
August 8, 2022
Last revised January 18, 2023

Township of West Orange
Planning Board
66 Main Street
West Orange, New Jersey 07052

**RE: Planning Report
Proposed Single Family Residential Subdivision
Block 803, Lots 10 and 21
2 and 10 Ridge Road
Township of West Orange
Essex County, NJ**

MEMBERS OF THE PLANNING BOARD,

This report has been prepared in association with a Preliminary and Final Subdivision Application for a proposed residential subdivision on Block 80.03, Lots 10 and 21. It is intended to provide a planning analysis and conclusions regarding a development proposal submitted by William Cummings. The applicant proposes to subdivide the property into four single family residential lots with access from Ridge Road. The property sits within the R-1 Residential Zone in the Township of West Orange where the proposed use and subdivision are permitted uses. While there is no new road proposed and a dedication of public Right of Way is not anticipated, due to the fact that there are four new proposed lots, the application is considered a Major Subdivision and the application is directed to the Planning Board for Preliminary and Final Major Subdivision Approval.

PROPERTY DESCRIPTION

The existing parcel is approximately 12.7 acres and is located on the east side of Ridge Road at the intersection of Mount Pleasant Avenue (County Route 577) which provides additional frontage for the property to the north and east. Opposite Mount Pleasant Avenue are single family homes, the Marvec building and the entrance to the Eagle Ridge Townhomes. The Crest Ridge Apartments sit below the site to the southeast along Mount Pleasant Avenue. South of the subject property along Ridge Road are a mix of various existing single-family homes while the opposite side of Ridge Road is the back of the Brookdale West Orange Assisted Living Facility.

The parcel is currently undeveloped and is predominately wooded with significant topographic relief over portions of the site, ranging from elevation 630 along Ridge Road to 510 at the southern tip of the Mount Pleasant Avenue frontage. The majority of the change in grade occurs in the eastern third of the site along Mount Pleasant Avenue. A steep slope plan has been included with the application plans set to define the areas of steep slope on the property.

PROPOSED DEVELOPMENT OVERVIEW

It is proposed to subdivide the property into 4 lots with a single-family residential home to be constructed on each lot. The parcel is located within the R-1 (Residential) Zone in which the proposed use is permitted. Due to the extensive frontage along Ridge Road, it is not proposed to construct any new public right of way or new roads, each parcel will gain access via a private residential driveway to Ridge Road. Limited tree clearing will occur to accommodate the dwellings and their associated driveways while providing minimal grading to ensure proper drainage without risk of erosion potential. To comply with the stormwater management and green infrastructure requirements, each lot will have a small scale bioretention basin to manage stormwater from the development improvements. The associated development improvements and stormwater management facilities are shown in the accompanying Preliminary and Final Major Subdivision Plan drawings.

The proposed development is design in compliance with the bulk standards enumerated in the R-1 Zone criteria for lot size, and dimensions as well as coverage and setback to existing and proposed lot lines. The proposed lot areas range from 2.28 acres to 3.89 acres where 1.84 acres (80,000 sf) is required in the R-1 Zone. The anticipated lot coverages by buildings are approximately 1.4%-2.4% where 20% is allowed; the total anticipated lot coverages range from 10.1% to 17.1% where 30% is allowed. This plan provides sufficient leeway for future amenities proposed on each lot such as pools, gazebos and other permitted accessory facilities. While the proposed dwellings are not yet defined by an architect, the allowable building footprint is sufficient to accommodate a new dwelling on each lot without need for relief from the designated yard setbacks. It is anticipated that each house will include a garage for 2-3 cars plus driveway space sufficient for additional off-street parking such that the ordinance standards for parking area met and no on street parking is required.

Due to the varied slopes on the subject property, the development plan includes some encroachment into the steep slopes as defined in the West Orange Zoning Ordinance. However, the encroachments have been minimized to the maximum extent practical by avoiding any development on the east side of the property and limiting the proposed improvements to the areas immediately fronting Ridge Road.

The zoning and bulk compliance is summarized in the Preliminary and Final Subdivision Plans that accompany this report and the steep slope variance will be discussed later in the report.

CONSISTENCY WITH MASTER PLAN

We reviewed the most recent report titled the “2019 Re-examination Report and Plan Element Amendments” as prepared by Phillips Preiss Grygiel Leheny Hughes LLC for the Planning Board of West Orange. The 2019 report provided an overview of the goals and objectives as established in the 2010 Master Plan and, therefore, provides the most up to date framework for our review of the relative Master Plan objectives and policies applicable to this application.

This application a proposes single family residential subdivision consistent with the current zoning. Based on review of the 2019 Master Plan Principles, item 1 is to “Encourage Appropriate Residential Development.” While it is noted that “Appropriate residential development” can vary in different locations and contexts throughout the Township, the proposed development provides a density consistent with the R-1 Zoning and therefore remains consistent with the principles of the Master Plan.

PLANNING RATIONALE FOR VARIANCES

Steep Slope Disturbance (25-28.8)

A Variance is required for disturbance of slopes in excess of 25%. Justifications for the granting of the Variances is viewed in the using the flexible c-variance proofs under N.J.S.A. 40:55D-70 (c) 2., where the benefits of the proposal substantially outweigh the impacts by the review of the positive and negative criteria under the statutory requirements. In this case, the property is located in an undeveloped wooded tract with varying slopes throughout. Significant slopes exist along the eastern edge of the property adjacent to Mount Pleasant Avenue and milder slopes (0.0%-9.9%) generally exist along the western portion of the property adjacent to Ridge Road. As shown on the accompanying Steep Slopes Plan, small isolated areas of 25% slopes exist within the development area fronting Ridge Road. The benefits of disturbing these isolated areas of steep slope allow the project to proceed with less overall disturbance which would otherwise be required to avoid these areas. Further, this disturbance will allow the project to provide a grading pattern that limits erosion potential in or near the proposed dwellings and with access from a local road in Ridge Road which would not otherwise be practical.

The benefits described above can be summarized with respect to the purposes of zoning as provided for under N.J.S.A 40:55D-2 as follows:

Purpose “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.*

The proposal seeks to develop a conforming residential subdivision while limiting area of disturbance and utilizing existing infrastructure and thus promoting the public health, safety, morals, and general welfare.

Purpose “c”: *To provide adequate light, air and open space.*

The dwellings will not exceed the permitted level of building coverage. The proposal includes adequate setbacks and site landscape improvements to improve these conditions collectively providing the intentions of adequate light air and open space.

Purpose “e”: *To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment.*

The proposal seeks to provide a residential development consistent with the master plan and zoning density standards as evidenced by the compliance with the majority of R-1 zoning controls.

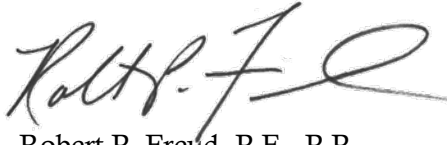
Purpose “i”: *To promote a desirable visual environment through creative development techniques and good civic design and arrangement.*

The proposal would further this purpose by the site arrangement with less overall disturbance and impact as well as by providing compliance with setbacks, the various building design features and related aesthetic site improvements.

CONCLUSIONS

The granting of the variance for steep slope disturbance is not inconsistent with the intent and purpose of the Master Plan and the Zoning Ordinances of the Township of West Orange. Its granting will promote the purposes of zoning without any negative impact. Lastly it is shown in this report that the general welfare is served because the proposed use is permitted on this site.

Sincerely;

A handwritten signature in black ink, appearing to read "R. P. Freud", with a stylized flourish at the end.

Robert P. Freud, P.E., P.P.