasons noted above, there will be no substantial detriment or substantial impairment to the public good based on the limited deviations from the bulk standards for a two-family dwelling in the zone.

Conclusions

Based on a review of the Municipal Ordinance, the submitted documents and the area surrounding the subject property, it has been determined that the criteria for the granting of the requested variance relief have been met and that there is no substantial detriment to the public good or substantial impairment to the zone plan and zoning ordinance associated with the application.

Regards,
Stimmel Engineering



William P. Stimmel, P.E., P.P., PTOE
Principal