



TOWNSHIP OF WEST ORANGE
66 MAIN STREET, WEST ORANGE, N.J. 07052

Department of Planning and Development

SUSAN McCARTNEY
Mayor

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Matrix New World Engineering, Consulting Engineer
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June 4, 2026

Mayor and Township Council
 (SMcCartney@westorange.org ; Council@westorange.org)
 Municipal Building
 66 Main Street
 West Orange, New Jersey 07052

RE: Proposed Amendment to Land Use Regulations, Ordinance 2968-26

Dear Mayor McCartney, Council President Scarpa and Council Members:

Pursuant to *N.J.S.A. 40:55D-64* and *40:55D-26a*, the Township of West Orange Planning Board (the "Board") has evaluated the Proposed Ordinance Amending and Supplementing Chapter 25, Land Use Regulations, of the Revised General Ordinances of the Township of West Orange (a copy being enclosed hereto). After reviewing the proposed Ordinance amendment and conferring with the Township's Planner at the Board's June 3, 2026, Regular Meeting, the Board finds that the Ordinance as amended is consistent with the most recent Master Plan reexamination and plan element updates adopted in 2019. Specifically, the proposed revisions to

the ordinance provides the penalties and additional prohibited activities related to “pop-up” parties.

The Board finds that the proposed ordinance is consistent with the Master Plan as one of the expressed objectives in the Township’s 2019 Master Plan Update states:

While the goal of the Master Plan highlights mainly structural strategies for maintaining residential neighborhoods, such as the rehabilitation of dwellings, a critical component of improving and maintaining a strictly residential neighborhood involves managing the nature of activities which occur there.

The Board finds that the proposed amendment is substantially consistent with the Township of West Orange’s Master Plan, as it provides for clearer enforcement of the ban on “pop-up parties,” which disrupt the general public welfare and the long-term character of the Township residential neighborhoods.

Though the proposed ordinance amendment is consistent with the Master Plan, the Board has reservations as to the ordinance in terms of inconsistencies and ambiguities which may thwart the intended purpose of the ordinance. Specifically, the ordinance as written in paragraph c.2. states:

Any person who rents or otherwise loans their property in the residential district of the Township....

This sentence is confusing as to there is no defined “residential district.” Is the purpose of the ordinance to prevent pop up parties in any residence (which would include multi-family buildings, mixed use buildings and residences that are non-conforming uses located in non-residential districts) or is the purpose to prevent pop-up parties anywhere in town?

The Board also questions the exemption language set forth in c.4. which states:

Exemptions: Activities, gatherings, or other events that may constitute pop-up party under this subsection shall be exempted where the proceeds for the same shall be used for any bona fide charitable organization licensed in the State of New Jersey and/or for political contributions to any bona fide local, state, or federal campaign which has been properly registered with the appropriate authority.

As there is no requirement to obtain a permit to host a charitable event or political campaign gathering, enforcement of this provision is illusory. For example, if a person hosting a pop-up party put out a collection jar for a charity or a politician and required each attendee to donate \$1.00, the exemption would allow the party to continue under this ordinance.

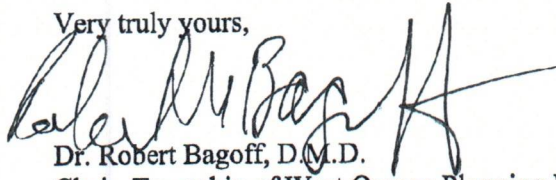
The Board also notes that the ordinance is vague as it does not establish the number of people that would constitute a “pop-up” party or the criteria that should be applied by those departments listed as having the power to enforce the ordinance before issuing a summons. The Board questions why the already existing ordinances in the Township as to noise, parking and selling alcohol and food are insufficient to accomplish the same purpose as appears to be the goal of the “pop-up” party ordinance.

Though the proposed ordinance as amended is substantially consistent with the Master Plan, the Board suggests that the ordinance is significantly flawed and unnecessary and we urge the Council to engage the assistance of the Township Police Department, Township Health

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Department, Township Zoning Official and Township Fire Department for input before adopting the ordinance or further amending it.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Robert Bagoff', with a long horizontal stroke extending to the right.

Dr. Robert Bagoff, D.M.D.
Chair, Township of West Orange Planning Board

cc: Diana Powell McGovern, Esq. (Via Email)
Mark Semcraro, Esq. (Via Email)
Karen Carnevale, R.M.C. (Via Email)
Malvika Apte, AICP, PP (Via Email)
Gerald Guarino, Vice Chair of West Orange Planning Board (Via Email) Enclosure
