

RESOLUTION

Township of West Orange

Planning Board

PB 23-04 In the Matter of Redwood, L.L.C.

200 Pleasant Valley Way

Block: 151 Lot: 33; Zone: IHO-2/R-2

Decided on May 6, 2026

Memorialized on June 3, 2026

Extension of Time for Previously Granted Site Plan with Waivers Approval

WHEREAS, Redwood, LLC received preliminary and final major site plan approval by Resolution adopted July 5, 2023 to construct 142 residential apartment units of which 28 will be set aside for low and moderate income households at 200 Pleasant Valley Way, also known as Block 151, Lot 33 in the IHO-2/R-2 Zone ; and

WHEREAS, a properly noticed public hearing was conducted on April 15, 2026; and

WHEREAS, the Applicant was represented by William N. Dimin, Esq.; and

WHEREAS, pursuant to N.J.S.A. 40:55D-52a. the zoning requirements applicable to the preliminary approval first granted and all other rights conferred upon the developer pursuant to N.J.S.A.40:55D-49, whether conditionally or otherwise, shall not be changed for a period of two years after the date on which the resolution of final approval is adopted; and

WHEREAS, pursuant to N.J.S.A. 40:55D-52a. if the developer has followed the standards prescribed for final approval, the planning board may extend such period of protection for extensions of one year, but not to exceed three extensions; and

WHEREAS, pursuant to N.J.S.A. 40:55D-52.c. whenever the planning board grants an extension of final approval pursuant to section a. b. or e. of this section and final approval has expired before the date on which the extension is granted, the extension shall begin on what would otherwise be the expiration date; and

WHEREAS, pursuant to N.J.S.A. 40:55D-52.d. provides that the planning board shall grant an extension of final approval for a period determined by the board but not exceeding one year from what would otherwise be the expiration date, if the developer proves to the reasonable satisfaction of the board that the developer was barred or prevented, directly or indirectly, from proceeding with the development because of delays in obtaining legally required approvals from other governmental entities that the developer applied promptly for an diligently pursued these approvals; and

WHEREAS, this being Applicant's first request for a one-year extension for the approval adopted by the Board on July 5, 2023, to extend the approvals for one year or until July 5, 2026; and

WHEREAS, the Applicant having submitted a letter detailing the reasons for a request for an extension of time presented by the Applicant's attorney; and

WHEREAS, Applicant having appeared before the Board to further details the reasons for the requested extension of time; and

WHEREAS, the Board reviewed and considered the request for an extension of time documents submitted therewith;

NOW THEREFORE, the Board makes the following findings of fact, based upon the evidence presented at its public hearing, at which a record was made:

1. The extension of time is requested due to the length of time required to obtain the necessary approvals from the Essex County Planning Board .
2. The Essex County Planning Board required the installation of a signalized intersection at the driveway and Pleasant Valley Way which was designed by the Applicant's engineer and waiting for approval from the County Planning Board.
3. Applicant requests an extension of approvals from July 5, 2025 to July 5, 2026.

NOW, THEREFORE, based upon the foregoing findings of fact, the Board reaches the following conclusions of law:

1. N.J.S.A. 40:55D-52 d. provides that a planning board shall grant an extension of final approval for a period determined by the board but not exceeding one year from what would otherwise be the expiration date, if the developer proves to the reasonable satisfaction of the board that the developer was barred or prevented, directly or indirectly, from proceeding with the development because of delays in obtaining legally required approvals from other governmental entities and that the developer applied promptly for and diligently pursued the approvals.
2. Chapter 25 §25-48.10 of the *Township of West Orange Code* provides that for good cause shown and upon written application, the Planning Board may extend the time period for limits set forth in this section.

NOW, THEREFORE, be it resolved by the Planning Board of the Township of West Orange that an extension of time is granted for the approvals previously given for preliminary and final site plan approval for one year from the date of the expiration of the previous approval or until July 5, 2026.

AND IT IS FURTHER RESOLVED that the above approval is subject to the following terms and conditions:

1. All terms and conditions set forth in the original resolution memorialized on July 5, 2023 shall be enforced as if set forth herein at length.

Jamilet Baquerizo Vite

Planning Board Secretary

Vote Action Taken by the Board on May 6, 2026:

Board Member	Motion	Second	Aye	Nay	Abstain	Absent
K. Alper			X			
J. Guarino		X	X			
L. Klein			X			
S. McCartney			X			
B. Rutherford			X			
C. Morgan			X			
P. Smeraldo			X			
W. Wilkes					---	
L. Kapferer			X			
J. Cardoza			X			
R. Bagoff	X		X			

Vote on Memorialization on June 3, 2026:

Board Member	Motion	Second	Aye	Nay	Abstain	Absent
K. Alper						
J. Guarino						
L. Klein						
S. McCartney						
S. Scarpa						
C. Morgan						
P. Smeraldo						
W. Wilkes						
L. Kapferer						
J. Cardoza						
R. Bagoff						