

R E S O L U T I O N

Board of Adjustment

Town of West Orange

WHEREAS, at a meeting of the Board of Adjustment of the Town of West Orange held on July 8, 1980, the Board heard Case No. 2636, being the application by Allied Chemical Corporation to utilize premises commonly known as 757 Eagle Rock Avenue, or Block 176B, Lot 60, et. al., as a seminar and conference center; and

WHEREAS, the Board did hear and consider the testimony of Walton C. Wallace, Jr., William C. Shopshire and John O. Lasser, the evidence introduced by the applicant, the legal and factual arguments made by applicant and the testimony and statements of surrounding property owners; and

WHEREAS, the Board has made the following findings of fact and special reasons:

1. The property in question is owned by the applicant, Allied Chemical Corporation.

2. The property in question is known as 757 Eagle Rock Avenue and Block 176B, Lot 60, but also comprises the following additional lots, Block 176B, Lots 66, 65A and 65, Block 178, Lot 1, Block 177A, Lots 25A, 25B and 30.

3. Since its acquisition by the applicant in 1963, the premises have been used continuously as a

seminar and conference center for the applicant's executives and customers. The applicant has recently determined that such use may be in violation of the zoning ordinances of the Town of West Orange and now seeks a variance to permit it to use the premises in the manner that it has used the same for the past seventeen years.

4. The subject premises contain a large main building with conference rooms, a heated indoor swimming pool, green house, kitchen and dining room facilities, bedrooms and other general purpose rooms. In addition to main building there are a number of purely residential buildings occupied by twelve members of the staff serving the premises and an annex containing additional sleeping quarters used by guests and visitors. There are also various accessory buildings used for storage and additional greenhouses and barns used in connection with the small number of sheep and goats maintained on the premises. While the site has extensive formal gardens and large landscaped areas, it also contains areas which are heavily wooded and in their natural state.

5. The property is bounded on the west by the Essex Fells County Club, on the north by presently undeveloped property, on the South by Eagle Rock Avenue and by portions of Wakeman Street and Quarry

Terrace and on the south by the rear portion of premises on Schmitt Road.

6. The topography of the site is such that the properties on Schmitt Road are buffered from the main building and accessory buildings by substantial differences in grade and the residences on Wakeman and Quarry Terrace are separated from the main building by approximately 300 feet.

7. Allied Chemical Corporation is a major United States company selling its goods and services on a world-wide basis. It employs some 34,000 persons of whom approximately 2,200 are employed in the state of New Jersey. Allied Chemical Corporation's sales for the calendar year ended December 31, 1979, were approximately 4.5 billion dollars. The applicant's world-wide headquarters are located in Morristown, New Jersey, some 20 minutes driving time from the subject premises.

8. Because of the diversity of its products and services and the size of its operations in general, Allied Chemical Corporation requires a location for the continuing conduct of management training programs, sales training seminars and product orientation conferences. The subject premises are ideally and uniquely suited for such a conference and training center for the following reasons:

a. The premises are located only 20 minutes driving time from Allied Chemical Corporation's world headquarters in Morristown thus making it convenient for key corporate officials to attend conferences on the premises.

b. The premises are located close to New York City, Newark Airport and major highways thus making the site accessible to persons coming from distant points within or without the United States.

c. The premises offer an atmosphere of seclusion necessary for the efficient conduct of the various training meetings and conferences held by the applicant.

d. The availability of the premises to the applicant on the year-round basis affords it a great deal of flexibility in planning.

e. The premises offer a prestige location in which the applicant may meet with its customers.

9. The buildings and grounds comprising the subject premises are unique in all of West Orange and should be preserved as an outstanding example of building and landscape architecture which is not likely to be duplicated.

10. If the applicant is unable to continue using the premises for a conference and seminar center, it is not likely that the premises could be sold for the single family residential use permitted in the R2 zone without subdivision of the premises. Such subdivision will lead to a substantial loss of the beauty and benefits of the property in its present state. In light of the substantial cost of land in West Orange, it is probable that any future purchaser will seek to develop the property for office, multi-family or townhouse use, thus destroying forever the park-like quality of the area.

11. Preservation of the site in its present state is in the general welfare and consistent with the purposes of the Municipal Land Use Law as expressed in N.J.S.A. 40:55D-2j and the West Orange Zoning Ordinance as expressed in Section 25-2.1(i).

12. The variance sought by applicant may be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the zone plan and the zoning ordinance for the following reasons:

(a) The premises have been used for the contemplated use since 1963 and such use has not had any negative impact on the surrounding properties. In fact, the

based upon the above findings of facts and special reasons, that a variance from the zoning ordinance of the Town of West Orange be granted to applicant to permit the use of the premises for a seminar and conference center in substantially the same manner as such use has been conducted on the premises by applicant since its acquisition of the premises in 1963, subject to the condition noted below.

IN FAVOR

OPPOSED

JOSEPH D'ARIES

JACK DRISCOLL

CORINNE MILLER

GEORGE SCATURRO

LIBBY SHARPE

DR. CHARLES TORLUCCI

NICHOLAS VECCHIO

Condition of approval: Any future construction consistent with the approved use is not to exceed in the aggregate 10% of the current main building area.

The foregoing is a true copy of a Resolution adopted by the Zoning Board of Adjustment of the Town of West Orange at the meeting of July 8, 1980, as copied from the minutes of said meeting.


Marion Ehrhart - Secretary