

Case# TE-26-001



ZONING BOARD OF ADJUSTMENTS
City of Orange Township
29 North Day Street, Orange, NJ 07050
(973) 968-6005

I. Application is hereby made for (check all applicable):

- | | | |
|---|--------------------------------------|--|
| ☐ Site Plan Review | ☐ Subdivision | ☐ Conditional Use |
| ☐ Preliminary | ☐ Major | ☐ Use Variance |
| ☐ Final | ☐ Minor | ☒ Other Variance |

II. For the following property:

Street Address: 383 Hillside Ave. Orange NJ

Block# 5201 Lot/Lots# 18 Zone: R-1

Present use: Single Family

Proposed use: Single Family (no change)

If a variance is involved, specify each variance(s) requested and the reason(s) for each

variance requested: (If more space is required, please use an additional sheet of paper)

The property as constructed previously is non conforming. The renovations do not alter any of the existing conditions. Variances include min. lot area, min. lot width, front yard set back side yard set backs.

III. Applicant Name: Marie Vilaire & David Delva **Phone (917)** 831-2708

Address: 383 Hillside Ave Orange, NJ 07050

Email: delvad77@gmail.com

Applicant is a: ☐ Corporation ☐ Partnership ☒ Individual ☐ Other (specify) _____

The relationship of the applicant to the property in question is:

☒ Owner ☐ Lessee ☐ Other (specify) _____

If applicant is a corporation or partnership, attach a list of names and addresses of persons who have a 10% or more interest in same.

- IV. Owner: N/A Phone: _____
Address: _____
Email: _____ Fax: _____
- V. Applicant's Engineer: (seek waiver) Phone: _____
Address: _____
Email: _____ Fax: _____
- VI. Applicant's Architect: CREARC LLC Phone: 201-628-4695
Address: 75 Parkhurst St, Newark, NJ 07114
Email: crearc LLC@gmail.com Fax: _____
- VII. Applicant's Surveyor: Manro Surveying Phone: 201-438-7454
Address: 543 Post Ave Lyndhurst, NJ 07071
Email: vlevel42@gmail.com Fax: 201-460-0132
- VIII. Applicant's Attorney: Gary Zalarick Esq. Phone: 973-478-1026
Address: 258 Palisade Ave Garfield, NJ 07026
Email: gzalarick@sandz.net Fax: 973-478-0299
- IX. Applicant's Planning Consultant: N/A Phone: _____
Address: _____
Email: _____ Fax: _____
- X. Applicant's Traffic Engineer: N/A Phone: _____
Address: _____
Email: _____ Fax: _____

List any other expert who will submit a report or who will testify for the applicant (attach additional sheets as may be necessary)

XI. The following are attached and made part of this application (check all that are applicable):

- ☐ Letter of authority or power of attorney, in case the appeal is made by other than the Owner.
☐ Requisite site plan
☒ Survey
☒ Other plans (specify) Architectural
☐ Certificate from Tax collector that all taxes, including water and sewer bills have been paid
☒ Request for waiver from site plan review _____

XII. List below any county, state or other government body approvals which may be required:

None to our knowledge

XIII. Has there been any previous appeal involving these premises? If so, state date of filing, nature of appeal and disposition

None to our knowledge

XIV. Are these premises in any way involved in any legal proceeding now pending? If so, state its nature

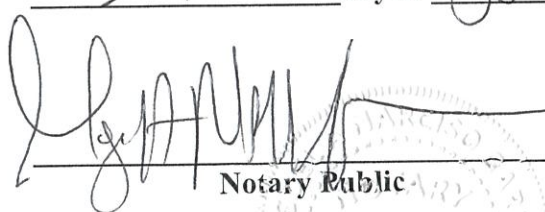
None

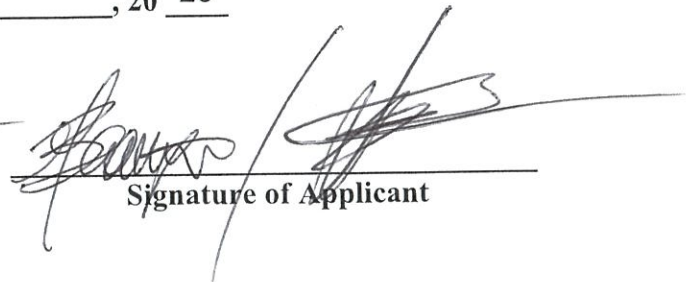
XV. List below the arguments to support this application: (Please attach additional pages if needed)

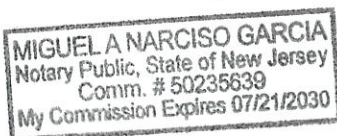
At no time was the foot print of the existing structure extended or modified.
Cosmetic repairs which includes the removal of a wall was the only modification to the Dwelling.

XVI. I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

Sworn to and subscribed before me this

29 day of July, 20 26

Notary Public


Signature of Applicant



(For Board Use Only)

Application deemed complete on _____

Reviews received from:

- | | |
|--|---|
| ☐ City Engineer _____ | ☐ Fire Department _____ |
| ☐ City Planner _____ | ☐ Health Department _____ |
| ☐ Police Department _____ | ☐ Board of Education _____ |

Fee received _____

- | | |
|--|--|
| ☐ Hear and Decide \$500 | ☐ Preliminary Major Subdivision \$500 |
| ☐ Special Questions & Map Interpretations \$500 | ☐ Final Major Subdivision \$300 (plus \$10 per lot) |
| ☐ Bulk Variance \$250 | ☐ Site Plan Review Residential \$400 |
| ☐ Use Variance \$500 | ☐ Site Plan Review all others \$400 |
| ☐ Minor Subdivision \$300 | ☐ Stenographer \$300 |

Technical Review | Escrow Deposit received _____

- | | |
|--|---|
| ☐ Variances not requiring site plan or Subdivision approval \$2,500 | |
| ☐ Conditional use approval \$2,500 | ☐ Wireless \$5,000 |

Residential Site Plan Application _____

- | | |
|--|---|
| ☐ Minor residential site plan for single family \$250 | ☐ Preliminary Approval (51-100 units) \$10,000 |
| ☐ Preliminary Approval (0-5 units) \$4,000 | ☐ Preliminary Approval (Over 100 units) \$15,000 |
| ☐ Preliminary Approval (6-50 units) \$7,000 | |

Non-residential site plans - Preliminary Approval _____

With principal buildings over 1,000 Square feet of gross floor area

- | | |
|---|---|
| ☐ Site 1,000 – 5,000 sf of gfa \$4,000 | ☐ Site 25,001 – 1,000,000 sf of gfa \$15,000 |
| ☐ Site 5,001 – 25,000 sf of gfa \$10,000 | ☐ Site over 1,000,000 sf of gfa \$20,000 |

Without principal buildings over 1,000 Square feet of gross floor area

- | | |
|--|---|
| ☐ Lot area up to one acre \$2,500 | ☐ Over ten acres \$7,500 |
| ☐ One acre to ten acres \$5,000 | |

Subdivision Applications _____

- ☐ Minor subdivision \$250

Major subdivision (over 3 lots)

- | | |
|---|---|
| ☐ Preliminary Approval \$5,000 | ☐ Final Approval \$1,500 |
|---|---|



ZONING BOARD OF ADJUSTMENTS

City of Orange Township
29 North Day Street, Orange, NJ 07050
(973) 968-6005

AFFIDAVIT

State Of New Jersey:

ss

County of Essex :

On this 29 day of July Two Thousand and 26 Before me personally came Marc V. Lave & David Delva, of legal age and to me known, who being by me duly sworn, did depose and say that he resides at 383 Hillside Ave in the city of Orange; that he has served notices upon the persons as per the attached list, on forms of which the attached is a copy, of public hearing on appeal to be held by the Board of Adjustment on _____, at _____ pm., in the City Hall, Orange, New Jersey; that said notices were served not less than ten (10) days prior to said date of hearing; that said list of persons, comprising all the owners of property located within two hundred (200) feet (in every direction) of the property at _____ to be affected by said appeal, have been notified as required by law and the Rules of Procedures of said Board of Adjustment.

Sworn to Before Me

This 29 Day of July, 2026

MIGUEL A NARCISO GARCIA
Notary Public, State of New Jersey
Comm. # 50235639
My Commission Expires 07/21/2030

[Signature] (L.S)
(Notary Public)

NOTE: List separately with the address those persons served personally and those served by certified mail, attaching mail receipts.



ZONING BOARD OF ADJUSTMENTS

City of Orange Township
29 North Day Street, Orange, NJ 07050
(973) 968-6005

Procedure to Complete Application for Hearing before the Orange Zoning Board of Adjustment

Step 1.

- A. Obtain a "Letter of Denial" from the City Zoning Officer. Although not required by law, this letter is requested so that the application may be processed as quickly and efficiently as possible.
- B. Applications must be filed by the deadline date. See schedule of meeting dates and filing Deadline dates.
- C. File application with the Board Secretary. The original and 4 copies of the following documents must be submitted with the application:
 - 1. Board of Adjustment Application form (3 pages).
 - 2. Letter of Denial from City Zoning Officer (optional, but preferred).
 - 3. Notice of Appeal from the opinion of the Zoning Officer, if applicable.
 - 4. Area Map traced from the tax map in the City Engineer's Office, showing all parcels and street numbers of same within 200 feet of the property for which the appeal is being sought. (Not required for minor subdivision only).
 - 5. Names and addresses of property owners within 200 feet of the property for which the appeal is being sought (take the area map obtained in the City Engineer's Office to the Tax Assessor's Office to obtain this list). Not required for minor subdivisions only.
 - 6. Certification that taxes and water/sewer bills are paid.
 - 7. Letter of authorization from the property owner if the applicant is not the owner.
 - 8. If the applicant is a corporation or partnership, a list of names and addresses of all persons who have a 10% or more interest in same.
 - 9. Written metes and bounds, bearing original signature and seal of the NJ licensed surveyor preparing them (for minor and major subdivisions only).
 - 10. Originally signed and sealed plat map containing all information required by the City's development and subdivision ordinances. (For minor and major subdivisions only).
 - 11. Originally signed and sealed site plan (not required for minor and major subdivisions only). See attached site plan checklist for items required on the site plan.
 - 12. Provide qualifications of all experts.

Coalesce and staple all the above required documents to form the original and 4 sets. **All plans and maps must be folded** and attached to each set.

- D. Pay filing fee as per the attached fee schedule.

**Procedure to Complete Application for
Hearing before the Orange Zoning Board of Adjustment**

Step 2.

- A. By personal service, registered or certified mail, notify all property owners of all lots within 200 feet of the involved property using the attached "Notice to Adjacent Property Owners" Form, **at least 10 days prior to the date of the public hearing.**
- B. Publish a notice of the hearing in the newspaper published in Orange (*The Orange Transcript or the Star Ledger*) in an issue published **at least ten days prior to the hearing date.** Use the same form as the "Notice to Adjacent Property Owners", however omit everything above the words "Please take notice".
- C. Complete the "Affidavit" in the presence of a Notary Public and file the "Affidavit", "Notice to Adjacent Property Owners", and Proof of Publication (available from the newspaper in which your notice of hearing was published) with the Board Secretary prior to the hearing.
- D. Applicant or owner, or attorney representing either of the aforementioned must be present at the time of the public hearing.
- E. Corporations must be represented by an attorney at law.

GENERAL REGULATIONS

- 1. The Board will hear only the application as filed, including plans for proposed construction; no amendments to plans may be made between the filing date and the hearing date without refiling and reservice being fully complied with as to amended plans. The appeal form shall state specifically and in detail all issues and matters the Board is asked to rule upon with reference to the appropriate sections of the Zoning Ordinance. All plans submitted must be legible and contain sufficient information for the Board to properly determine the questions before it.
- 2. All applicable statutory provisions, municipal ordinances, regulations and codes of the City of Orange Township must be complied with in filing and prosecuting the appeal (See N.J.S. 40:55D-70 et seq.)
- 3. Unless all papers including application form, construction plans, site plans, area maps, etc. are filed in accordance with the Board's rules, the application will not be heard.
- 4. Upon request, the applicant is to provide the Board with one certified copy of the transcript or the proceedings; this requirement may be waived by the Board at its discretion. If the Board requests a transcript, their decision will not be rendered until a copy of the transcript is furnished.
- 5. If the application is granted by the Board, a building permit or certificate of occupancy must be obtained before beginning the proposed work, making any alterations, or changing the permitted use of the site in question. The building permit or certificate of occupancy must be obtained within one year of the date of approval or such approval and the variance granted are automatically revoked.
- 6. Once a variance has been granted, no changes whatever may be permitted in the plans filed and these must be followed in every detail.
- 7. Applicants are notified of the result of their appeals and the result of appeal is published in the *Orange Transcript* and the applicant is billed for this publication.
- 8. Before a certificate of occupancy can be issued, all work called for by the plans must be finished and all conditions imposed by the Board must be completed and met.

SAMMARRO & ZALARICK, P.A.

Attorneys At Law

258 Palisade Avenue

P.O. Box 769

Garfield, New Jersey 07026

TEL : (973) 478-1026

FAX: (973) 478-0299

www.sandz.net

Stephen M. Sammarro, Esq.

email: ssammarro@sandz.net

Gary J. Zalarick, Esq.

email: gzalarick@sandz.net

Of Counsel:

Salvatore A. Ingraffia, Esq.

email: hon.salingraffia@gmail.com

June 23, 2026

File No: MISC13502-GJZ

David Delva and
Marie Vilaire
383 Hillside Ave
City of Orange, NJ07050

RE: 383 Hillside Avenue
City of Orange, NJ

Dear Mr. Delva and Ms. Vilaire,

In order for this office to proceed with the Zoning Board Application, please be advised that the following items are necessary:

1. Three (3) additional sealed sets of Architect plans to be brought to my office.
2. Sign and notarize the attached Application or come to our office to sign and notarize.
3. Money Order payable to City of Orange.....\$250.00 (application fee)
4. Money Order payable to City of Orange.....\$2,500.00 (escrow)
5. Money Order payable to City of Orange.....\$300.00 (stenographer fee)

A separate bill will be supplied to you for additional costs incurred.

Any items not received will deem the file incomplete and delay your hearing.

In the event you have any questions, please do not hesitate to contact this office.

Thank you for your anticipated cooperation.

Very truly yours,



Gary J. Zalarick, Esq.



City of Orange Township
29 North Day Street
Orange NJ 07050
(973) 952-6075
rpomales@orangenj.gov

Date Issued:	
Application Number:	ZA-26-00074
Application Date:	4/7/2026
Project Number:	
Permit Number:	
Fee:	\$100.00 CHK 6768908780

Zoning Permit

Worksite **383 HILLSIDE AVENUE**
Location: **City of Orange Township, NJ 07050**

Owner: **VILAIRE, MARIE NATHALIE & DELVA, DAV**
Address: **383 HILLSIDE AVE**
ORANGE, NJ 07050

Applicant: **Marie Nathalie B. Vilairé**
Address: **383 Hillside Avenue**
Orange, NJ 07050

Block: **5201** Lot: **18** Qualifier: _____ Zone: **R-1**

This Certifies that an application for the issuance of a Zoning Permit has been examined.

Present Use: **One Family Residential**

☐ Non Conforming Use

☐ Non Conforming Structure

Proposed Use: **One Family Residential Legally Non-Conforming Single Family Home - Unapproved Addition**

Work Description:

Addition - Applicant is seeking zoning approval for an existing single-family residential dwelling located within the City of Orange Township's R-1 Single-Family Residential Zone.

Pursuant to Chapter 210 of the City's Zoning Ordinance, the required minimum side yard setback is ten (10) feet. The subject property currently maintains an approximate eight (8) foot side yard setback in one or more locations, rendering the structure legally non-conforming.

It has been determined that the Applicant previously constructed an addition to the rear of the dwelling without obtaining the required zoning and construction permits, constituting an unapproved expansion of a non-conforming structure.

This matter was previously reviewed, and zoning approval was denied on December 11, 2023. The current application does not present any changes to the previously reviewed conditions.

In accordance with established zoning principles, any expansion, enlargement, or alteration of a non-conforming structure requires variance relief, specifically a D(2) variance, from the City of Orange Township Zoning Board of Adjustment.

As no such approval has been obtained, and no changes have been made to the previously denied condition, this application cannot be approved at the administrative level.

Therefore, zoning approval is hereby DENIED.

Should the Applicant wish to proceed, they must apply to the Zoning Board of Adjustment for the appropriate variance relief and any required site plan approval.

For further information regarding the Zoning Board application process, please contact the Zoning Board Secretary, Ms. Trish Scipio, at TScipio@orangenj.gov



City of Orange Township
29 North Day Street
Orange NJ 07050
(973) 952-6075
rpomales@orangenj.gov

Date Issued: _____
Application Number: ZA-23-00376
Application Date: 12/7/2023
Project Number: _____
Permit Number: _____
Fee: \$0.00

Zoning Permit

Worksite **383 HILLSIDE AVENUE**
Location: **City of Orange Township, NJ 07050**

Owner: **BEAUGENE VILAIRE, MARIE NATHALIE**
Address: **383 HILLSIDE AVENUE**
ORANGE, NJ 07050

Applicant: **Marie B. Vilaire and David Delva**
Address: **383 Hillside Avenue**
Orange, NJ 07050

Block: 5201 Lot: 18 Qualifier: _____ Zone: R-1

This Certifies that an application for the issuance of a Zoning Permit has been examined.

Present Use: One Family Residential

☐ Non Conforming Use

☐ Non Conforming Structure

Proposed Use: One Family Residential 5' x 29' Addition at Rear

Work Description:

Addition - Applicant is seeking to obtain zoning approval for a previously installed addition to existing single family home. The addition is approximately 5' x 29'.

This property is located within the City of Orange Township's R1 One Family Residential Zone. Within this zone, the side yard setback requirement is ten (10) feet. Based on the survey provided by the Applicant, the existing side yard setback appears to be less than the required ten (10) feet.

Therefore, zoning approval is denied.

If Applicant wishes to continue pursuit of this use, Applicant must obtain site plan approval from the City of Orange Township's Zoning Board of Adjustment. For further information regarding the Zoning Board application process, please contact Zoning Board Secretary, Ms. Trish Scipio, at TScipio@orangenj.gov.

Application Approved Date: _____

Upon review it was determined that the Zoning Permit is:

☐ Permitted by Ordinance

☐ Permitted by Variance approved on: _____

☐ Approved with Conditions

☐ Valid Nonconforming Use/Structure is established by

☐ Zoning Board of Adjustment

☐ Zoning Officer

Khalfani Alleyne, Zoning Officer

7/29/2026

Date



City of Orange Township
29 North Day Street
Orange NJ 07050
(973) 952-6075
rpomales@orangenj.gov

Date Issued: _____
Application Number: ZA-23-00376
Application Date: 11/14/2023
Project Number: _____
Permit Number: _____
Fee: \$100.00 CHK
28447094002

Zoning Permit

Worksite: **383 HILLSIDE AVENUE**
Location: **City of Orange Township, NJ 07050**

Owner: **BEAUGENE VILAIRE, MARIE NATHALIE**
Address: **383 HILLSIDE AVENUE**
ORANGE, NJ 07050

Applicant: **Marie B. Vilaire and David Delva**
Address: **383 Hillside Avenue**
Orange, NJ 07050

Block: 5201 Lot: 18 Qualifier: _____ Zone: R-1

This Certifies that an application for the issuance of a Zoning Permit has been examined.

Present Use: One Family Residential

☐ Non Conforming Use

☐ Non Conforming Structure

Proposed Use: One Family Residential Addition

Work Description:

Addition - Applicant is seeking to obtain zoning approval for a previously installed addition to existing single family home. Applicant has provided architectural plans that do not include the proposed addition or illustrate where the addition was installed. Also, there is no property survey included.

Due to these reasons, it is unclear of where the addition was installed and if the addition meets all zoning setbacks and regulations.

Therefore, zoning approval is denied.

If Applicant wishes to continue pursuit of this use, Applicant must submit a revised set of plans that clearly illustrates the addition that was installed, a property survey, and a schematic that illustrates the setbacks from the property line(s).

Application Approved Date: _____

Upon review it was determined that the Zoning Permit is:

☐ Permitted by Ordinance

☐ Permitted by Variance approved on: _____

☐ Approved with Conditions

☐ Valid Nonconforming Use/Structure is established by

☐ Zoning Board of Adjustment

☐ Zoning Officer

Khalfani Alleyne, Zoning Officer

7/29/2026

Date

CITY OF ORANGE TOWNSHIP No. 234897

29 NORTH DAY STREET
ORANGE, NEW JERSEY 07050

7/29/26
Date Issued

GENERAL RECEIPT

Received from David Delva + Marie Vidair
Address 383 Hillside Ave Orange
Amount Received Twenty five hundred \$ 2500
For TE 26-001 ZBAP

GL Code 0211

HOW PAID	
CASH \$	M.O. \$
CHECK \$ <u>2500</u>	OTHER \$

CITY OF ORANGE TOWNSHIP

BY: A. T. Scipio

WHITE: Customer

CANARY: Department

BLUE: Finance

PINK: Audit

CITY OF ORANGE TOWNSHIP No. 234898

29 NORTH DAY STREET
ORANGE, NEW JERSEY 07050

7/29/26
Date Issued

GENERAL RECEIPT

Received from David Delva + Marie Vidair
Address 383 Hillside Ave
Amount Received one thousand five hundred \$ 1050
For TE 26-001 ZBAP

GL Code 1501

HOW PAID	
CASH \$	M.O. \$
CHECK \$ <u>1050</u>	OTHER \$

CITY OF ORANGE TOWNSHIP

BY: A. T. Scipio

THIS IS YOUR RECEIPT

DATE

AMOUNT

11/29/2024

1000

Receipt 234897
02B App TE 26-001
383 Hillside Ave

RECEIVED FROM

David Delva
Marie Vilare
917-831 2708
383 Hillside Ave
GL Code 6211

Treasurer's Miscellaneous Receipt
City of Orange Township, New Jersey

THIS IS YOUR RECEIPT

DATE

AMOUNT

7/29/2024

\$1050

Receipt 234898
02B App TE 26-001
383 Hillside Ave

RECEIVED FROM

David Delva
Marie Vilare
917-831-2708
383 Hillside Ave
GL Code 1501

Treasurer's Miscellaneous Receipt
City of Orange Township, New Jersey

CASHIER'S CHECK

6768907583

0067689 11-24
Office AU # 1210(8)
Remitter: MARIE NATHALIE VILAIRE
Operator I.D.: nj001893 k086155

PAY TO THE ORDER OF CITY OF ORANGE

July 24, 2026

**Two Thousand Five Hundred and 00/100 -US Dollars **

\$2,500.00

Payee Address:

VOID IF OVER US \$ 2,500.00

Memo:

WELLS FARGO BANK, N.A.
679 PARK AVE
EAST ORANGE, NJ 07017
FOR AUTOMATED CHECK VERIFICATION
CALL: (480) 394-3122

Marceline
CONTROLLER

Security Features Included. Details on Back.

⑈ 6768907583 ⑈ ⑈ 121000248⑈486 ⑈ 513547⑈

PRINTED ON LINEMARK PAPER - HOLD TO LIGHT TO VIEW FOR ADDITIONAL SECURITY FEATURES SEE BACK.

PERSONAL MONEY ORDER

6768912533

0067689 11-24
Office AU # 1210(8)
Remitter: MARIE NATHALIE VILAIRE
Operator I.D.: nj001893 k086155

PAY TO THE ORDER OF CITY OF ORANGE

July 24, 2026

**Two Hundred Fifty and 00/100 -US Dollars **

\$250.00

Payee Address:

VOID IF OVER US \$ 250.00

Memo:

WELLS FARGO BANK, N.A.
679 PARK AVE
EAST ORANGE, NJ 07017
FOR AUTOMATED CHECK VERIFICATION
CALL: (480) 394-3122

Marceline
Purchaser's Signature

Security Features Included. Details on Back.

⑈ 6768912533 ⑈ ⑈ 121000248⑈4945 788040⑈

PERSONAL MONEY ORDER

6768912534

0067689 11-24
Office AU # 1210(8)

Remitter: MARIE NATHALIE VILAIRE
Operator I.D.: n1001893 K086155

PAY TO THE ORDER OF CITY OF ORANGE

July 24, 2026

****Three Hundred and 00/100 -US Dollars ****

****\$300.00****

Payee Address:
Memo:

VOID IF OVER US \$ 300.00

WELLS FARGO BANK, N.A.
679 PARK AVE
EAST ORANGE, NJ 07017
FOR AUTOMATED CHECK VERIFICATION
CALL: (480) 394-3122


Purchaser's Signature

⑈6768912534⑈ ⑆121000248⑆4945 788040⑈

PERSONAL MONEY ORDER

6768912548

0067689 11-24
Office AU # 1210(8)

Remitter: MARIE NATHALIE VILAIRE
Operator I.D.: u694941

PAY TO THE ORDER OF CITY OF ORANGE

July 29, 2026

****Five Hundred and 00/100 -US Dollars ****

****\$500.00****

Payee Address:
Memo:

VOID IF OVER US \$ 500.00

WELLS FARGO BANK, N.A.
679 PARK AVE
EAST ORANGE, NJ 07017
FOR AUTOMATED CHECK VERIFICATION
CALL: (480) 394-3122


Purchaser's Signature

⑈6768912548⑈ ⑆121000248⑆4945 788040⑈