

**RIDER TO APPLICATION
MINOR SITE PLAN APPLICATION AND BULK VARIANCE APPROVAL
CREST RIDGE REALTY LLC
WEST ORANGE TOWNSHIP PLANNING BOARD
BLOCK 80.03, LOT 36**

PROPOSAL

Crest Ridge Realty LLC (the “**Applicant**”) submits this application for a Minor Site Plan with associated bulk variance relief (the “**Application**”). The project is located at 200 Mount Pleasant Avenue, West Orange, New Jersey, known and identified as Block 80.03, Lot 36 on the West Orange Township tax map (the “**Property**”). The Property is in the R-G Garden Apartments Zone. This lot is approximately 12.06 +/- acres in size and is currently improved with garden apartments, a pool, and a pool house. The proposed development is a proposed addition of a 986 sq. ft. workout room next to the existing pool house and wooden fence on the Property.

The workout room will be restricted to garden apartment residents and not open to the general public. Two (2) trees and existing pavers will be removed to accommodate the improvement. A concrete sidewalk will be constructed on both sides of the proposed development. There is an existing non-conformance where a rear yard setback of 37.4 feet exists, and 75 feet is permitted.

Applicant seeks relief from the following provisions of the West Orange Township Code:

Variance:

- Section 25-7.1 (Table of District Regulations Part B: Bulk Standards) and 25-28.8 - A maximum lot coverage of 42.8% is proposed, where 42.6% exists, and 40% is permitted.

REASONS FOR RELIEF

With regard to the requested relief, the Applicant submits the relief is justified under N.J.S.A. 40:55D-70(c)(2) as it advances the purposes of the Municipal Land Use Law under N.J.S.A. 40:55D-2:

- a. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;
- d. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
- g. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens; and

- m. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land.

The Applicant's proposal furthers these specific goals. The workout room will benefit the residents of the garden apartments as a recreational facility that promotes the public health and general welfare of the residents and will result in a de minimis increase of the lot coverage. The improvement will be way from the edge of the Property and will not interfere with the cliff above the Property. There will be no significant changes to the Property's layout, and this minor development will actually reduce the traffic off-site, as residents will be able to use the workout facilities on the Property. In addition, the minor development will serve as a more efficient use of this land that was not being utilized. In conclusion, the facility will exist as a space to provide recreational and public health benefits to the residents, will result in a de minimis increase of the lot coverage, and will create a more efficient use of this portion of the Property.

In addition, the benefits of the deviation substantially outweigh any detriment pursuant to N.J.S.A. 40:55D-70(c)(2). The grant of this relief will not cause detriment to the intent and purpose of the West Orange Township Code or the public good, as the designed site supports the intended Master Plan and zoning for this Property. There is no material detriment to the welfare of the community or injury to the Property or improvements of others in the neighborhood or zone by this minor development. In contrast, this development will directly benefit the community living within this complex and enhance the Property and the value of properties within this zone due to the increase of the value of this Property after the development enhancements. In addition, this development will further benefit the Township and residents by decreasing traffic off-site, as residents will be able to use the workout facilities on the Property and not need to travel off-site to utilize a workout facility. Moreover, this amenity only serves the existing residents and will not increase the traffic into the complex. In conclusion, the benefits of the deviation substantially outweigh any detriment pursuant to N.J.S.A. 40:55D-70(c)(2).

In support of its Application, the Applicant will submit the expert testimony of Paul Anderson, P.E., P.P., who will provide professional civil engineering and professional civil planning testimony, and Daniel Vitenson / Brent M. Porter, R.A., who will provide professional architecture testimony.

The Applicant respectfully requests that the Planning Board consider the Application as amended to include any variances, waivers, design exceptions or other relief that the Board or Township's professional staff may deem necessary or required in the review and action on this Application.