

STONEFIELD

February 5, 2025
Township of West Orange
West Orange Zoning Board of Adjustment
66 Main Street, West Orange, NJ 07052

RE: Planning Report
Applicant: Montclair Stables, LLC
Block 152.02, Lots 176, 179, & 186
12-22 Woodland Avenue
West Orange, Essex County, NJ

Greetings:

Stonefield Engineering & Design, LLC ("Stonefield") has prepared this Planning Report to provide details of the proposed use and justification for variance relief pursuant to N.J.S.A. 40:55D-70.

Project Description

Montclair Stables, LLC (hereinafter "The Applicant") proposes to renovate the Essex Equestrian Center on Block 152.02, Lots 176, 179, & 186, also known as 12-22 Woodland Avenue in West Orange, New Jersey. The subject property is approximately 3.45 AC (150,302 SF) and is located within the R-1 zone. The property is generally rectangular in shape and bounded by an office building to the east, and single-family residences to the north, south and west. Based on historic aerial imagery, the site has existed as a riding stable since the early 1900s.

Under existing conditions, the site is occupied by a private horse training facility with stables, riding arenas and associated structures. The site is currently accessed via a 14 FT curb cut acting as a full movement driveway along Woodland Avenue on the northern property line. On the southern property line, the property is accessed by Nicholas Avenue which serves as a paper street to access the rear of the property. An additional driveway that connects Woodland Avenue to Nicholas Avenue is located along the eastern property line. The surrounding area consists primarily of single-family homes. Other notable developments nearby include the Woodland Plaza office building and Eagle Rock Reservation to the east, and Redwood Elementary School to the west.

The project proposes to enhance and expand the outdoor riding arena by increasing its size and upgrading safety features with new sand and perimeter fencing. The existing single-family home on Lot 176 has been razed and will be replaced with the expanded outdoor riding arena and reconfigured parking lot with 11 stalls to accommodate the expanded riding space. Three grass paddock areas separated by a 5 FT PVC fence are planned for the western portion of the site, adjacent to the riding arena.

Private horse training facilities are not a permitted use in the R-1 District, therefore a "d(2)" variance to permit the expansion of a nonconforming use is required for the proposed expansion of the equestrian center. The applicant also seeks various "C" variance relief for fence height, maximum number of parking and loading spaces, and building and lot coverage associated with the proposed development.

d(2) Expansion of Nonconforming Use Variance Relief Justification

Pursuant to N.J.S.A. 40:55D-70d, the board has the power to grant d(2) variances to permit expansions for lawfully created pre-existing nonconforming uses pursuant to N.J.S.A. 40:55D-70d(2), "in particular cases and for special reasons." The legal basis for relief is established under the Burbridge v. Mine Hill Board of Adjustment (1990) case. The promotion of the general welfare

is the zoning purpose that most clearly amplifies the meaning of “special reasons” as the project advances one or more of the Purposes of the Municipal Land Use Law. An applicant for expansion of a pre-existing nonconforming use variance need not show that a variance would have been granted to create the use in the first instance. This is the so-called positive criteria of a d(2) variance. In the case of the proposed application, the following special reasons supports the special reasons criteria for a d(2) variance:

Special Reasons Criteria:

The proposed project aligns with the Township’s 2019 Master Plan Reexamination, which recommended rezoning the property to the R-I district to better align it with other recreational and open space facilities permitted in this district. The Master Plan recognized this property as a unique resource within West Orange and recommended that the use remain. The proposed expansion of the outdoor riding arena provides sufficient space in an appropriate location for recreational uses and open space, which aligns with purposes “c,” and “g” of the MLUL. The site’s rehabilitation, including landscaping improvements and the refurbishment of the riding arena with new sand and fencing, aligns with purpose “i” of the MLUL by promoting a desirable visual environment through good civic design and arrangement. Additionally, a total of 144 trees are planned with the proposed project to enhance buffering between adjacent properties, aligning with purpose “a” of the MLUL which promotes the general welfare. These improvements will ultimately enhance the aesthetics of the site, ensuring that it harmonizes with the surrounding neighborhood and contributes to a visually appealing and cohesive environment. The R-I zone conditionally permits commercial recreational uses in this district, which could have a greater impact than the proposed private expansion, as such uses may be open to the public and lead to more traffic, noise, and other disturbances. While the project includes expanding a nonconforming use, the proposed improvements - including the reduction in building and lot coverage, fencing, and landscaping - reflects a reduction on the impact to neighboring permitted uses.

C Variance Relief Justification

The board has the power to grant “C” variance relief based on “hardship” criteria pursuant to N.J.S.A. 40:55D-70c(1) or based on “flexible” criteria pursuant to N.J.S.A. 40:55D-70c(2). All “C” variance relief associated with this application can be granted under the “C(2)” “benefits vs. detriments” criteria. We find that the benefits of the project as a whole substantially outweigh any detriments for the following reasons:

1. § 25 Attachment 3: Maximum Lot Coverage – The maximum permitted lot coverage is 30%, whereas 36% is proposed. Under existing conditions, 40.28% of the lot is covered with impervious surfaces. Per the zoning ordinance definition, lot coverage is the percentage of a lot that is covered or occupied by buildings, including parking areas and any impervious surface. The reduction of approximately 6,430 SF of impervious surfaces on the property represents a substantial improvement over existing conditions. As a result of the proposed expansion of the outdoor riding arena, the existing asphalt parking lot is decreasing in size, bringing the site closer to compliance with the zoning ordinance. Landscaping improvements are proposed throughout the site and being maintained along the property lines. The relief for maximum lot coverage is subsumed within the d(2) expansion of a nonconforming use variance as the bulk requirements for the R-I Zone do not account for the development feasibility of the existing use.
2. § 25 Attachment 3: Maximum Building Coverage – The maximum permitted building coverage is 20%, whereas 24.73% is proposed. Under existing conditions, the site has a total building coverage of 25.38% which is an existing non-conformity. The demolition of the existing two-story building on the northwestern portion of the lot enables the site to move closer into compliance with the zoning ordinance. The proposed project does not include the development of any new buildings and therefore the site is not being intensified by a building addition

3. § 25-8.4b. Fence Height – Solid walls and fences up to 6 FT in height are permitted in the rear and side yards, whereas a 6 FT opaque fence is proposed in the front yard at the northeastern corner of the site. The relief for the fence height is subsumed within the d(2) variance as the 6 FT fence is required for safety to prevent horses from escaping the site and entering the residential neighborhood. This feature will not only protect horses and riders, but also drivers and pedestrians in the immediate neighborhood and beyond.
4. Maximum Number of Parking Spaces – Given that the current use of a private horse training facility is not permitted in this zone or any other zones within the Township, the ordinance does not specify a minimum required number of parking spaces. 11 parking spaces are proposed, inclusive of 2 ADA spaces, which is sufficient for the anticipated number of persons on site at any given time without the need for on-street parking. It is anticipated that the persons on site other than 1-2 employees of the stables will be limited to the owner/rider and a trainer for each horse in the arena or in the adjacent paddocks. With space for 3-4 horses, each with a rider and trainer, plus 1-2 employees, a total of 10 parking spaces will be needed, leaving a surplus of 1 parking space. The site is a private facility, not open to the public, and therefore will hold a limited number of employees, trainers and owners at any given time.
5. Maximum Number of Loading Spaces – Given that the equestrian center is not listed as a permitted use in the R-I zone or any other zones within the Township, the ordinance does specify a minimum number of required loading spaces for the existing use. The nature of the facility does not necessitate typical loading spaces on an asphalt-paved area. Trucks and horse trailers will continue to access the site from Nicholas Avenue and enter the barn area for deliveries, reducing any impact on the nearby residences along Woodland Avenue and Nicholas Avenue.

The variances can be granted without substantial detriment to the public good and will not substantially impair the intent and purposes of the zone plan and zoning ordinance. The expansion and rehabilitation of a private riding and training facility aligns with the goals of the Township to promote a desirable visual environment, as stated in the 2019 Master Plan Reexamination. All proposed improvements will enhance the site's appearance and harmonize with the character of the residential neighborhood. Additionally, the project will help preserve the decades-old property as a valuable asset to the Township without increasing building size or encroaching deeper into required setbacks. As a result, building and lot coverage are being brought closer to compliance with the zoning ordinance. The proposed project will complement existing uses in the R-I Zone and is in line with purposes "a," "c," "g," and "i" of the MLUL.

Parking and Traffic

Given that the existing use of a private horse training facility is not permitted in this zone or any other zones within the Township of West Orange, the ordinance does not provide a specified minimum number of required parking spaces. The site will provide 11 total parking spaces, inclusive of two (2) ADA accessible parking spaces which will be adequate to support the site's expansion due to the limited number of people on-site at once, and therefore a parking study is not necessary. The amount of traffic to be generated as part of the improvements to the facility are de minimis, generating far less than 50 trips an hour, which the Institute of Transportation Engineers would caution that there may be an impact to nearby intersections. As such, the proposed improvements would not have any measurable impact to traffic flow on nearby streets and intersections. Since the facility is a private, non-public use, the number of people on-site at any given time is limited to employees, trainers, and owners. The proposed site layout is designed to provide effective access based on the local characteristics of the property and surrounding area. The site driveways, and on-site layout have been designed to provide for effective access to and from the subject property and reduce impacts to surrounding residents. Based on the operational characteristics of the site, the proposed parking supply of 11 parking spaces would be sufficient to support this project and the development would not have a significant impact on the traffic operations of the adjacent roadway network.

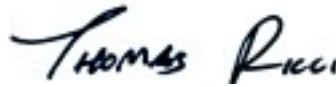
Conclusion

Based on a review of the subject property, surrounding area, and applicable zoning requirements, it is concluded that the proposed project meets the d(2) expansion of a nonconforming use standard and can be approved without substantial detriment to public good or substantially impairing the intent and purposes of the zone plan and zoning ordinance. It is the opinion of our office that the statutory criteria has been met for all relief required as presented by the planning proofs and the justifications presented in this report.

Regards,



Matthew J. Seckler, PE, PP, PTOE
New Jersey Professional Planner License #6247
Stonefield Engineering and Design, LLC



Thomas Ricci Jr, PP, AICP
New Jersey Professional Planner License #6476
Stonefield Engineering and Design, LLC



Marcella Traina, PP, AICP
New Jersey Professional Planner License #6542
Stonefield Engineering and Design, LLC