

TO: Township of West Orange Planning Board

FROM: Malvika Apte, PP, AICP, Planning Board Planner 
Langley Oudemans, Associate Planner

RE: PB Application 26-01
Planning Review # 1
15 Ridgeway Ave
Block 158 Lot 28.01
Minor Subdivision with "C" Variances

DATE: May 1, 2026

1. Materials Reviewed

As requested, we have reviewed the following materials:

1. Six (6) pages of Township of West Orange Minor Subdivision Application Form, dated January 14, 2026.
2. Four (4) sheets of Civil Plans for 15 Ridgeway Avenue prepared by ENSURPLAN, Inc., dated November 25, 2025 and latest revised April 13, 2026
3. One (1) sheet of Property Survey for 15 Ridgeway Avenue prepared by ENSURPLAN, Inc., dated August 21, 2025.
4. Five (5) sheets of Architectural Plans for 15 Ridgeway LLC., prepared by Theodora Boyadjis Designs, dated December 1, 2025 and latest revised April 22, 2026.
5. Two (2) pages of Transmittal Letter for Planning Board Application at Lot 28.01 Block 158, prepared by Frank J. Materia, Esq., dated January 14, 2026.
6. One (1) page of W-9 form, dated January 14, 2026.
7. Seven (7) pages of Site Plan/Subdivision and Sustainability Checklist for 15 Ridgeway, LLC., undated.
8. One (1) page of Verification of Taxes & Sewer Charges Paid for 15 Ridgeway LLC., dated December 15, 2025.
9. Four (4) pages of 200' Buffer List, dated December 15, 2025.
10. Nine (9) pages of 15 Ridgeway Avenue Deed and related documents from the Essex County Register of Deeds & Mortgages made on September 8, 2025.
11. Five (5) pages of Proposal and Reasons for Relief Letter, prepared by Frank J. Materia, Esq. and Michael J. Pessolano, PP/AICP, dated February 9, 2026.

12. One (1) page of Incompleteness Letter prepared by Township of West Orange Planning and Development Department, dated January 23, 2026.
13. Two (2) pages of Hudson-Essex-Passaic Soil Conservation District Certification Letter prepared by Chairman Matthew J. Ward, dated March 20, 2026.
14. One (1) page of Run Card Depicting Hydrant Locations at 15 Ridgeway Avenue, prepared by ENSURPLAN, INC., dated April 13, 2026.
15. Three (3) pages of Operating Agreement of 15 Ridgeway LLC, signed by Amoghene Umude and Abhay Kant Jha, dated August 11, 2025.
16. Two (2) pages of Business Registration Certificate and one (1) page of filing certification prepared by the New Jersey Department of the Treasury, dated August 8, 2025.
17. Two (2) pages of Response Letter to Engineer, prepared by ENSURPLAN, INC., dated April 21, 2026.
18. Two (2) pages of Resubmission Letter Re: 15 Ridgeway LLC – Zoning, prepared by Frank J. Materia, Esq., dated April 22, 2026.
19. Sixty-eight (68) pages of Stormwater Management Report for Proposed Two Lot Minor Subdivision at 15 Ridgeway Avenue, prepared by ENSURPLAN, Inc., dated April 13, 2026.
20. Six (6) pages of Township of West Orange Department of Engineering Memorandum #1 Application for Addition to Single Family Dwelling/New Two-Story Dwelling Block 158, Lot 28.01, prepared by Zayibeth Carballo, Municipal Engineer, dated March 5, 2026.

2. Completeness Requirements

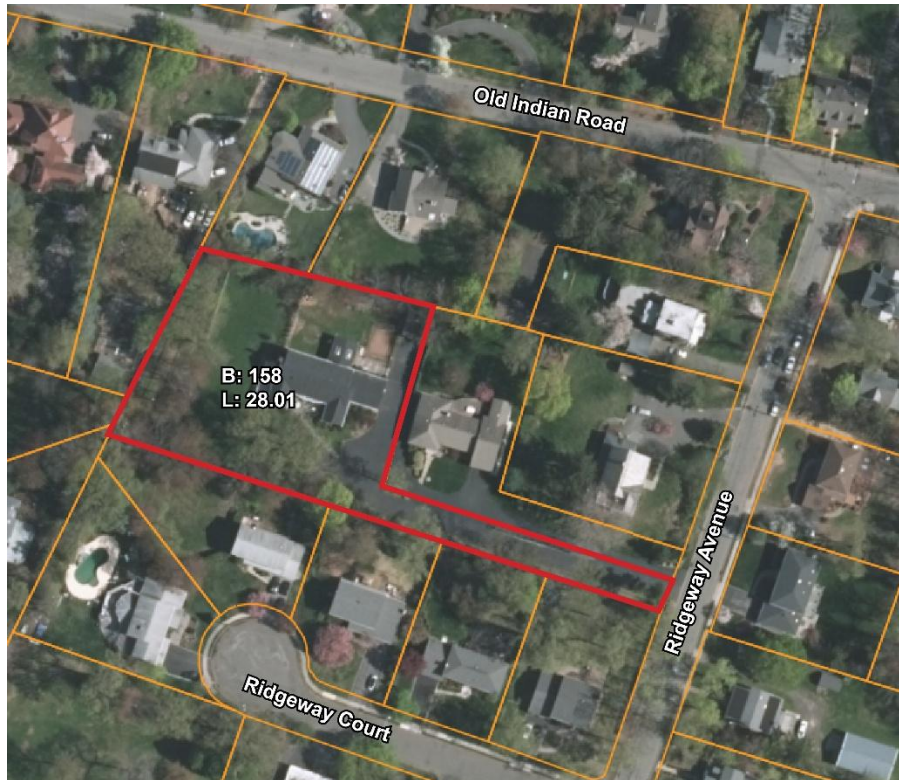
Applicant must submit the items outlined in the conditional completeness memo, including:

1. Verification of fees and escrow deposits paid. ***We defer to Board Secretary to confirm payment has been received.***
2. Copies of approvals of other government/agencies as may be required or an affidavit indicating that application has been made to such agencies. ***Applicant to provide list of approvals needed.***
3. Architectural plans provided are unsigned. ***Applicant to provide signed architectural plans.***

3. Site Description

The subject property, identified as Lot 28.01 of Block 158 in the Township, is located at 15 Ridgeway Avenue. The site is located in the central portion of the Township, south of the Essex County Country Club and Golf Course. The site is a flag-shaped lot, with an approximately 280 foot “stem” driveway that connects to Ridgeway Avenue and provides 29.56 feet of frontage. The site is approximately 53,084 square feet in area (1.22 acres) and was previously developed with a two-story single-family dwelling, which has recently

been demolished. **Applicant to confirm which structures are still existing on the property, including the fishpond, bocci court, porch, wood deck and retaining wall status.** The entire lot is enclosed with various fencing materials including a wood picket fence on the southern edge of the driveway, a wood stockade fence on the western edge, an aluminum picket fence on the northeast edges of the lot between the subject property and Lot 28.02, a vinyl stockade fence and a row of old metal fence posts in the rear yard between the subject property and lots 21.01 and 21.



Subject Site Aerial
Source: NJ GeoWeb, March 23, 2026

4. Proposed Project Review

Applicant is requesting a minor subdivision approval along with six (6) bulk "c" variances to subdivide the subject property, Lot 28.01 in Block 158, into two lots, Lot 28.03 and 28.04. **Applicant to confirm the proposed lot numbers from the Tax Assessor's office.** The proposed subdivision will subdivide the broader portion of the lot into two lots. The stem will be subdivided so that each lot has 14.78 feet of frontage on Ridgeway Avenue, and a shared 14-foot driveway is proposed to be centered on the new lot line. The proposal includes creating a common-use access and utility easement in the driveway area. Invariably, the proposed subdivision is creating two flag lots.

Each of the proposed lots appear to be being developed with a 2-story, single-family dwelling. However, the dwelling on proposed Lot 28.03 includes an area over the garage with a separate kitchenette, living room, bedroom, and attached bathroom. It appears to be a separate one-bedroom units with its own entrance from the garage. ***Applicant to clarify if this space is intended to be a separate unit.***

5. Zoning Review

- a. **Proposed Use:** The proposal is within the R-4 Residential Zone wherein single-family, detached dwellings on 15,000 SF lots are a permitted principal use. The proposed single-family use on the lots is permitted. However, Applicant to confirm, as noted above, the number of units proposed on Lot 28.03. Only single-family dwellings are permitted in the R-4 Zone.
- b. **Area and Bulk Requirements:** The following table notes the requirements per Residential Zone R-4 and the existing lot and proposed subdivided lots compliance/ non-compliance with the requirements.

Bulk Standards for One-Family Residential Dwellings in the R-4 Residential Zone				
	Ordinance Requirements	Existing	Proposed Lot 28.03	Proposed Lot 28.04
Min. Lot Area (SF)	15,000	53,084	26,234	26,850
Min Lot Width (ft)	100	29.56 (ENC)	14.78 (V)	14.78 (V)
Min Lot Frontage (ft)	75% of required lot width = 75	29.56 (ENC)	14.78 (V)	14.78 (V)
Min. Front Setback (ft)	30	302.95	302.95	427.31
Min. Side Setback (ft)	15 + 10	65.25 + 74.84 + 26	66.1 + 55.84 + 26	49.9 + 30 + 25
Min. Rear Setback (ft)	35	102.9	11.2 (V)	20 (V)
Max. Building Height	2.5 stories and 35 ft	2 Stories	2.5 Stories and 33.5 ft	2.5 Stories Applicant to provide height
Max. Building Cover	30%	7.5%	15.6%	18.5%
Max. Impervious Cover	40%	28.2%	38.7%	32.4%

V = Variance Required

ENC = Existing Non-Conforming Condition

6. Subdivision Review

- a. Fences: The proposed plot plan includes several fences around the property, including wood stockade fence, picket fence, and aluminum picket fence. The Applicant must comply with the requirements for fences in § 25-8.4, including that solid fencing in the rear and side yards should be less than 6 feet in height, and fencing that is less than 50% solid in the front yard should be less than 4 feet in height. ***The Applicant shall confirm the height, material, and transparency of the fences in order to determine compliance.***
- b. Building Height: The elevations provided do not include the full building height for the dwelling on proposed Lot 28.04, and the elevations for both dwellings depict a 2.5-story dwelling, whereas the zoning table on Sheet 3 of the Plot Plan note a 2-story dwelling is proposed. ***Applicant to provide the overall height of both the proposed and existing dwellings and amend the zoning table to reflect the proposed conditions.***
- c. Trees: ***Applicant to confirm that no trees will be removed as part of this subdivision application.*** Any future development proposes tree removal will require a tree removal and replacement permit.
- d. Parking: On Lot 28.03, a dwelling with six bedrooms is proposed, requiring 3 parking spaces. On Lot 28.04, a dwelling with four bedrooms is proposed, requiring 2.5 parking spaces. Both lots include a two-car garage and driveway combination for parking which meet the standards set forth in § 25-12.2a2(c), which states that two-car garages must be a minimum of 20 ft. by 18 ft. Based on this standard, both lots are providing 3.5 off-street parking spaces, and are therefore, in compliance with the requirement.
- e. Steep Slope: ***Applicant to provide steep slope calculations in accordance with Section 25-28 of the Township code.***
- f. Floor Plans: The elevations indicate that a basement is proposed, but no plans were provided for this space. ***Applicant to provide basement plans, indicate the intended use of the basement, and confirm if access to the basement is provided through external stairs.*** Additionally, there appears to be two kitchens on the first floor of the dwelling on Lot 28.03 (labeled as “new kitchen” and “new spice kitchen”.) ***Applicant to provide an explanation regarding the inclusion of two kitchens.***
- g. Subdivision Filing: Per the response letter, it is noted that the subdivision is to be filed by deed. ***Applicant to confirm.*** Additionally, we recommend the legal description, meets and bounds and cross access easement for the driveway be approved by the Board Attorney as well as Board Engineer prior to filing.
- h. Inadequate Lot Width and Lot Frontage: As noted above, the Applicant requires variances for minimum lot width and minimum lot frontage. This is an existing non-conformity which is being

exacerbated with the proposal to subdivide the lot into two lots. Additionally, although each of the lots do have minimal street frontage, it is important to reflect on the MLUL requirement N.J.S. 40:55D:35. Per this requirement, "no permit for erection of any building or structure shall be issued unless the lot abuts a street giving access to such proposed building and structures." As noted above, in this case, each of the lots have minimal street frontage on Ridgeway Ave, so technically this condition is met. However, it is important to understand the basis of this requirement. Typically flag lots are not ideal lot arrangements due to the lack of adequate access for firefighting equipment, ambulances or other emergency vehicles necessary for protection of the health and safety of the site as well as neighboring lots. The proposed dwellings are setback from Ridgeway Avenue by the driveway "stem" that is approximately 280 feet to proposed Lot 28.03 and approximately 420 feet to proposed Lot 28.04. This raises security concerns for access by emergency services.

7. Statutory Criteria

The applicant requires relief for six (6) "c" variances for this application.

1. The applicant shall provide testimony that demonstrates how the request for relief may be granted based on one of the standards provided in the MLUL at N.J.S.A. 40:55D-70c. It is the applicant's responsibility to bear the burden of proof.
2. In order to satisfy the positive and negative criteria for each c variance enumerated above, the applicant should provide testimony that satisfies either the c(1) hardship criterion or c(2) flexible criterion as set forth in the MLUL.

- a. Positive criteria: There are two types of c variances - the **c(1) hardship** and the **c(2) flexible variance**.

The *c(1) hardship* criteria states that a "hardship" will occur if the variance is not granted. The hardship relates to the physical or topographical features of the property and cannot relate to financial or personal hardship. Hardship relating to property can include:

- i. Narrowness, shallowness, or irregular shape
- ii. An exceptional topographic condition
- iii. Other unique conditions or features affecting the property

The *c(2) flexible variance* states that by granting the variance, the purposes of the MLUL would be advanced by a deviation from the zoning ordinance requirement and that the benefits of granting the variance substantially outweigh the detriments.

- b. Negative criteria: The applicant must satisfy the two-prong test of the negative criteria;
 - i. The variance can be granted without substantial detriment to the public good; and
 - ii. The variance can be granted without causing substantial detriment to the zone plan.
- The applicant's testimony regarding the negative criteria should address any potential impacts that the proposed variances may have on the neighborhood, as well as how the proposed development is consistent with, or in potential conflict with, both the zoning ordinance and the Township's Master Plan.
- 3. The Applicant has provided a proposal with variance justifications in the application materials.