

**TO:** Township of West Orange Planning Board

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

**RE:** PB Application 26-01  
**Planning Review # 2**  
15 Ridgeway Ave  
Block 158 Lot 28.01  
Minor Subdivision with "C" Variances

**DATE:** June 19 , 2026

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## 1. Materials Reviewed

As requested, we have reviewed the following newly submitted materials since our previous review on May 1, 2026:

1. Seven (7) pages of Minor Subdivision Plan for 15 Ridgeway Avenue prepared by ENSURPLAN, Inc., dated November 25, 2025 and revised through May 26, 2026;
2. Ninety-eight (98) pages of Stormwater Management Report for Proposed Two Lot Minor Subdivision at 15 Ridgeway Avenue, prepared by ENSURPLAN, Inc., dated May 26, 2026;
3. Two (2) pages of Response Letter for Revised Plans – Minor Subdivision at 15 Ridgeway Avenue prepared by ENSURPLAN, Inc., dated May 26, 2026; and
4. Eleven (11) pages of Architectural Plans for 15 Ridgeway Avenue prepared by ENSURPLAN, Inc., dated December 1, 2025 and revised through May 4, 2026.

The following materials were reviewed as part of our previous Planning Review:

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.

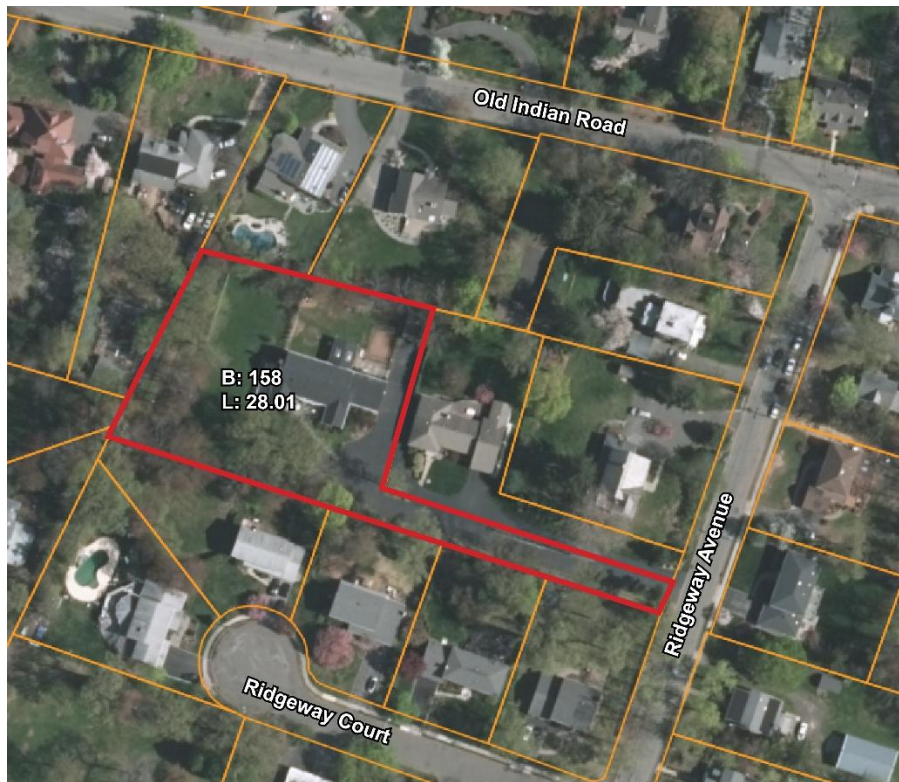
## **2. Completeness Requirements**

Applicant must submit the items outlined in the conditional completeness memo. The status of the items is indicated below:

1. All existing structures and wooded areas within the subject property as well as within 200 feet of same. **Applicant to provide information on the wooded areas within 200 feet of the property or request a waiver.**
2. All roadways within 500 feet of the subject property showing the right-of-way limits as well as approximate pavement locations. **Ridgeway Court is not shown on the subdivision plan. Complete.**
3. "Run Card" depicting the location of all fire hydrants within the subject property. **Applicant has provided, dated April 13, 2026. Complete.**
4. Verification of fees and escrow deposits paid. **We defer to Board Secretary to confirm payment has been received. Ongoing condition.**
5. Corporation or partnership form. **Business Registration Certificate provided along with an operating agreement for 15 Ridgeway LLC. Complete.**
6. Copies of approvals of other government/agencies as may be required or an affidavit indicating that application has been made to such agencies. **List of approvals is included on the Minor Subdivision Plan dated May 26, 2026. Complete.**
7. The architectural plans provided, dated May 4, 2026, are unsigned. **Applicant to provide signed architectural plans.**

### **3. Site Description** *(This is reiterated from our previous memorandum.)*

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. The other existing structures, including the fishpond, bocci court, porch, wood deck and retaining wall, will be removed. 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.

The development intention for these two lots is to develop a 2.5-story, single-family dwelling on each property.

## 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 uses on the lots is permitted.
- 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                            | <b>29.56 (ENC)</b> | <b>14.78 (V)</b>        | <b>14.78 (V)</b>    |
| Min Lot Frontage (ft)                                                           | 75% of required lot width = 75 | <b>29.56 (ENC)</b> | <b>14.78 (V)</b>        | <b>14.78 (V)</b>    |
| 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              | <b>11.2 (V)</b>         | <b>20 (V)</b>       |
| Max. Building Height                                                            | 2.5 stories and 35 ft          | 2 Stories          | 2.5 Stories and 34.2 ft | 2.5 Stories 34.5 ft |
| 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 any proposed fences in order to determine compliance.***

- b. **Building Height:** The elevations provided for both dwellings appear to depict a 2.5-story dwelling due to the attic space above the second floor. ***Applicant to provide attic plans in order to confirm that it meets the requirements for a half story. Information should also be provided regarding access to the attic.*** Further, the zoning table on Sheet 3 of the Subdivision Plan notes 2-story dwellings are proposed. ***Applicant to amend the zoning table to accurately reflect the proposed stories.***
- c. **Trees:** ***Applicant to confirm that no trees will be removed as part of this subdivision application.*** Further, any future development which proposes tree removal will require a tree removal and replacement permit.
- d. **Parking:** On Lot 28.03 (the front lot), 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 has indicated on the Minor Subdivision plan that the slopes on the property are between 1.5 and 8%. This is under the threshold of what is considered to be a “steep slope.”
- f. **Floor Plans:** Since the previous review, the Applicant submitted revised floor plans which included the following changes:
  - i. Basement plans were included for Lot 28.04 depicting a playroom, exercise room, theater, bar/pool area, an office, full bathroom, wine cellar, sauna, storage spaces, and mechanical rooms.
  - ii. Basement plans were included for Lot 28.03 depicting a new finished basement area, new game room, new full bathroom, storage spaces, and a new mechanical room. Exterior access is provided for the basement along with a note that indicates this access is for emergency egress and no independent living facilities are provided at the basement level.
  - iii. A note on both first-floor plans indicating that the proposed homes are intended to be single-family residences with no capability or intent for subdivision into multiple dwelling units.
  - iv. A measurement for overall height was added to the elevations for both properties.
  - v. The spice kitchen was changed to a new pantry on the first floor of the structure on Lot 28.03.

- vi. The kitchenette was removed from the second-floor space above the garage for the structure on Lot 28.03. The previously labeled “living room” was renamed “new sitting room” in the same space.
- g. Subdivision Filing: Per the response letter dated April 21, 2026, it is noted that the subdivision is to be filed by deed. ***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.