

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

A. APPLICANT INFORMATION

Full Legal Name: Seton Hall Preparatory School
(Last) (First)
Mailing Address: 120 Northfield Avenue West Orange NJ 07052
(Street) (City) (State) (Zip)
Telephone Number: (973) 325-7737 Email: mgallo@shp.org

Is the Applicant an: ☐ Individual, ☐ Corporation, ☐ Partnership, ☒ Other Parochial Non-Profit High School

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. N/A The Applicant is a non-profit corporation without stock ownership

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.

B. PROPERTY OWNER INFORMATION

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

Owner's Name: Applicant is owner

Address: _____

Telephone Number: (____) _____ Email: _____

C. PROPERTY INFORMATION

Street Address: 700 Prospect Avenue, West Orange, New Jersey 07052

Block Number(s): 82.01; Lot Number(s): 1;

Tax Plate: 15 and 16; Zone of Property: R-1 Single Family Residential District

The location of the property is approximately 1,750 feet from the intersection of Prospect Avenue
and Northfield Avenue (closest intersection.)

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

☒ Yes, Date(s): See Application Attachment; ☐ No

If yes, please attach copies of the written decisions adopted by the Board to each application.

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.

*The Applicant also seeks removal and/or modification of certain conditions of a prior approval from the Zoning Board

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: See Application Attachment
Section: _____; Proposed: _____; Description: _____
Section: _____; Proposed: _____; Description: _____
Section: _____; Proposed: _____; Description: _____

E. DESCRIPTION OF PROPERTY

Existing Use of the Property

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

The Applicant proposes to install four (4) sport light poles approximately 90 feet in height at the existing athletic field with running track.
The Applicant also seeks removal and/or modification of certain conditions of approval contained in Resolution ZB-08-37 memorialized by the Zoning Board of Adjustment on December 16, 2010 as more particularly described in the Application Attachment.

The property is _____ (square feet); 45,316 (acres)

Impervious Surface Coverage: Present: 18.5%; Proposed: No change

Building Coverage: Present: 0.77%; Proposed: No change

Is the property located:

Within 200 feet of another municipality?	☐ Yes	☒ No
Adjacent to an existing or proposed county road?	☒ Yes	☐ No
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: Marc E. Leibman, Esq. - Chiesa Shahinian & Giantomasi PC

Telephone Number: (973) 530-2299 Email: mleibman@csglaw.com

Address: 105 Eisenhower Parkway, Roseland, New Jersey 07068

APPLICANT'S ENGINEER: N/A

Telephone Number: () N/A Email: N/A

Address: N/A

APPLICANT'S ARCHITECT: Donald R. Fiore - Heintz & Fiore Architects, LLC

Telephone Number: (973) 467-1240 Email: hfaia@aol.com

Address: 508 Millburn Avenue, Short Hills, New Jersey 07078

APPLICANT'S PLANNER: John McDonough

Telephone Number: (973) 222-6011 Email: jmcDonoughpp@gmail.com

Address: 101 Gibraltar Drive, Suite 1A, Morris Plains, New Jersey 07950

OTHER EXPERT(S): N/A

Telephone Number: () N/A Email: N/A

Address: N/A

If necessary, please list any additional experts below, including address, telephone number and email address.

G. REQUIREMENTS FOR VARIANCES

See Application Attachment

- 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
See Filing Letter		

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. To be provided

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: Michael J. Sella Date: 9/15/25

CONTINUANCE

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 statute time limit, the applicant grants permission for such an extension.

Applicant's Signature: Michael J. Sella Date: 9/15/25

OWNER'S AUTHORIZATION - MUST BE SIGNED

I hereby certify that I ~~reside~~ am the Headmaster of Seton Hall Preparatory School with an address at 120 Northfield Avenue, West Orage
in the County of Essex and the State of New Jersey;
and that ~~I am~~ ^{it is} the owner of all that certain lot, piece or parcel of land known as Block(s) 82.01;
Lot(s) 1 on the Tax Map of 15 and 16 which property is the subject of the above application, and that said application is hereby authorized by ~~me~~ ^{it}. Furthermore, ~~I authorize~~ ^{it authorizes} inspection of the site which is the subject of this application.

Owner's Signature: Michael J. Sella Date: 9/15/25

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.

TOWNSHIP OF WEST ORANGE
APPLICATION FORM FOR THE ZONING BOARD OF ADJUSTMENT
SETON HALL PREPARATORY SCHOOL
ATTACHMENT

C. PROPERTY INFORMATION

Has there been any previous Zoning Board of Adjustment or Planning Board hearings involving this property? Yes x No If yes, please attach copies of the written decisions adopted by the Board to each application.

- Zoning Board of Adjustment Resolution ZB-08-37, adopted December 16, 2010;
- Zoning Board of Adjustment Resolution ZB-08-37 Amendment, adopted January 17, 2013;
- Zoning Board of Adjustment Resolution ZB-15-03, adopted April 16, 2015;
- Zoning Board of Adjustment Resolution ZB-16-05, adopted August 18, 2016;
- Zoning Board of Adjustment Resolution ZB-22-12, adopted October 19, 2023.

D. TYPE OF APPLICATION

Please list the specific Sections of the Ordinance for which a variance is sought. If additional space is required, please attach a list.

- Section 25-24.2.(d)(4) requires the setbacks and buffers for outdoor recreation facilities that are lighted for evening use shall be increased by 100% over the above requirements. The use of outdoor recreation facilities shall not be permitted after 11:00 p.m. The Applicant proposes a 59.13 foot setback to the light pole.
- Section 25-24.2.(d)(4) requires the setbacks and buffers for outdoor recreation facilities that are lighted for evening use shall be increased by 100% over the above requirements. The use of outdoor recreation facilities shall not be permitted after 11:00 p.m. The Applicant proposes a buffer less than 100 feet as the proposed light poles have a setback of 59.13 feet.
- Section 25-14.1.c. indicates light poles shall not exceed a height of 18 feet. The Applicant proposes light poles approximately 90 feet tall.

E. DESCRIPTION OF PROPERTY

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

As indicated on the Application, the Applicant seeks removal and/or modification of certain conditions of approval contained in Resolution ZB-08-37 adopted by the Zoning Board of Adjustment on December 16, 2010, as amended by Resolution ZB-08-37 adopted by the Zoning Board of Adjustment on January 17, 2013, as follows:

CONDITIONS RELIEF	
EXISTING CONDITION	REQUESTED RELIEF
36. During the months of June, July and August, the athletic fields can only be used directly by Seton Hall Prep and its own students or athletes and not by Seton Hall coaches or third parties to conduct other athletic or sports sessions or training camps (whether for pay or not).	The fields may also be used by the West Orange Recreation Department throughout the year to conduct regularly offered programs and activities.
37. There shall be no installation of any field lights on any of the fields, whether on a permanent or temporary basis.	Install Sports Lighting on Tevlin Field and Pathway lighting extending from the Home Grandstands and Visitors Bleachers to both parking lots.
40. Seton Hall Prep can have no more than eight home football games per school year at the Subject Property, excluding games played by another school using the Subject Property in the event of a necessity.	Seton Hall Prep can have no more than eight regular season home football games per level per school year at the Subject Property, excluding varsity postseason playoff games and games played by another school using the Subject Property in the event of a necessity.
41. At the Subject Property, Seton Hall Prep can conduct no more than one athletic event at the same time (with the exception of tennis and baseball), and to the extent that two or more events are scheduled at the Subject Property on the same date, there must be at least a 1.5 hour time period between the conclusion of one game of any sport and the commencement of the next game of any sport.	The scheduling of activities shall be at the discretion of the Applicant for reasonable and efficient use of the facilities, including parking and access.

46. The Essex County Baseball Tournament shall not be played at any field located on the Subject Property. No countywide football tournaments shall be played at the Subject Property. No county or state cross-country or outdoor track tournament or championship will be conducted at the Subject Property. No county or state soccer, lacrosse or tennis tournament or championship, which does not directly involve Seton Hall, will be conducted at the Subject Property.	No county or state tournament shall be held on the Subject Property which does not include Seton Hall Prep as a participant.
53. The Applicant agrees to offer the use of the baseball and football fields located at the Subject Property for use by the townships of West Orange, Livingston and South Orange for their high school varsity teams in the case of an emergency.	The Applicant agrees in addition to make the fields available to the West Orange Recreation Department and other local area community programs for use in conducting regularly offered programs and activities.
61. The use of a public address system at the Subject Property shall be limited to (i) during football games and/or (ii) isolated individual events held at the Subject Property, and only at normal and customary decibel levels.	A public address system may be used for activities at the Subject Property as usual and customary for each activity. Use of a Public Address System shall be at normal and customary decibel levels.

G. REQUIREMENTS FOR VARIANCES

The Applicant respectfully submits that its proposed improvements will enhance the purposes of the Municipal Land Use Law, N.J.S.A. 40:55D-2, including: (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; and (i) to promote a desirable visual environment through creative development techniques and good civic design and arrangement.

The Applicant also respectfully submits that its proposed improvements will not be substantially detrimental to the public good and will not substantially impair the intent of the zoning plan or zoning ordinance. The Applicant reserves the right to provide additional testimony in furtherance of the requested variance relief at the public hearing on this matter.