

**A SUMMARY OF THE MINUTES OF THE
GLEN RIDGE PLANNING BOARD
HELD IN THE MUNICIPAL BUILDING**

March 18, 2015

OPMA & Roll Call

The meeting was called to order at 8:00 PM and Mr. Zichelli read the Sunshine Act Notice.

The roll was called.

PRESENT: Mason, Chair
 Siegel, Vice Chair
 Murphy
 Fields
 Hegarty
 Mehrotra
 Rohal
 Turiano

 Trembulak, Esq.
 Zichelli, Secretary

ABSENT: Councilperson Morrow
 Borgers
 R. Morrow

Adoption of the January 21, 2015 Minutes

On motion by Mr. Mehrotra, seconded by Mr. Rohal, the Minutes of the January 21, 2015 meeting were adopted, Members Murphy and Turiano abstaining.

Adoption of the February 11, 2015 Minutes

On motion by Mr. Turiano, seconded by Mr. Mehrotra, the Minutes of the February 11, 2015 meeting were adopted, Vice Chair Siegel and Member Murphy abstaining.

Adoption of Memorializing Resolution

Michael Cummings

437 Ridgewood Avenue

On motion by Mr. Hegarty, seconded by Mr. Mehrotra, the following Memorializing Resolution was adopted, Vice Chair Siegel and Member Murphy abstaining:

WHEREAS, Michael Cummings (the "applicant"), the contract purchaser of property located at 437 Ridgewood Avenue and designated as Block 116 Lot 52 on the Glen Ridge Borough Tax Maps (the "property"), filed an application to the Glen Ridge Planning Board (the "Board"), for minor subdivision

approval to subdivide the property into two lots, with each new lot having frontage on Ridgewood Avenue, and conditioned upon demolition of the existing single-family dwelling on the property; and

WHEREAS, the applicant submitted a Minor Subdivision Plan prepared by Anderson Consulting Services LLC, dated January 23, 2015, and a Survey of the property prepared by Lakeland Surveying, dated May 8, 2014; and

WHEREAS, the Planning Board conducted a public hearing on this application at a special meeting held on February 11, 2015; and

WHEREAS, the Board admitted into evidence and reviewed the following exhibits:

- A-1: Subdivision Application dated and filed January 26, 2015;
- A-2: Survey of Property prepared by Lakeland Surveying, dated May 8, 2014;
- A-3: Minor Subdivision Plan prepared by Anderson Consulting Services LLC, dated January 23, 2015;
- A-4: Memorandum from Michael P. Zichelli, Director of Planning and Development, to the Planning Board, dated February 6, 2015; and
- A-5: Survey of Property prepared by Lakeland Surveying showing front yard setback information of properties on Ridgewood Avenue, dated May 8, 2014 and last revised on December 17, 2014; and

WHEREAS, the application was heard at a special meeting of the Planning Board on February 11, 2015; and

WHEREAS, the applicant was represented by David Owen, Esq., of the law firm Rabner Allcorn Baumgart & Ben-Asher, P.C.; and

WHEREAS, the applicant presented the testimony of Paul W. Anderson, P.E., who reviewed the proposed subdivision and testified that the subdivision plan complies with all applicable requirements of the Borough Zoning Ordinance and all requirements for minor subdivision approval, and that no variances or exceptions are required; and

WHEREAS, after reviewing and considering the testimony and the exhibits mentioned above, as well as the testimony and comments from other members of the public, the Board made the following findings of fact:

1. The property is located on the easterly side of Ridgewood Avenue approximately 110 feet from the intersection of Ridgewood Avenue and Cambridge Road. The property is located in the R-1 One-Family Zone.

2. The property is a relatively large interior lot consisting of 38,703 square feet of lot area fronting on Ridgewood Avenue and 197.7 feet of lot width measured at the front setback line. The property contains a single-family dwelling along with a driveway, parking areas and related site improvements.

3. The applicant proposes to subdivide the property into two lots: one new lot (Lot 52.01) will have a lot area of 9,439 square feet within 100 feet from the street line, lot width of 98.7 feet measured at the front yard setback line, and lot depth of 200 feet. The other new lot (Lot 52.02) will have lot area of 9,376 square feet within 100 feet from the street lot line, lot width of 99.0 feet measured at the front yard setback line, and lot depth of 200 feet.

4. The applicant also proposes to demolish the existing single-family dwelling, driveway and site improvements and to construct a new single-family dwelling on each of the two new lots.

5. The applicant acknowledged and stipulated that it must obtain approvals from the Glen Ridge Historic Preservation Commission in order to demolish the existing house and to construct any new dwellings on the property. The applicant also stipulated that he will submit grading and drainage

plans and building plans prior to the issuance of any building permits, and that all new construction will comply with applicable building codes.

6. The proposed minor subdivision is fully-conforming in that the subdivision plan complies with all applicable requirements of the zoning ordinance for the R-1 One-Family Zone, including requirements for minimum lot area, minimum lot width and minimum lot depth, and no variances or exceptions are required. In addition, the minor subdivision conforms to the requirements of the subdivision ordinance, including the requirements for application, plan submissions, information and design standards.

7. As a fully-conforming plan with no variances or exceptions, the proposed subdivision is entitled to approval under well-established New Jersey law. *Pizzo Martin Group v. Township of Randolph*, 137 N.J. 216 (1994); *Cox and Koenig*, New Jersey Zoning and Land Use Administration (Gann 2014), page 431.

8. The Board suggested that the applicant obtain all required approvals from the Historic Preservation Commission before obtaining subdivision approval, but the applicant declined to do so and requested that the Board decide the application within the statutory time period as required by N.J.S.A. 40:55D-22.b.

9. The Board notes that the proposed demolition of the existing house requires approval from the Historic Preservation Commission and

WHEREAS, the Board, based on the foregoing findings of fact, concluded that the minor subdivision plan complies with all requirements of the zoning ordinance and the subdivision ordinance and the plan is entitled to approval as a fully-conforming subdivision.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Planning Board of the Borough of Glen Ridge, that the application of Michael Cummings for minor subdivision approval be and is hereby approved in strict accordance with the Minor Subdivision Plan prepared by Anderson Consulting Services LLC, dated January 23, 2015, subject to the following conditions:

1. The applicant shall obtain all required approvals from the Glen Ridge Historic Preservation Commission for demolition of the existing dwelling and construction of any new dwellings on the property. The Board expresses no opinion as to the merits of any application to demolish the existing residence.

2. The applicant shall provide public notice of all applications to the Historic Preservation Commission as required by Glen Ridge Ordinance 15.32.200.D and N.J.S.A. 40:55D-12.b.

3. If the Historic Preservation Commission does not ultimately approve the demolition of the existing house, then the applicant will not have satisfied Condition No. 1 above and the applicant will not be entitled to record a Subdivision Deed to perfect the subdivision.

4. The applicant shall submit grading and drainage plans and building plans for approval by the appropriate Borough officials prior to the issuance of building permits for construction of any new dwellings.

5. All new construction shall comply with all applicable ordinances, regulations and building codes.

6. The applicant shall perfect this subdivision by filing a Subdivision Deed in the Essex County Register's Office within 190 days of the date of this Resolution, subject to any extensions that may be granted by the Board pursuant to N.J.S.A. 40:55D-47. This approval shall expire and automatically become null and void if a Subdivision Deed is not filed within the required time period.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted to the applicant, the Borough Council, the Borough Engineer, the Borough Tax Assessor and the Construction Official.

Bay Avenue

Mr. Rohal provided an update on the Area in Redevelopment study work being performed by H2M Consulting. He stated that the background material has been provided to H2M Consulting. Currently H2M is reviewing the data. Additionally Mr. Rohal stated that H2M in conjunction with the Township of Montclair and the Borough of Glen Ridge will be hosting a public information session at the auditorium at Mountainside Hospital on March 31, 2015. The meeting is open to the public and the purpose is to explain the redevelopment study process. Mr. Rohal further stated that the consultant's report should be completed by late April and that a joint public hearing will be held in May.

Review of R1 Subdivision Ordinance

Chair Mason called for the discussion of the R1 Subdivision ordinance. Mr. Zichelli presented a spreadsheet and map reviewing the average lot size per block in the R1 zone. The spreadsheet identified lots that can be subdivided under the current zoning ordinance. Mr. Zichelli discussed the potential of splitting of the R1 several sub-zones that reflect the lot sizes found in the neighborhoods. The members of the Board discussed the proposal. They agreed to study the documentation provided and continue the discussion at the next regular meeting.

Public Comment

Chair Mason opened the meeting to public comment. Ms. Lynn Kulik of 436 Ridgewood Avenue appeared before the Board and asked that the Board members keep looking at the average lot sizes when considering a new subdivision ordinance. She asked the Board members to also look at building scale as well.

Adjournment

On motion by Mr. Rohal seconded by Mr. Hegarty the meeting was adjourned.

Respectfully Submitted,

Michael P. Zichelli, AICP/PP
Secretary