

Garden Room

PLEASANTDALE CHATEAU

RESOLUTION OF THE PLANNING BOARD OF THE
TOWNSHIP OF WEST ORANGE

Granting amended site plan approval with C-2 variances to enclose an existing outdoor patio area to create a garden room to be used in conjunction with the existing banquet facility.

WHEREAS, the Planning Board of the Township of West Orange, at a meeting held on December 3, 2003, considered the application for amended site plan approval with C-2 variances to enclose an existing outdoor patio area to create a garden room to be used in conjunction with the existing banquet facility, on property located in the R-4 Zone, identified as Block 177.12, Lot 60, which was submitted by the Pleasantdale Chateau (the "Applicant"), through its attorney, Robert Williams, Esq.; and

WHEREAS, the Planning Board considered the presentation of Robert Williams, Esq., attorney for the Applicant; and heard and considered the testimony of Michael Petry, the Applicant's engineer/planner (licensed in New Jersey as an engineer and as a professional planner, and qualified in both capacities by the Board); and considered the amended site plan dated September 3, 2003, as well as questions and comments from Board members and from the public as shall appear in the Board's minutes and/or the transcript for the meeting of December 3, 2003; 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 December 3, 2003; and

WHEREAS, the Applicant requested amended site plan approval with C-2 variances to enclose an existing outdoor patio area to create a garden room to be used in conjunction with the existing banquet facility;

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 amended site plan approval with C-2 variances to enclose an existing outdoor patio area to create a garden room to be used in conjunction with the existing banquet facility.

2. The Board reviewed the amended site plan submitted to the Board by Michael Petry, the Applicant's engineer/planner, which amended site plan is dated September 3, 2003.

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

(1) The Applicant shall provide the West Orange Historic Commission with the opportunity to review and comment on the architectural plans to the extent of color and material used in the proposed addition as to their suitability to meet historical appropriateness;

(2) The Applicant will enhance the safety of the vehicular ingress and egress of the property at Oval Road by making changes to the stop signs, adding speed bumps or other action, to be implemented after conferring with and obtaining the approval of the Township Engineer;

(3) The Applicant agrees to confer with the Township Planner and the Township Engineer to review the issue of any need for additional parking and if it is determined that additional parking is needed on the property, additional paved and striped parking spaces will be provided;

(4) Site Plan Approval, if necessary, of the proposed development will be obtained from the Essex County

Planning Board;

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

(6) 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;

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

(8) 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

(9) Before a Temporary or Final Certificate 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.

NOW, THEREFORE, BE IT RESOLVED that the following requested C-2 variances are granted:

1. Maximum building height, 2-1/2 stories or 35 feet allowed, 47.5 feet proposed, approved;

2. Parking, 331 spaces required, 174 spaces proposed, with an additional 14 tandem spaces as well as a set aside for 14 additional spaces, approved; and

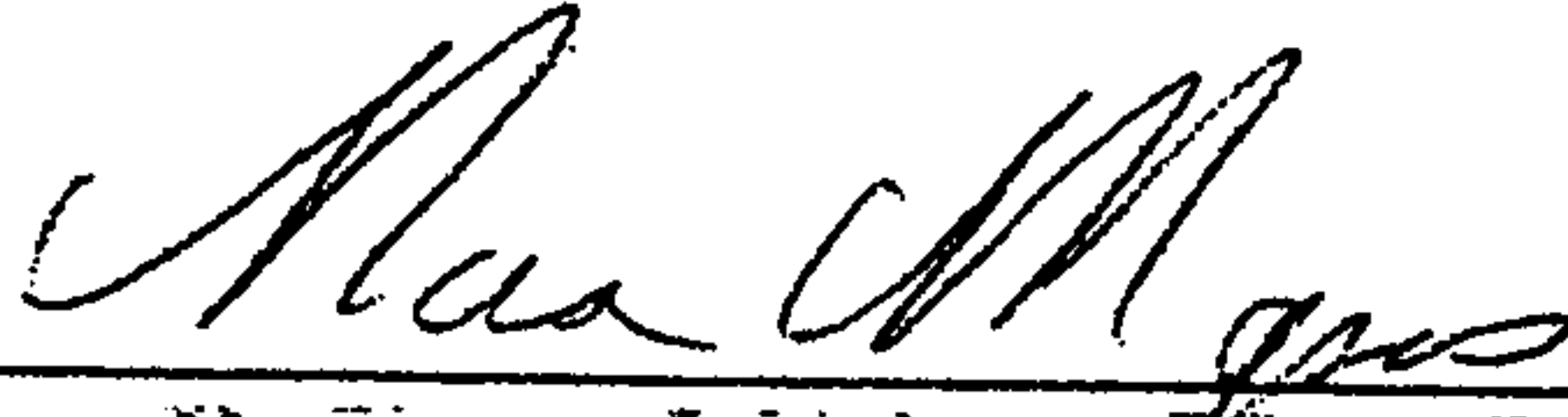
3. Setback of 50 feet required, 40.79 feet existing, approved.

The Applicant's engineer/planner, Michael Petry, testified and the Board found through his testimony that the C-2 variances could be granted because the purposes of the Municipal Land Use Law would be furthered and that the benefits of the proposed variances substantially outweigh the detriments. Specifically, the Board found that parking areas and spaces should be maintained at an amount necessary to adequately handle the parking needs of the Pleasantdale Chateau while avoiding, to the greatest extent practicable, additional paving which would negatively impact and be detrimental to the local environment and neighboring properties. In addition, the height of the proposed garden room would not exceed the height of the existing building and its architectural features would be consistent with the existing historic building. Lastly, the setback deviation is a pre-existing condition that cannot be eliminated through implementation of this site plan application.

NOW, THEREFORE, BE IT RESOLVED that this amended site plan application with C-2 variances to enclose an existing outdoor

patio area to create a garden room to be used in conjunction with the existing banquet facility is approved in accordance with the amended 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.



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

Dated: 1/7/04

TOWNSHIP OF WEST ORANGE
AFFIDAVIT OF COMPLIANCE
MUST BE SIGNED BEFORE C.O. OR C.C.O. IS ISSUED

Name: _____

Address: _____

Zoning Board of Adjustment/ Planning Board Application #

Property Address: _____

Block: _____, Lot: _____, Zone: _____

Date Resolution Adopted: _____

I, the applicant do hereby certify that all the conditions of the resolution stated in the above referenced application have been met. I do understand that if any of the foregoing is false, I will be subject to penalties and/or fines as per Township and State Ordinance. Furthermore, I understand I must contact the Township Zoning Official, Geniece Gary-Adams at (973) 325-4119, to review and approve that all conditions in the resolution have been satisfied.

Applicant's Signature _____ Date _____

Date _____

Sworn to before me.

Notary Public Signature & Seal _____ Date _____

Date _____

I have inspected this application and certify that all the work is in compliance with the conditions set forth in the resolution and the approved signed plans.

Approved by Zoning Official: _____
Signature (Geniece Gary-Adams) Date

Signature (Geniece Gary-Adams)

Date