



TOWNSHIP OF WEST ORANGE

66 MAIN STREET, WEST ORANGE, N.J. 07052

Department of Planning and Development

ROBERT D. PARISI

Mayor

Tel: (973) 325-4111

Fax: (973) 325-6359

PLANNING BOARD

Robin Miller, Secretary

Email: planningboard@westorange.org

MEMORANDUM

TO: Fatima Aguilar, OPRA Coordinator
Karen J. Carnevale, R.M.C.

CC: Rose DeSena, Zoning Board Secretary

FROM: Robin Miller, Planning Board Secretary 

DATE: July 11, 2019

RE: OPRA Request No. 2019-872
25 Prospect Avenue
Block 151, Lots 1, 37, 41, 45.01 & 49
Montclair Golf Club

Attached please find copies of the following Planning Board Resolutions associated with the above referenced OPRA request:

1. PB-88-01 dated February 3, 1988
2. PB-88-33 dated December 7, 1988
3. PB-93-14 dated September 9, 1993
4. PB-96-19 dated October 9, 1996
5. PB-97-22 dated October 8, 1997
6. PB-02-06 dated June 5, 2002
7. PB-04-16 dated October 6, 2004
8. PB-11-02T dated March 2, 2011
9. PB-11-16 dated October 5, 2011

Please do not hesitate to contact this office if you require further assistance.

Thank you.



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GACCIONE POMACO

A PROFESSIONAL CORPORATION
524 UNION AVENUE
P.O. BOX 96
BELLEVILLE, NEW JERSEY 07109
(973) 759-2807
TELEFAX: (973) 759-6968

MICHAEL J. PIROMALLI
STEVEN M. AHRENDT
WILFREDO CARABALLO
Of Counsel

JOSEPH CICALA
Counsel

*Rose D.
Robin M.*

July 8, 2019

Via Lawyer's Service

Karen J. Carnevale, R.M.C.
West Orange Municipal Clerk
66 Main Street, Room 101
West Orange, NJ 07052

RECEIVED

JUL 11 2019

W.O. PLANNING DEPT.

OPRA

Log # 2019-872

Due 7/02/2019

Re: Montclair Golf Club
25 Prospect Avenue, West Orange
Block 151, Lots 1, 37, 41, 45.01 & 49

Ms. Carnevale:

In connection with a forthcoming land use application please accept this correspondence as a request for a copy of all previous variances granted for the above captioned properties which together operate as the Montclair Golf Club. Also, please send copies of any and all previous Zoning Board of Adjustment and/or Planning Board applications that pertain to these properties.

Thank you, in advance, for your prompt attention to this matter and please feel free to contact me if you have any questions or comments with regard to the above request.

Yours Truly,

/s/ Michael Piromalli

Michael J. Piromalli, Esq.
E-mail: mpiromalli@gpmlegal.com

MJP:ph
cc: Montclair Golf Club
c/o Christopher Gengaro [via e-mail]

RESOLUTION

PB-88-1

PLANNING BOARD RESOLUTION
SITE PLAN APPROVAL FOR A SITE PLAN
SUBMITTED BY MONTCLAIR GOLF CLUB
FOR PROPERTY COMMONLY KNOWN AS
23-35 PROSPECT AVENUE IN THE TOWNSHIP
OF WEST ORANGE BEING BLOCK NO. 151, LOT NO. 1
Zone R-1

WHEREAS, the Planning Board of the Township of West Orange, at its regular meeting held on February 3, 1988, considered an application for site plan approval submitted by Montclair Golf Club for property commonly known as 23-35 Prospect Avenue in the Township of West Orange, being lot number 1, block number 151 on the tax map of the Township of West Orange and,

WHEREAS, the Planning Board considered testimony from John Cali, the Golf Club's President, that it was the intention of the Golf Club to erect a room for their employees to use as a lounge, said room to be constructed over the presently existing caddy shop, and the general public having been given an opportunity to be heard,

NOW, THEREFORE, BE IT RESOLVED that the site plan dated December 31, 1987 and submitted by Montclair Golf Club for property commonly known as 23-35 Prospect Avenue in the Township of West Orange, being block number 151, lot number 1, be and the same is hereby approved subject to the following:

1. Approval by the Engineering Department of the Township of West Orange;
2. That the Applicant will convey sufficient property to the Township of West Orange to enable it to expand the Vitro Pump Station as required by the Municipal Engineer.
3. That all new plumbing fixtures shall be of the low water use type.
4. Approval by the Essex County Planning Board.

DATE OF APPROVAL: February 3, 1988

Kim Ragoni
Secretary

PB-88-33
PLANNING BOARD RESOLUTION
APPROVING SITE PLAN APPLICATION
SUBMITTED BY MONTCLAIR GOLF CLUB
LOCATED AT 25 PROSPECT AVENUE
OF WEST ORANGE, BEING BLOCK 151, LOT 34, ZONE R-2

WHEREAS the Planning Board of the Township of West Orange, at its regular meeting held on November 2, 1988, considered the application for site plan approval submitted by Montclair Golf Club for property located at 25 Prospect Avenue, Block 151, Lot 34, Zone R-2, Township of West Orange; and

WHEREAS the Planning Board considered the presentation of Richard Camp, Esq., attorney for the applicant, Louis Brandt, Architect representing the applicant, George Derrick, Professional Engineer representing the applicant, and Edward Nicholson, the golf course Superintendent employed by the applicant; and

WHEREAS the general public having been given an opportunity to be heard, the Planning Board made the following findings of fact:

1. The engineering site plan is dated October 6, 1988 and was prepared by George Derrick, Professional Engineer.

2. The applicant proposes to build a maintenance facility at the southwest corner of the golf course property, adjacent to Pleasant Valley Way and south of Rosemont Terrace. The facility will be two stories.

3. The facility will be designed to appear as a residential structure from Pleasant Valley Way, and all work related activities will be shielded from Pleasant Valley Way by the structures.

4. Golf courses and golf club houses are permitted uses in the Zone R-2, and a maintenance facility is a customary accessory use.

5. A developer's agreement shall include provisions for periodic cleaning and maintenance of the oil and grease separators.

6. The Board took note that an environmental impact statement by Langen Engineering Associates dated October 12, 1988 accompanied the application. The application was then approved by the Board upon motion duly made and seconded and the following resolution was adopted:

NOW, THEREFORE, BE IT RESOLVED that the application for site plan approval submitted by the Montclair Golf Club for property located at 25 Prospect Avenue, being Block 151, Lot 34, Zone R-2, is hereby approved, subject to the following conditions:

1. The amended site plan is approved as it appears in Drawing 20.01 dated October 6, 1988.

2. It is subject to the unfulfilled conditions as set forth in the letters of October 27, 1988 of the Assistant Municipal Engineer and the Township Planner.

3. The execution of the developer's agreement which shall include provisions for periodic cleaning and maintenance of the oil and grease separators.

Application Approved: November 2, 1988

Resolution Adopted: December 7, 1988

Kim Ragoni
KIM RAGONI, Secretary

PLANNING BOARD RESOLUTION
GRANTING SITE PLAN APPROVAL
AND
GRANTING WAIVERS ON APPLICATION BY
MONTCLAIR GOLF CLUB, LOCATED AT
25 PROSPECT AVENUE, WEST ORANGE, NEW JERSEY
BLOCK 151, LOT 7, ZONE R-2

WHEREAS, the Planning Board of the Township of West Orange, at its regular meeting held on August 4, 1993, considered the application for site plan approval and waivers, which application was submitted by Montclair Golf Club, through its attorney, Arnold R. Kent, Esq.; and

WHEREAS, the Planning Board considered the presentation of Arnold R. Kent, Esq., attorney for the applicant, and the testimony of George Derrick, engineer, and Lou Brandt, the applicant's architect, and Exhibits PBl-4; and

WHEREAS, the general public having been given an opportunity to be heard;

NOW, THEREFORE, BE IT RESOLVED, that:

The application of Montclair Golf Club for preliminary and final site plan approval based upon the site plan dated June 2, 1993 for Block 151, Lot 7, 25 Prospect Avenue, West Orange, Zone R-2, be and is hereby approved subject to the following conditions:

1. This approval voids previous site plan approval granted in or around 1988.

2. The sanitary sewer connection for the new building shall be depicted on the site plan. If the connection is being used, its condition must be determined and reported to the Township Engineer; and, if he determines that it is not in satisfactory condition, it must be replaced. Also, since this is new construction, the maintenance facility is subject to the Township's supplemental sewer fee.

3. Drainage flow must be directed away from the properties on Deerfield Road and Seaman Road and the Township Engineer determines it is possible.

4. Lighting must be approved by the Township Engineer. Detail of all lighting fixtures is required.

5. Evergreens are to be planted at the southwest corner of the property, near Pleasant Valley Way, and between the new facility and the existing club house. Debris must also be removed from the southwest corner.

6. Essex County Planning Board approval is required; and

BE IT FURTHER RESOLVED, that the following waivers from Ordinance requirements be and are hereby approved:

(a) 25-5.6A-1 Perimeter Curbing of Parking Areas.

(b) 25-5.2K On Site Detention of Storm Water; and

BE IT FURTHER RESOLVED, that the Planning Board approves the Environmental Impact Statement submitted as part of the application.

The following is a true copy of the resolution adopted by the Planning Board of the Township of West Orange.

Dated: *Sept 9,* 1993


MIGDALIA WAGNER
Secretary of the Planning Board



Township Of West Orange

66 MAIN STREET, WEST ORANGE, NEW JERSEY 07052

DEPARTMENT OF PLANNING AND DEVELOPMENT

SAMUEL A. SPINA
Mayor

SUSAN BORG A.I.A.
Planning Director

TEL: (201)325-4110
FAX: (201)325-6359

November 19, 1996

Arnold Kent, Esq.
25 Hanover Avenue
Florham Park, NJ 07932

RE: **PB-96-19 / Montclair Golf Course**
25 Mt. Prospect Avenue
Preliminary & Final Site Plan

Dear Mr. Kent:

Enclosed please find a copy of the resolution that was adopted at the October 9, 1996 West Orange Planning Board special meeting. Please submit eight (8) sets of revised plans for signatures. Signed site plans will be required prior to the issuance of any building permits.

If you have any questions, please let me know.

Yours truly,

Migdalia Wagner
Planning Board Secretary

Enclosure

cc: Thomas Biondi, Construction Official
Director Leonard Lepore, Municipal Engineer
Kim Ragoni, Zoning Officer
Max Manshel, Esq.

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DUPLICATE

PB - 96 - 19

RESOLUTION GRANTING PRELIMINARY AND FINAL SITE PLAN APPROVAL

AND VARIANCE 25 PROSPECT AVENUE

BEING BLOCK 151 LOT 1 ZONE R-2

MONTCLAIR GOLF CLUB

WHEREAS, the Planning Board of the Township of West Orange at its meetings held on October 2, 1996 and October 9, 1996 considered the application for preliminary and final site plan approval for the premises of Montclair Golf Club at 25 Prospect Avenue, West Orange, New Jersey, being known as Lot 1, Block 151, Zone R-2, West Orange, New Jersey, which application was submitted by Montclair Golf Club through its attorney, Arnold R. Kent, Esq.; and

WHEREAS, the Planning Board considered the presentation of Arnold R. Kent, attorney for applicant and the testimony of Alan Gamble, Montclair Golf Club Manager and George E. Derrick, P.E., Langen Engineering & Environmental Services Inc., the applicant's engineer and Exhibits A1 through A5; and

WHEREAS, the general public was given the opportunity to be heard, the Planning Board made the following findings of fact:

1. The applicant is continuing its existing conforming use.
2. The applicant intends to make improvements to the existing club house by enclosing the existing porch to create a lounge/bar room (1,456 square feet); construct a new porch adjacent to the existing porch (1,000 square feet); add a vestibule to the driveway located on the southeast corner of the building and construct a porte cochere over the driveway at the front entrance of the club house.
3. The proposed new porch and lounge creates the need for 36 additional

parking spaces and the applicant has requested relief from Section 25-3.5B of the Township Zoning Ordinances and relief has been requested by applicant under N.J.S.A. 40:55-70 C2.

4. No environmental impact statement shall be required because of the type and nature of the modification, construction and renovation as the use not having changed since the last application.

5. The Township of West Orange, Department of Public Works has advised the Planning Board through Leonard R. Lepore, Municipal Engineer and Director of Public Works that it has no comment on this application.

6. The proposed modification, construction and renovation will not impact upon the surrounding area.

7. Construction and modification will not result in any new club members or intensified activities.

8. No additional events will take place as a result of prospective alterations.

9. No additional police or fire or municipal services will be required.

10. Addition of porte cochere will enhance safety of entrance and contribute to appearance.

11. Construction and modification will result in ease of egress and ingress for disabled.

12. No new members are proposed nor are any additional events proposed as a result of the modification and construction, therefore, no further parking is needed for club purposes. Present parking is adequate for club purposes.

13. Internal functions will be enhanced - interior flow will eliminate crowding.

14. Existing landscaping and trees fronting on Prospect Avenue will be

retained.

15. Present open space will be conserved and no black-topping will be required - visual environment preserved along with maintaining good design.

16. Proposed variance will not affect the character of the area nor the economics, health, and safety of the area.

17. Intent of the Zoning Ordinance will be enhanced.

18. Minimal effects, if any, on Zoning and Planning.

19. Variance from Section 25-3.5B of the Township Zoning Ordinance for 36 parking spaces can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zoning Ordinance.

20. Signage subject to the approval of the Township Planner.

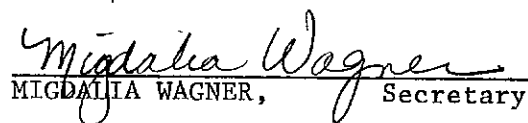
NOW, THEREFORE, BE IT RESOLVED, that applicant is granted a waiver from the requirements of providing an environment impact statement.

NOW, THEREFORE, BE IT RESOLVED, that the applicant's request for preliminary and final site plan approval be and is hereby granted; and

BE IT FURTHER RESOLVED, that applicant's requested relief from Section 25-3.5B of the Township Zoning Ordinance pertaining to the requirement for an additional 36 parking spaces be and is hereby approved.

The foregoing is a true copy of the resolution adopted by the Planning Board of the Township of West Orange.

Dated: October 9, 1996


MIGDALIA WAGNER, Secretary



TOWNSHIP OF WEST ORANGE

66 MAIN STREET, WEST ORANGE, NEW JERSEY 07052

PLANNING AND DEVELOPMENT

Tel: (973) 325-4110
Fax: (973) 325-6359

SAMUEL A. SPINA
Mayor

SUSAN BORG A.I.A.
Planning Director

October 10, 1997

Arnold R. Kent, Esq.
25 Hanover Avenue
Florham Park, NJ 07932

RE: PB-97-22 / Montclair Golf Course
25 Prospect Avenue
Amended Site Plan

Dear Mr. Kent:

Enclosed please find a copy of the resolution that was adopted at the October 8, 1997 West Orange Planning Board meeting. Please submit eight (8) copies of revised plans for final signatures. Signed plans are required prior to the issuance of building permits. If you have any questions, please let me know.

Yours truly,

Migdalia Wagner
Planning Board Secretary

Enclosure

cc: Thomas Biondi, Construction Official
Director Leonard Lepore, Municipal Engineer
Kim Ragoni, Zoning Officer
George Minish, Esq.

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DUPLICATE

RESOLUTION GRANTING PRELIMINARY AND FINAL SITE PLAN APPROVAL

25 PROSPECT AVENUE

BEING BLOCK 151 LOT 5 ZONE R-2

MONTCLAIR GOLF CLUB

WHEREAS, the Planning Board of the Township of West Orange at its regular meeting held on September 3, 1997 considered the application for preliminary and final site plan approval for the construction of a 526 square foot addition to the existing pump house, which application was submitted by Montclair Golf Club through its attorney, Arnold R. Kent, Esq.; and

WHEREAS, the Planning Board considered the presentation of Arnold R. Kent, attorney for applicant and the testimony of George E. Derrick, P.E., Langen Engineering & Environmental Services Inc., the applicant's engineer and Exhibits P1 and P2; and

WHEREAS, the general public was given the opportunity to be heard, the Planning Board made the following findings of fact:

1. The applicant is continuing its existing conforming use.
2. The applicant intends to construct an addition of 526 square feet to the existing pump house which pump house is situate approximately 2000 feet from Pleasant Valley Way, 1170 feet from Seaman Road, approximately 980 feet from the nearest premises located on Wayland Drive and approximately 1000 feet from Prospect Avenue.
3. The Township of West Orange, Department of Public Works has advised the Planning Board through Leonard R. Lepore, Municipal Engineer and Director of Public Works that it has no comment on this application.

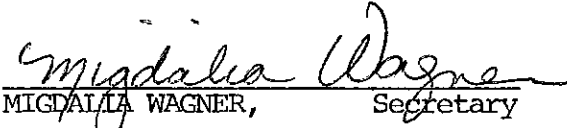
5. The Township of West Orange, Department of Planning and Development has advised the Planning Board through Susan Borg, P.P., A.I.A., Director of Planning and Development that it has no comment on this application.

6. The proposed modification, construction and renovation will not impact upon the surrounding area.

NOW, THEREFORE, BE IT RESOLVED, that the applicant's request for preliminary and final site plan approval be and is hereby granted for the construction of a 526 square foot addition to the existing pump house pursuant to Exhibits P1 and P2 submitted by Langen Engineering & Environmental Services, Pump House Addition, Montclair Golf Club, West Orange, New Jersey, dated July 25, 1997, Drawing No. 19.01.

The foregoing is a true copy of the resolution adopted by the Planning Board of the Township of West Orange.

Dated: Oct 8 , 1997


MIGDALIA WAGNER, Secretary

MONTCLAIR GOLF CLUB

RESOLUTION OF THE PLANNING BOARD OF THE
TOWNSHIP OF WEST ORANGE

Granting preliminary and final site plan approval with a C-2 variance to construct a restroom and an irrigation reservoir on the existing golf course.

WHEREAS, the Planning Board of the Township of West Orange, at a meeting held on May 1, 2002, considered the application for preliminary and final site plan approval with a C-2 variance to construct a restroom and an irrigation reservoir on the existing golf course on property located in the R-2 Zone, identified as Block 151, Lots 1, 5, 7, 11, 14, 15A, 23, 34, 37, 41, 45A, and 49, which was submitted by Montclair Golf Club (the "Applicant"), through its attorney, Arnold Kent, Esq.; and

WHEREAS, the Planning Board considered the presentation of Arnold Kent, Esq., attorney for the Applicant; and heard and considered the testimony of George Derrick, the Applicant's engineer/planner (licensed in New Jersey as an engineer and as a planner, and qualified in both capacities by the Board); and considered the site plan and related drawings dated March 18, 2002, as well as photographs of the site; as well as questions and comments from Board members and from the public as shall appear in the Board's minutes for the meeting of May 1, 2002; and

WHEREAS, a complete application has been filed, all fees required by Ordinance have been paid and it otherwise appears that the jurisdiction and powers of the Planning Board have been properly invoked and exercised; and the Board having conducted a vote on this application on May 1, 2002;

WHEREAS, the Applicant has requested a waiver for the requirement to obtain an environmental impact statement; and

WHEREAS, the Applicant requested preliminary and final site plan approval with a C-2 variance to construct a restroom and an irrigation reservoir on the existing golf course;

NOW, THEREFORE, does the Planning Board of the Township of West Orange make the following findings of fact and conclusions of law with regard to this application:

1. This is an application for preliminary and final site plan approval with a C-2 variance to construct a restroom and an irrigation reservoir on the existing golf course.

2. The Board reviewed the site plan and related drawings submitted by George Derrick, the Applicant's engineer/planner, which site plan is dated March 18, 2002, as well as photographs of the property submitted to the Board.

3. The Applicant is granted a waiver for environmental impact statement.

4. The Board has recommended and the Applicant has agreed to the following additional conditions of approval:

(1) Landscaping around the restroom is to be added to the site plan, and submitted to the Director of Planning for approval;

(2) The driveway gate off Pleasant Valley Way is to be slatted with grass-colored material;

(3) The Applicant shall obtain any and all other governmental approvals that may be necessary including, but not limited to, a soil erosion and sediment control certification from Hudson-Essex-Passaic Soil Conservation District and a tree removal permit from West Orange;

(4) The Applicant shall maintain all landscaping in good condition;

(5) The Applicant shall supply the West Orange Director of Planning with an Affidavit of Compliance with all conditions agreed to by the Applicant; and

(6) All findings of fact and conclusions of law set forth herein are deemed conditions that are binding on the Applicant.

NOW, THEREFORE, BE IT RESOLVED that the C-2 variance for parking (5 spaces required, 0 proposed) is approved.

The Applicant's engineer/planner, Peter Derrick, testified and the Board found that the C-2 variance could be granted because the purposes of the Municipal Land Use Law would be furthered in that the deviation would maintain adequate light, air, and open space and would maintain a desirable visual environment (the addition of 5 spaces would require the elimination of a nicely landscaped area); and the benefits of the variance would substantially outweigh any detriment and that there would be no detriment to the public good in that the restroom would not generate any additional demand for parking at the golf course, and that the golf course otherwise has an adequate number of parking spaces to accommodate patrons who use the golf course facilities, and the proposed restroom would provide a much needed facility for golfers using the course.

NOW, THEREFORE, BE IT RESOLVED that this application for preliminary and final site plan approval with a C-2 variance to construct a restroom and an irrigation reservoir on the existing golf course is approved in accordance with the site plan, subject to the conditions set forth in this resolution.

The foregoing is a true copy of the resolution adopted by the Planning Board of the Township of West Orange.

Elizabeth Visone

Elizabeth Visone, Board Secretary
Planning Board of the Township
of West Orange

Dated: June 5, 2002

Signed Site Plans Required
Prior to the Issuance of
Building Permits

PB-04-16

MONTCLAIR GOLF CLUB
25 PROSPECT AVENUE

RESOLUTION OF THE PLANNING BOARD OF THE
TOWNSHIP OF WEST ORANGE

Granting preliminary and final site plan approval with variance to construct additions totaling 999 square feet to the existing clubhouse.

WHEREAS, the Planning Board of the Township of West Orange, at a meeting held on September 8, 2004, considered the application for preliminary and final site plan approval with variance to construct additions totaling 999 square feet to the existing clubhouse, on property located in the R-2 Zone, identified as Block 151, Lots 1, 5, 7, 11, 14, 15a, 23, 34, 37, 41 and 49, which was submitted by the Montclair Golf Club (the "Applicant"), through its attorney, Douglas R. Henshaw, Esq.; and

WHEREAS, the Planning Board considered the presentation of Douglas R. Henshaw, Esq., attorney for the Applicant; and heard and considered the testimony of Frank Rawdling, the Applicant's architect (licensed in New Jersey as an architect, and qualified in that capacity by the Board); and considered the architectural drawings dated July 14, 2004; and heard and considered the testimony of George Derrick, the Applicant's engineer/professional planner (licensed in New Jersey as an engineer and

a professional planner, and qualified in both capacities by the Board); and considered the site plan dated July 16, 2004; and heard and considered the testimony of Christian Potthoff, the Applicant's Golf Club General Manager; as well as questions and comments from Board members as shall appear in the Board's minutes and/or a transcript for the meeting of September 8, 2004; and

WHEREAS, a complete application has been filed, all fees required by Ordinance have been paid and it otherwise appears that the jurisdiction and powers of the Planning Board have been properly invoked and exercised; and the Board having conducted a vote on this application on September 8, 2004; and

WHEREAS, the Applicant requested preliminary and final site plan approval with variance to construct additions totaling 999 square feet to the existing clubhouse;

NOW, THEREFORE, does the Planning Board of the Township of West Orange make the following findings of fact and conclusions of law with regard to this application:

1. This is an application for preliminary and final site plan approval with variance to construct additions totaling 999 square feet to the existing clubhouse.

2. The Board reviewed the site plan submitted to the Board, which site plan is dated July 16, 2004

3. The Board reviewed the architectural drawings submitted to the Board, which drawings are dated July 14, 2004.

4. The Board has recommended and the Applicant has agreed to the following additional conditions of approval:

(1) If necessary, Site Plan Approval of the proposed development will be obtained from the Essex County Planning Board;

(2) If necessary, soil erosion and sediment control certification will be obtained from the H-E-P Soil Conservation District;

(3) All landscaping shall be planted in accordance with the approved landscape plan and shall be maintained in healthy and vigorous condition; all plants, shrubs, and trees that die shall be replaced with landscape materials of equal or better quality;

(4) All findings of fact and conclusions of law set forth herein are deemed conditions that are binding on the Applicant;

(5) Before a Temporary or Final Certificate of Occupancy/Approval can be issued, the Applicant shall submit proof to the West Orange Director of Planning that all real estate taxes are paid and current; and

(6) Before a Temporary or Final Certification of Occupancy/Approval can be issued, the Applicant shall execute and submit to the West Orange Director of Planning, an Affidavit of Compliance certifying that all conditions of approval agreed to by the Applicant and set forth herein have been fulfilled and satisfied.

5. The Applicant is granted waivers for environmental impact statement and for a traffic study.

NOW, THEREFORE, BE IT RESOLVED that this application for preliminary and final site plan approval with variance to construct additions totaling 999 square feet to the existing clubhouse is unanimously approved in accordance with the site plan and architectural plan, subject to the additional conditions set forth in this resolution.

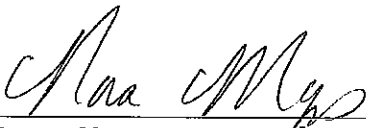
NOW, THEREFORE, BE IT RESOLVED that the following C-2 variance is required:

Minimum parking required for addition of 999 square feet to property - 22 spaces, 0 proposed, approved.

The Applicant's professional planner, George Derrick, testified and the Board found through his testimony that the C-2 variance could be granted because the requested variance met the purposes of the Municipal Land Use Law, specifically (i) providing a benefit to Club members by providing a larger locker

room with added conveniences for handicapped individuals; (ii) providing storage area which will benefit the Club members; and (iii) maintaining green areas by not adding unneeded parking spaces; that the benefits of the variance would substantially outweigh the detriments; and that the granting of this variance would not substantially impair the intent and purpose of the zoning ordinance.

The foregoing is a true copy of the resolution adopted by the Planning Board of the Township of West Orange.



Nora Myers, Board Secretary
Planning Board of the Township
of West Orange

Dated: 10-6-04

MONTCLAIR GOLF CLUB
25 Prospect Avenue, West Orange, NJ

**RESOLUTION OF THE PLANNING BOARD OF THE
TOWNSHIP OF WEST ORANGE
TECHNICAL REVIEW COMMITTEE**

Granting Technical Site Plan Approval (Technical Review Subcommittee), without variances, to renovate the existing clubhouse, add a pergola over the existing patio and re-align the member entrance gate.

WHEREAS, the Technical Review Committee of the Planning Board of the Township of West Orange, at a meeting held on February 15, 2011, considered the application for Technical Site Plan Approval, without variances, to renovate the existing clubhouse, add a pergola over the existing patio and re-align the member entrance gate. on property located in the R-2 Zone, identified as Block 151, Lot 1, which was submitted by Montclair Golf Club (the "Applicant"); and

WHEREAS, the Planning Board considered the presentation of Robert C. Williams, Esq., Attorney for the Applicant, George Derrick, PE, the Applicant's Engineer and Nancy Dougherty, AIA, the Applicant's Architect; and

WHEREAS, a complete application has been filed, all fees required by ordinance have been paid and it otherwise appears that the jurisdiction and powers of the Technical Review Committee of the Planning Board have been properly invoked and exercised; and the Technical Review Committee of the Planning Board having conducted a vote on this application on March 2, 2011; and

WHEREAS, the Applicant requested Technical Site Plan approval, without variances, to renovate the existing clubhouse, add a pergola over the existing patio and re-align the member entrance gate.

NOW, THEREFORE, does the Planning Board (Technical Review Committee) of the Township of West Orange make the following findings of fact and conclusions of law with regard to this application:

1. This is an application for Technical Site Plan Approval, without variances, to renovate the existing clubhouse, add a pergola over the existing patio and re-align the member entrance gate.
2. The Board (Technical Review Committee) has recommended and the Applicant has agreed to the following additional conditions of approval:
 - a. The drain lines for the three (3) compartment sink in the snack bar must be indirectly wasted to the building sewer.
 - b. A mop sink must be installed in the snack bar.

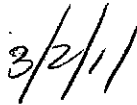
NOW, THEREFORE, BE IT RESOLVED that this application for Technical Site Plan Approval, without variances, to renovate the existing clubhouse, add a pergola over the existing patio and re-align the member entrance gate is approved, subject to the additional conditions set forth in this resolution.

The foregoing is a true copy of the resolution adopted by the Planning Board of the Township of West Orange.



ROSE DeSENA, Board Secretary
Planning Board of the Township of West Orange

Dated: March 2, 2011



RESOLUTION OF APPROVAL
PLANNING BOARD OF THE TOWNSHIP OF WEST ORANGE

Decided: September 14, 2011
Memorialized: October 5, 2011

MONTCLAIR GOLF CLUB

Preliminary and Final Site Plan Approval with "c" Variance

25 Prospect Avenue

Block: 151; Lots: 1, 5, 7, 11, 14, 15.01, 23, 34, 37, 41, 45.01 & 49

Case # PB-11-16

WHEREAS Montclair Golf Club (the "Applicant") having an address at 25 Prospect Avenue, West Orange, NJ 07052 having made application for Preliminary and Final Site Plan Approval with variance regarding premises at 25 Prospect Avenue, West Orange, NJ also known as Block 151, Lots 1, 5, 7, 11, 14, 15.01, 23, 34, 37, 41, 45.01 & 49 on the tax map (the "Premises"); and

WHEREAS the Board having conducted a public hearing on this application on September 14, 2011 after notice; and

WHEREAS the Applicant having appeared by its attorney Robert Williams, Esq. and by witnesses George Derrick, A. James Tinson, RA, and Gregory Woodruff, PP who offered testimony and introduced exhibits, and the Board having granted an opportunity for public comment;

IT IS HEREBY RESOLVED:

EVIDENCE SUBMITTED

1. Applicant submitted plans with the application consisting of a Site Plans by Langan Engineering & Environmental Services (8 pages) last revised August 5, 2011, and Architectural Plans by Hart Howerton (6 pages) last revised August 5, 2011.
2. Applicant introduced into evidence the following exhibits during the hearing all of which were identical to the plans submitted with the application except A-9:

Ex. A-1 – Block & Lot Area Map
Ex. A-2 - Site Grading and Drainage Map
Ex. A-3 – Main Level and Renovation Plan
Ex. A-4 – Building Elevations West and North
Ex. A-5 - Building Elevations South
Ex. A-6 - Aerial Photo
Ex. A-7 - Topographic Survey
Ex. A-8 - Basement Level Renovation Plan
Ex. A-9 – Copy of Architectural Plans by Hart Howerton last revised August 5, 2011 with signature block by Jim Tinson, RA added.

3. The premises are located in the R-2 zone and golf courses are a permitted use in the zone. The property is located on Prospect Avenue and is improved with a clubhouse having approximately 45,000 sq. ft., a 36-hole golf course, tennis courts, parking areas and maintenance buildings.
4. Applicant proposes to make upgrades and additions to the clubhouse, which will add approximately 1,336 sq. ft. The improvements include (i) a new entry vestibule including an elevator and stairs for improved accessibility to the 1st floor clubhouse facilities and access to the 2nd floor women's locker room (570 sq. ft.); (ii) construction of a kitchen elevator (100 sq. ft.); (iii) expansion of the Donald Ross Room (256 sq. ft.); (iv) expansion of an existing function room (220 sq. ft.) and (v) a new entry vestibule for exterior access to existing bathrooms (190 sq. ft.)
5. George Derrick testified that he is has been a member of the Club for 30 years and serves on its steering committee for this project. He stated that the purpose of the improvements was to increase handicapped accessibility, improve functionality and improve views out the back over the golf course. He stated that the Club has no plans to increase membership nor to change the volume or capacity of the clubhouse but rather to improve its attractiveness and utilization.
6. A. James Tinson, RA was qualified as an expert in architecture. He testified that the additions/improvements are meant to seamlessly integrate with the existing architectural design and characteristics.
7. The plans indicate that there are presently 324 parking spaces and the improvements would require 30 additional spaces, however, the Applicant seeks variance relief from adding any more parking.
8. Gregory Woodruff, PP was qualified as an expert in planning. He testified that the variance sought is a "c-1" variance by reason of the exceptional conditions on site. Regarding the positive criteria he stated that the site is a unique use and that not all interior meeting spaces will be used at the same time; that the club has the desire and ability to limit membership, that the proposed additions will improve ADA accessibility, that by not paving more parking spaces the Club is preserving open space, and that the highest parking demand occurs in the evenings when the maintenance building area is available because the workers are not there. Regarding the negative criteria he stated that the purpose of the parking requirements in the ordinance is to ensure adequate space for all users and that due to the uniqueness of the site all parking can be accounted for on site and overflow parking can use the maintenance building area thereby causing no substantial detriment to the public good and no substantial impairment to the intent and purpose of the zone plan and ordinance.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

9. The Applicant has satisfied notice requirements and the Board has jurisdiction over the application.
10. The proposed renovations will improve and enhance the clubhouse and improve handicapped accessibility.

11. The Board finds that "c-1" variance relief is warranted because the peculiar and exceptional conditions on the site in question and buildings lawfully existing thereon. In order to increase parking it would require paving over open space and/or grassy areas which are integral to the use, look and feel of a golf club, and because the club can control the number of patrons and park them all on site there is no detriment to the neighbors or the zone plan and ordinance. The limited enlargement proposed in this project will not cause much if any additional parking demand. The testimony from the Applicant is that they have not had parking issues in the past and do not expect any from this proposal. Any parking demand caused by these limited improvements will be self-contained on site.
12. The Board acknowledges receipt of a letter from Township Engineer Leonard Lepore dated September 14, 2011 requesting permission from Applicant to plant trees in the riparian buffer of the Peckman River. Per discussion at the hearing it was decided that Applicant shall work to comply with this request.
13. Per concerns raised by the Board Applicant agreed to ensure that all ADA requirements are met in conjunction with this project.
14. The Board acknowledges receipt of a letter from the Verona Township Engineer James. M. Helb, PE indicating his belief that some or all of the improvements proposed are on land within Verona Township. Applicant contests this allegation but agrees to obtain site plan approval from Verona if necessary.

THE DECISION

WHEREAS, the Board, having reviewed the application for Preliminary and Final Site Plan approval with associated variance relief and having considered the impact of the proposed application on the Township's master plan and zoning ordinance and the surrounding property owners, and having considered whether the proposal complies with and furthers the goals of the land use and zoning ordinances of the Township of West Orange and the Municipal Land Use Law; and upon the imposition of specific conditions to be fulfilled, hereby, concludes that good cause has been shown to approve the application with variance and other relief enumerated herein.

NOW THEREFORE, BE IT RESOLVED by the Planning Board of the Township of West Orange that the application for Preliminary and Final Site Plan Approval with associated variance relief as set forth in the plans, reports, representations, testimony, stipulations and Exhibits offered by the Applicant is hereby granted with the following conditions:

1. The Applicant shall comply with all applicable Township of West Orange, County, State and Federal laws, ordinances, regulations and directives, including without limitation, obtaining all applicable local, state and federal approvals and/or regulatory permits. Without limitation of the foregoing, prior to the signing of the approved site plans, and prior to the commencement of any land disturbance or construction, the Applicant shall submit to this Board, with a copy to the Board Engineer, proof that it has obtained all required governmental approvals.

2. If another governmental entity or agency grants a waiver or variance affecting the plans and/or exhibits submitted by the Applicant, this approval or the conditions attached to it, then the Applicant shall re-apply to this Board respecting the same and this Board

shall have the right to view that issue as it relates to this approval and these conditions and modify and amend same, if appropriate.

3. In the event that any other required regulatory approval conflicts with the terms and conditions hereof, or materially alters the same, or the terms and conditions hereof are materially altered by any change in applicable law or regulation other than those municipal regulations for which change is prohibited by the Municipal Land Use Law (MLUL), or in the event Applicant or its successors or assigns construct or attempt to construct any improvement in conflict with or in violation of the terms of this approval, the Board hereby reserves the right to withdraw, amend or supplant the instant approval.

4. All construction, use and development of the property shall be in conformance with the plans approved herein, all representations of the Applicant and its witnesses during the public hearing, all exhibits introduced by the Applicant, and all terms and conditions of this resolution.

5. The Applicant shall pay all outstanding taxes, tax liens, application fees and technical review fees, as well as any inspection fees that may be required hereunder.

6. Applicant shall comply with the rules of the Council on Affordable Housing (COAH) and/or the ordinances of the Township of West Orange, including any amendments or revisions thereto, as the same may require the creation of low- and moderate-income restricted affordable housing as a result of this project.

7. The parking variance to maintain but not increase parking beyond the existing 324 spaces is granted.

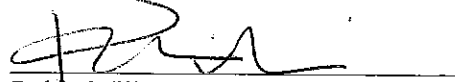
8. Applicant shall comply with all ADA requirements triggered by these improvements.

9. Applicant shall obtain site plan and/or other approvals from Verona Township, if needed, for any improvements in Verona.

10. Applicant shall cooperate and work with the Township Engineer's office to allow the planting of trees in the riparian buffer of the Peckman River as outlined in the letter from West Orange Engineer Leonard Lepore, PE dated September 14, 2011. The letter requests Applicant to provide up to 7,237 sq. ft. of space where the Township may plant 80 trees, consisting of red maple, black gum white ash, American hornbeam and flowering dogwood, on property owned by Applicant along the riparian buffer of the Peckman River. All such plantings shall be outside the area of play for any golf hole i.e. outside the fairway and rough, and the location shall be subject to the review of the Township Engineer.

11. All notes included in the approved plans, including notes required by this Resolution, shall be deemed conditions of approval having the same force and effect as conditions expressly set forth in this Resolution.

Certified to be a true copy of the Resolution adopted on the 5th day of October 2011.


Robin Miller, Secretary

Vote on the Action Taken by the Board

Board Member	Motion	Second	Aye	Nay	Abstain	Absent
BAGOFF						
CARLUCCI			X			
EBEN (1 st alt.)			X			
GHEBREMICHAEL			X			
GURLAND			X			
HELLER	X					
KLEIN (2 nd alt.)						
LESTER		X	X			
MCCARTNEY			X			
WILKES			X			
WESTON						X

Vote on the Memorializing Resolution

Board Member	Motion	Second	Aye	Nay	Abstain	Absent
BAGOFF						
CARLUCCI			X			
EBEN (1 st alt.)			X			
GHEBREMICHAEL		X	X			
GURLAND			X			
HELLER	X		X			
KLEIN (2 nd alt.)						
LESTER						
MCCARTNEY			X			
WILKES						
WESTON						