TO: **Township of West Orange Planning Board**

FROM: Malvika Apte, PP, AICP, Planning Board Planner MA
Langley Oudemans, Associate Planner

RE: PB Application 26-02
Planning Review # 2
27 Fairway Drive
Block 86.01, Lot 6
Major Subdivision with "C" Variances

DATE: October 29, 2026

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1. Materials Reviewed

As requested, we have reviewed the following materials, which were submitted since our previous review memo:

- Five (5) pages of Applicant Response Letter prepared by Michael Lanzafama, PE, PLS, PP, dated October 20, 2026;
- One-hundred and ninety-two (192) pages of Stormwater Management Report for 27 Fairway Drive prepared by Michael Lanzafama, PE, PLS, dated October 20, 2026;
- Four (4) sheets of Preliminary & Final Major Subdivision Plan for 27 Fairway Drive prepared by Michael Lanzafama of Casey & Keller Incorporated, revised October 20, 2026.

The following materials were previously reviewed:

- Seven (7) pages of Township of West Orang Application for Preliminary and Final Major Subdivision with C2 variances prepared by Matthew P. Posada, Esq., dated June 17, 2026;
- Four (4) sheets of Preliminary & Final Major Subdivision Plan for 27 Fairway Drive prepared by Casey & Keller Incorporated, revised June 10, 2026;
- Four (4) pages of Engineering Review #1 for Application No. PB 26-02 prepared by Ryan MacNeill, PE of CME, dated February 25, 2026;
- Three (3) pages of Engineering Review #2 for Application No. PB 26-02 prepared by Ryan MacNeill, PE of Artheon, dated July 6, 2026;
- One (1) page of Township of West Orange Tree Removal Permit Application for 27 Fairway Drive prepared by Catalyst Development, LLC., dated June 11, 2026;

- One (1) page of Storm Sewer Location Map prepared by Casey & Keller Incorporated, dated June 11, 2026;
- Two (2) pages of Response Letter for Application PB 26-02 prepared by Casey & Keller Incorporated, dated June 11, 2026;
- Two (2) pages of Proposal and Reasons for Relief prepared by Catalyst Development, LLC., dated June 17, 2026;
- Two (2) pages of Submission Cover Letter for Catalyst Development Group LLC, dated June 17, 2026.
- Preliminary and Final Major Subdivision for 27 Fairway Drive prepared by Casey & Keller Incorporated, dated September 17, 2025 and revised May 4, 2026;
- Submission Cover Letter for Catalyst Development Group LLC, Preliminary and Final Major Subdivision Application (Residential), prepared by Matthew P. Posada, dated May 11, 2026;
- Subdivision Checklist, undated;
- Engineer Response Letter prepared by Casey & Keller Inc., dated May 5, 2026;
- Environmental Impact Statement for Proposed Major Subdivision at 27 Fairway Drive.
- Five (5) pages of Revised Township of West Orange Application for Minor Subdivision with C Variances, dated February 12, 2026.
- One (1) sheet of Subdivision Plat for 27 Fairway Drive, prepared by Casey & Keller Incorporated, dated September 17, 2025.
- One (1) sheet of Tite and Topographic Survey for 27 Fairway Drive, prepared by Casey & Keller Incorporated, dated September 17, 2025.
- One (1) page of W-9 form prepared by Catalyst Development Group, LLC., dated January 20, 2026.
- Six (6) pages of Township of West Orange Site Plan/Subdivision Checklist, undated.
- Four (4) pages of 200’ buffer report for 27 Fairway Drive, prepared by the Township of West Orange Office of the Assessor, dated December 3, 2025.
- One (1) page of Verification of Taxes and Sewer Charges Paid until January 31, 2025 for Michael and Nikan Sandles, dated December 10, 2025.
- Two (2) pages of Proposal and Reasons for Relief for Catalyst Development Group, LLC. at 27 Fairway Drive, undated.
- One (1) page of Affidavit of Ownership & Applicant Authorization, signed by Nikan and Michael Sandels, dated February 12, 2026.
- Three (3) pages of transmittal letter for Minor Subdivision Application at 27 Fairway Drive, prepared by Matthew P. Posada, Esq., dated January 29, 2026.

2. Site Description *(This section is reiterated from the previous review)*

The subject property, identified as Lot 6 of Block 86.01 in the Township, is located at 27 Fairway Drive. The interior lot is 23,982 square feet (0.551 acres), has approximately 213.6 feet of frontage on Fairway Drive, and is located in the R-5 Residential Zone. The site is currently developed with a two-story single-family dwelling and in-ground pool. Other site improvements include a paver driveway and parking area, patios, walkways, and boulder walls. Chain-link and stockade fencing encloses the property along the side and rear yards as well as portions of the front yard. The eastern side yard is heavily vegetated and includes minimal site improvements. The subject site is surrounded by residential uses.



Subject Site Aerial
Source: NJ GeoWeb, July 8, 2026

3. Proposed Project Review

Applicant is requesting major subdivision approval along with five (5) bulk "c" variances to subdivide the subject property, Lot 6 in Block 86.01, into three lots, Lots 6.01, 6.02, and 6.03. ***Applicant to provide confirmation of the proposed lot numbers from the Tax Assessor's office.*** The proposed subdivision will subdivide the lot to preserve the existing single-family home in the center on proposed Lot 6.02, and it will create two lots surrounding it for the future development of two (2) 2.5-story single-family dwellings.

4. Zoning Review

a. *Proposed Use:* The proposal is within the R-5 Residential Zone wherein single-family detached dwellings on 10,000 SF lots are a permitted principal use.

b. *Area and Bulk Requirements*: The following table notes the requirements per Residential Zone R-5 and the existing lot and proposed subdivided lots compliance/non-compliance with the requirements.

Bulk Standards for One-Family Residential Dwellings in the R-5 Residential Zone					
	Ordinance Requirements	**Existing Lot 6**	**Proposed Lot 6.01**	**Proposed Lot 6.02**	**Proposed Lot 6.03**
Min. Lot Area (SF)	10,000	23,982	**7,199 (V)**	**8,505 (V)**	**8,278 (V)**
Min Lot Width (ft)	75	213.6	**62.60 (V)**	76	75
Min. Front Setback (ft)	30	29.89	30	**29.89 (ENC)**	30
Min. Side Setback (ft)	10 + 8	70.6 + 83.25	8 + 10	**8.34 + 8 (V)**	29 + 12
Min. Rear Setback (ft)	30	26.25	34.67	34.62	34.8
Max. Building Height	2.5 stories and 35 ft	2 Stories	2.5 stories and 34.91 ft	2.5 stories and ***Applicant to provide***	2.5 stories and 33.54 ft
Max. Building Cover	35%	9.6%	29.8%	25.2%	27.4%

Max. Impervious Cover	45%	34%	44.9%	44.3%	44.9%
Accessory Structure Setback	Not within front or side yard	Shed: 0.42 ft	N/A	Shed removed	N/A
	>15 ft from principal building	Shed: approx. 27 ft from principal building	N/A	Shed removed	N/A
Accessory Structure Height	<15 ft	Unknown	N/A	Shed removed	N/A

V = Variance Required **ENC = Existing Non-Conforming Condition**

5. Planning Review

a. *Building Height*: Building height is not provided for the existing structure on proposed Lot 6.02. ***Applicant to provide height of existing structure in order to assess compliance with bulk requirements.***

b. *Parking*:

Minimum Parking Requirements				
	Requirement	**Proposed Lot 6.01**	**Proposed Lot 6.02**	**Proposed Lot 6.03**
Minimum Parking Spaces	Unspecified Bedrooms: 2.5 4-Bedroom: 2.5 spaces 5-Bedroom: 3 spaces	5-Bedroom, 3 spaces required: 20 x 20 garage + 21’ x 36’ driveway combination = 3.5 spaces	Unspecified, 2.5 spaces required: 2-car garage and driveway provided	4-Bedroom, 2.5 spaces required: 19’ x 20’ garage + 32’ x 19’ driveway combination = 3.5 spaces

c. *Subdivision Filing*: Per the response letter provided by the Applicant on October 20, 2026, the subdivision will be filed by plat.

d. *Walls and Fences*:
    i. Per the response letter provided by the Applicant on October 20, 2026, the height of the existing-to-remain fence on the side and rear property lines is less than 6ft, which complies with the requirement § 25-8.4. No fencing is proposed in the front yard.
    ii. Modular block walls are proposed in the side yards at a maximum height of 4 ft. This complies with the maximum height requirement.

e. *Shed:* The existing shed on proposed Lot 6.02 is proposed to be removed.

f. *Utility Screening (§25-8.15):*
    i. Utility boxes and structures must be screened on three sides by landscaping that will conceal the box throughout all seasons of the year. Per the response letter dated October 20, 2026, the Applicant intends to comply with the screening requirements for the HVAC units.
    ii. The revised drawings indicate that the existing HVAC unit on proposed Lot 6.02 will be relocated and adequately screened.

g. *Design of Buildings in Residential Districts (§ 25-9.7*): No building permit shall be issued for any dwelling which is substantially alike in exterior design and appearance with any neighboring dwellings with 149 feet of the street property lines of the respective property. Prior to the future construction of the single-family dwellings on Lot 6.01 and 6.03, Applicant must provide details which confirm compliance with the dwelling characteristics detailed in the ordinance.
    i. The Applicant has confirmed in the response letter, dated October 20, 2026, their intention to comply with this requirement.

h. *Minimum Residential Floor Area (§25-9.8):* One-family dwellings, which are more than two stories in height, must have a minimum residential floor area of 1,600 square feet. Prior to the future construction of the single-family dwellings on Lot 6.01 and 6.03, Applicant must confirm the residential floor area meets this requirement.
    i. The Applicant has confirmed in the response letter, dated October 20, 2026, their intention to comply with this requirement.

i. *Tree Replacement: The tree removal and replacement permit indicates that 45 trees are proposed to be removed. The EIS indicated that a tree replacement plan will be prepared.* ***Once approval from the Township Forester is granted, Applicant shall provide a copy of the approval along with a tree replacement plan.***

i. The Applicant has confirmed in the response letter, dated October 20, 2026, their intention to comply with this requirement.

j. *Impervious Coverage*:

i. The revised plans show several impervious surfaces have been removed from proposed Lot 6.02, including the shed and hot tub.

ii. There appears to be calculation errors for the building and impervious coverage percentages for proposed Lots 6.01 and 6.03. The building and impervious coverage percentages based on the square footage in the Stormwater Management Report would show that Lot 6.01 has a building coverage of 27.6% and an impervious coverage of 41.6%, whereas the Site Plan notes 29.8% and 44.9% consecutively. Similarly, the square footage provided in the Stormwater Management Plan would show that Lot 6.03 has a building coverage of 17.7% and an impervious coverage of 29.1%, whereas the Site Plan notes 27.4% and 44.9%. ***Applicant to provide testimony and a revised Site Plan which depicts the proposed conditions for impervious and building coverage.***

k. *Steep Slopes (§ 25-28)*: This site includes steep slopes in excess of 10% over a minimum distance of 10 feet within proposed Lots 6.01, 6.02, and 6.03. The Applicant has provided a color-coded steep slope analysis as part of the Site Plan, dated October 20, 2026.

i. Proposed Lot 6.01 includes the following:
    1. Slopes between 20-25%: 51 square feet. No steep slope disturbance proposed.
    2. Slopes greater than 25%: 151 square feet. No steep slope disturbance proposed.

ii. Proposed Lot 6.02 includes a small area of slopes between 10-20%. No disturbance in the steep slope areas is proposed.

iii. Proposed Lot 6.03 includes the following:
    1. Slopes between 10-15%: 3,660 square feet. Approximately 2,183 square feet (60%) of disturbance is proposed. *Complies with ordinance requirement of 60% maximum disturbance.*
    2. Slopes between 15-20%: 520 square feet. Approximately 128 square feet (25%) of disturbed space is proposed. *Complies with ordinance requirement of 40% maximum disturbance.*
    3. Slopes between 20-25%: 330 square feet. Approximately 23 square feet (7%) of disturbed space is proposed. *Complies with ordinance requirement of 20% maximum disturbance.*

4. Slopes greater than 25%: 895 square feet of steep slopes greater than 25%. No disturbance proposed.

6. Statutory Criteria

The applicant requires relief for five (5) "c" variances for this application.

1. The applicant shall provide testimony that demonstrates how the request for relief may be granted based on one of the standards provided in the MLUL at N.J.S.A. 40:55D-70c. It is the applicant's responsibility to bear the burden of proof.
2. In order to satisfy the positive and negative criteria for each c variance enumerated above, the applicant should provide testimony that satisfies either the c(1) hardship criterion or c(2) flexible criterion as set forth in the MLUL.
    a. Positive criteria: There are two types of c variances - the **c(1) hardship** and the **c(2) flexible variance.**

    The *c(1) hardship* criteria states that a "hardship" will occur if the variance is not granted. The hardship relates to the physical or topographical features of the property and cannot relate to financial or personal hardship. Hardship relating to property can include:

        i. Narrowness, shallowness, or irregular shape
        ii. An exceptional topographic condition
        iii. Other unique conditions or features affecting the property

    The *c(2) flexible variance* states that by granting the variance, the purposes of the MLUL would be advanced by a deviation from the zoning ordinance requirement and that the benefits of granting the variance substantially outweigh the detriments.

    b. Negative criteria: The applicant must satisfy the two-prong test of the negative criteria;

        i. The variance can be granted without substantial detriment to the public good; and
        ii. The variance can be granted without causing substantial detriment to the zone plan.

    The applicant's testimony regarding the negative criteria should address any potential impacts that the proposed variances may have on the neighborhood, as well as how the proposed development is consistent with, or in potential conflict with, both the zoning ordinance and the Township's Master Plan.
3. The Applicant has provided a proposal with variance justifications in the application materials.