

# MURPHY SCHILLER & WILKES LLP

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September 17, 2021

## VIA FEDEX OVERNIGHT

Ojetti Davis  
Board Secretary  
Township of South Orange Village Planning Board  
76 South Orange Avenue  
Suite 302  
South Orange, NJ 07079

**RE: Application for Preliminary and Final Site Plan Approval – Completeness  
Report #1 Response – Application Number 286  
10 Sloan Street, South Orange, NJ (Block 1908, Lot 2)**

Dear Ojetti,

This firm represents Miti Miti South Orange LLC in connection with the above-referenced application.

The purpose of this memo is to address Topology's Completeness Review Letter in connection with Miti Miti South Orange, LLC's Planning Board Application #286.

### D. Outstanding Completeness Items:

1. **#19-Traffic and Parking Impact Assessment** - The Zoning Compliance chart on sheet T.100 indicates that Applicant is reducing the square footage of the combined indoor/outdoor seating area at the site. Moreover, the approved 2005 Use Permit issued by the Township of South Orange Village indicates patron seating for 60 people. The new dining room can accommodate, per the NJ Building Subcode, 60 people. As a result, Applicant's position is that Applicant is not intensifying the use at the site. Therefore, Applicant, respectfully, requests that Applicant not be required to submit a Traffic and Parking Assessment to the Board because applicant is not intensifying the use at the site.
2. **#32-Boundary Survey** – Applicant has provided twenty (20) copies of the topographical survey used to prepare Applicant's site plan.
3. **#38 Landscaping Plan**- Applicant has revised the Layout Plan on SP-2 to reflect that the "existing" landscaping and grass coverage will remain.
4. **#47 Solid Waste and Recyclable Material** – The Layout Plan indicates existing fenced-in trash area to remain. No changes proposed.

5. **#55 Lighting Land** - A lighting plan has been provided on SP-2A on the revised plan sets.

**E. Recommendation:**

1. #1- A lighting plan has been provided on SP-2A on the revised plan sets.
2. #2-Landscaping is existing.
3. #3-Wall locations, heights, materials, and finishes are shown on architectural plans. Applicant requests that structural engineering be deferred until project is approved.
4. #4- The trash containment area is existing.
5. #5- The Zoning Compliance chart on sheet T.100 indicates that Applicant is reducing the square footage of the combined indoor/ outdoor seating area at the site. Moreover, the approved 2005 Use Permit issued by the Township of South Orange Village indicates patron seating for 60 people. The new dining room can accommodate, per the NJ Building Subcode, 60 people. As a result, Applicant's position is that Applicant is not intensifying the use at the site. Therefore, Applicant, respectfully, requests that Applicant not be required to submit a Traffic and Parking Assessment to the Board because applicant is not intensifying the use at the site.
6. #6- There are no new exterior utility elements to screen.
7. #7 Applicant's understanding is that projects are submitted to the Township of South Orange Village Design Review Committee as a matter of courtesy. As such, Applicant will share information related to colors, materials, and signage to the Township of South Orange Village Design Review Committee as a courtesy.

Please feel free to reach out to me with any questions or comments related to this application. Thank you in advance for your assistance.

Very truly yours,

***/s/Roosevelt J. Donat***

ROOSEVELT J. DONAT, ESQ.  
Attorney for Applicant

Encls.