

**RESOLUTION OF THE TOWNSHIP OF WEST ORANGE PLANNING BOARD CONCERNING THE
APPLICATION OF MELLON AVENUE BLOCK 175.08, LOTS 9&12**

Granting minor subdivision approval.

WHEREAS, The Township of West Orange, (the "Applicant") has applied to the Planning Board of the Township of West Orange for minor subdivision approval for property located at Mellon Avenue, known as Block 175.08, Lots 9 & 12, (the "Property"), for the purpose of subdividing Lot 11 into one proposed 10,000 square foot lot (Lot 9) and annexing and consolidating the remaining 5,000 square feet with Lot 12; and

WHEREAS, the Applicant was represented by Reginald Jenkins, Esq.; and

WHEREAS, the Applicant submitted a Minor Subdivision Plan prepared by Kevin S. Bogerman, Professional Land Surveyor, of Greenman-Pedersen, Inc. of Morris Plains, New Jersey, dated February 16, 2022; and

WHEREAS, the Planning Board has examined and considered all the testimony and exhibits presented at the hearing; and

WHEREAS, the Planning Board after carefully considering the evidence presented by the Applicant in support of their application for a minor subdivision approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

- 1. The Applicant is the Township of West Orange and is the owner of the Property located at Mellon Avenue in the R-5 zone. The Property is approximately 15,000 square feet in area and is unimproved.**
- 2. The Applicant has submitted an application for minor subdivision approval.**
- 3. The Applicant is proposing to subdivide the Property into one 10,000 square foot lot (50' x 100') Lot 9 and consolidating the remaining 5,000 square feet with lot 12 owned by Valerie Ford.**
- 4. Proper notice of the Application has been given, as based upon the certified list of property owners provided to the Applicant by the Township Tax Assessor.**
- 5. The Applicant provided the following sworn testimony during the May 4, 2022 Public Hearing:**
 - a. The subdivision of the Lot and renovation of the existing dwelling on the Lot will allow an underutilized property to be better utilized.**

b. The proposed development of the Property will add value to the neighborhood and will not be a detriment to the public good or impair the intent and purpose of the Township's Zone Plan and zoning ordinance as it will allow for the neighboring property to add to their rear yard.

c. There were no comments or recommendations made by either the Township Planning Director or the Planning Board Engineer.

AND WHEREAS, based upon the above factual findings, the Planning Board has come to the following conclusions:

1. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and the Township of West Orange would be advanced by the subdivision, as specified herein and as requested by the Applicant.

2. Relief as requested by the Applicant can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zoning Plan and Zoning Ordinance of the Township of West Orange.

3. The Applicant has complied with all of the requirements of the Municipal Land Use Law of the State of New Jersey and the Land Use Code of the Township of West Orange for minor subdivision approval.

4. The subdivision will allow for the creation of a standard size lot in the zone and will allow for neighboring property at lot 12 to add to their rear yard and create a 15,000 square foot lot.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of West Orange, on the 4th day of May, 2022, that this Board hereby grants to the Applicant:

1. Minor Subdivision Approval to subdivide the Property into Lot 9 being a 50'x 100' and 10,000 square foot lot and consolidating the remaining 5,000 square feet (Formerly a portion of Lot 11) with Lot 12 owned by Valerie Ford to create a 15,000 square foot lot as shown on the Minor Subdivision Plan, in accordance with the Application, Plans and Testimony provided by the Applicant.

CERTIFICATION

I hereby certify that the foregoing Resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of West Orange in accordance with its decision at its regular meeting on May 4, 2022.

Attested: *Diana Lyn Chandler* DIANA CHANDLER, ACTING SECRETARY