

APPLICATION FORM VILLAGE OF RIDGEWOOD BOARD OF ADJUSTMENT

(THIS BOX FOR OFFICIAL USE ONLY)		
RECEIVED FEB 26 2025		
DATE RECEIVED:	BLOCK(S): <u>2311</u>	LOT(S): <u>5</u>
ADDRESS OF SUBJECT PROPERTY: <u>220 Orchard Place, Ridgewood, NJ 07450</u>		
APPLICANT NAME:	<u>Nicholas and Brittany Louros</u> c/o Matthew G. Capizzi, Esq.	APPLICATION NO.: <u>ZBA 25-13</u>

TYPE OF APPLICATION(S) - check all that apply	Application Fee(s)	Escrow Deposit(s)
<input checked="" type="checkbox"/> "C" Variance (§190-33) - \$200 per variance, max. \$1,000	\$1,000.00	\$4,000.00
<input type="checkbox"/> "D" Variance (§190-34) - \$1,000 each for prohibited use, expansion of nonconforming use, or density; \$500 each for building height at least 10% over maximum		
<input type="checkbox"/> Appeal of Zoning Officer Decision (§190-29)		
<input type="checkbox"/> Interpretation of Zoning Regulations (§190-30)		
<input type="checkbox"/> Certification of Nonconforming Use/Structure (§190-126G)		
<input type="checkbox"/> Minor Subdivision (§190-45)		
<input type="checkbox"/> Preliminary Major Subdivision (§190-46)		
<input type="checkbox"/> Final Major Subdivision (§190-47)		
<input type="checkbox"/> Exception from Subdivision Design Standards (§190-60)		
<input type="checkbox"/> Permit for Area on Official Map (§190-31)		
<input type="checkbox"/> Permit for Lot not Abutting Street (§190-32)		
<input type="checkbox"/> Extension of Approval (§190-36D, -45H, -46C(3), -46D, -47D, -47E, -47J, -47K, -51 or -97E)		
TOTAL	\$1,000.00	\$4,000.00

Instructions to Applicants: All applicants are required to complete the cover sheet and Parts I, II, III and IV. The various attachments must be completed if they apply to your application. If any parts of the form do not apply to your application, please state "not applicable", "none", etc. If you have any questions, please contact the Board Secretary.

PART I. APPLICANT AND OWNER INFORMATION

- A. Applicant Name Nicholas and Brittany Louros c/o Matthew G. Capizzi, Esq.
- B. Applicant's Mailing Address 205 Fairview Avenue, Westwood NJ 07675
- C. Applicant Telephone No. 201-266-8300 If unlisted, check here
- D. Applicant Email matthew@capizzilaw.com
- E. Applicant's Attorney Name Matthew G. Capizzi, Esq.
- F. Applicant's Attorney Address Same as above
- G. Attorney Telephone No. _____ Attorney Email _____
- H. Property Owner's Name Adam Stafinski
- I. Property Owner's Mailing Address 220 Orchard Place, Ridgewood NJ 07450
- J. Applicant's interest in land, if not owner (e.g., contract purchaser, owner's agent, etc.)
N/A - Applicant is the Prospective Purchaser

PART II. EXISTING PROPERTY INFORMATION

- A. Street Address of Property to be Developed 220 Orchard Place, Ridgewood NJ
- B. Tax Map Block Number(s) 2311 Lot Number(s) 5
- C. Zone District(s) R-2
- D. Does the owner or applicant now own or have any interest in any other property that adjoins the premises which are the subject of this application? (check one) Yes No
If yes, describe the adjacent property by block and lot numbers from the current tax map.

E. Are there any deed restrictions, protective covenants, easements, etc. affecting the subject property (check one) Yes No If yes, describe below or on a separate sheet.

F. I have obtained from the Secretary of the Board a summary and/or a resolution concerning all prior decisions concerning development applications for the premises and have submitted these documents with this application. (check one) Yes No

Note: This certification must be submitted with the application or the application will be incomplete.

G. Existing Use (check all that apply).

Single Family Residence.

Two Family Residence

Other Use (Explain): _____

H. Describe the existing development of the property (buildings, paved areas, etc.).

See attached Reasons for Relief.

PART III. PROPOSED DEVELOPMENT INFORMATION

A. Proposed Use (check all that apply).

Single Family Residence.

Two Family Residence

Other Use (Explain):

B. Proposed Development (describe all site modifications for which approval is being sought, including buildings, paving, utilities, storm drainage, lighting, signs, landscaping, fencing, etc. and any alterations to existing improvements).

See attached Reasons for Relief.

C. Required approvals or reviews by other governmental agencies other than the Board of Adjustment, before construction may start (check all that apply). If in doubt, ask the Board Secretary for information.

- | | |
|--|---|
| <input type="checkbox"/> Historic Preservation Commission | <input type="checkbox"/> Road Opening Permit |
| <input type="checkbox"/> Health Department | <input type="checkbox"/> Bergen/Passaic County |
| <input type="checkbox"/> Construction Code Official | <input type="checkbox"/> Other Municipality |
| <input type="checkbox"/> Soil Movement Permit | <input type="checkbox"/> N.J. DEP (e.g., wetlands) |
| <input type="checkbox"/> Retaining Wall Permit | <input type="checkbox"/> N.J. DOT (e.g., State highway) |
| <input type="checkbox"/> Flood Hazard Area Construction Approval | <input type="checkbox"/> Other (describe below) |

PART IV. PROPOSED VIOLATIONS OF THE LAND USE ORDINANCE (Chapter 190)

The following must be completed if the application is seeking a variance from the zoning regulations in Chapter 190, *Land Use and Development*.

A. The following violations of Chapter 190 are proposed by this application (reference the proposed violations by section and paragraph number in the ordinance):

1. Minimum Front Yard Setback as to Briarcliff Road: (40' Minimum Required v. 18.17' Existing and 25.29' Proposed);
2. Minimum Patio Setback as to the Side Yard: (10' Minimum Allowed v. 4.55' Proposed);
3. Maximum Gross Building Area as to Orchard Place: (32% Maximum Allowed v. 38.50% Proposed); and
4. Maximum Coverage Above Grade Structure as to Orchard Place: (20% Maximum Allowed v. 23.35% Proposed).

B. On a separate sheet, indicate the reasons why you believe that the Board should grant relief of the above ordinance requirements, using the following criteria (check all that apply): See attached Reasons for Relief

- Permit for Area on Official Map (see §190-31F(1) through (3))
- Permit for Lot not Abutting Street - Official Map (see §190-32F(1) and (2))
- "C" Variance (see §190-33G(1), (2) and (3))
- "D" Variance (see §190-34G(1)(a), (b) and (c))


PART V. SIGNATURES AND AUTHORIZATIONS


The undersigned applicant and owner do hereby certify that all the statements contained in this application are true to the best of their knowledge.

The undersigned applicant and owner agree that if any of the information presented in this application changes prior to the issuance of any permits by the Village for the subject application, I/we will promptly notify the Board of such changes prior to the issuance of such permits.

The undersigned applicant and owner consent to the entering and inspection of the subject premises by the Board and its staff as necessary for the review of this application.

The undersigned agree to keep current all escrow accounts for review of this application and to pay any outstanding balances.

	2/25/2025
Applicant/Appellant	Date

	2/25/2025
Owner	Date

Survey Affidavit

STATE OF NEW JERSEY
COUNTY OF

} SS:

say(s) under oath:

- 1. Representations.** If only one person signs this Affidavit, the word "we" shall mean "I." The statements in this Affidavit are true to the best of our knowledge, information and belief.
- 2. Property.** We are the present owners (or duly authorized officers, partners, or members of the present owner), of Property located at 220 Orchard Place, Ridgewood NJ (called this "Property") which we now _____ to.
- 3. Survey.** We have examined the attached survey of this Property dated 1/30/2025 made by Koestner Associates.
- 4. No Change.** The survey shows this Property in its present condition. There have been no changes in the boundary lines of this Property. There have been no changes in the principle building, accessory building, fences, driveway, sidewalks, patios, decks. There has been no installation of any new improvements such as a shed, patio, deck, relocation of sidewalk, patios or decks.
- 5. Reliance.** We are aware that the Village of Ridgewood, Zoning Board of Adjustment will rely on the truthfulness and the statements made in this Affidavit in connection with the Variance Application that is submitted to the Zoning Board of Adjustment of the Village of Ridgewood.

Signed and sworn to before me on (date)



Nicholas Louros



VILLAGE OF RIDGEWOOD

131 North Maple Avenue
Ridgewood, New Jersey, 07451

Building Department

(201) 670-5500

(201) 670-5549

January 31, 2025

Mr. Nick Louros
1085 Linwood Avenue
Ridgewood, N.J. 07450

Re: Block 2311 Lot 5
220 Orchard Place

Dear Mr. Louros:

A review of your application for a building permit regarding 220 Orchard Place, (R-2 zone) has been made. A variance must be obtained from the Planning Board, per Planning Board resolution 2024-07 for the construction of a new single family dwelling which would result in a front yard, on Briarcliff Road, of ± 23.25 feet where 40 feet is the minimum required, and would result in a total coverage by above grade structure, within the first 140 feet, of 23.3% where 20% is the maximum permitted, and would result in total gross building area, within the first 140 feet, of 38.4% where 32% is the maximum permitted. Also a variance will be required for the proposed patio, along the proposed pool, which will result in a side yard of 4.5 feet where 10 feet is the minimum required. Also a variance would be required for the installation of a fence in the front yard, on Briarcliff Road, which would result to be 6 feet where 4 feet is the maximum permitted.

Under the provisions of § 190-104E(2)(11), and § 190-119J(1), and § 190-124 F(3)(a) and §190-124F(3)(b)[2] Article X of the Ridgewood Village Code, "Minimum front yard: 40 feet"; "Maximum coverage by above-grade structures located within 140 feet of the front lot line: 20% of the lot area within 140 feet of the front lot line"; "Maximum gross building area for single family... 10,500 to 13,999 square feet - 32%, 4060 sf"; "Maximum height....the height of fences shall not exceed four feet".

If you have any questions, please feel free to contact me.

Sincerely,

Paola G. Perez
Assistant Zoning Officer
PGP

CAPIZZI LAW OFFICES

205 Fairview Avenue
Westwood, NJ 07675

MATTHEW G. CAPIZZI, ESQ.
N.J., N.Y., & D.C. Bars
201 266 8300 (o)
201 266 8301 (f)
Capizzilaw.com

February 25, 2025

Reasons for Relief

Chairman Gregory Brown and Members of the Board
Ridgewood Zoning Board of Adjustment
131 North Maple Ave.
Ridgewood, NJ 07450

Re: Louros – Ridgewood ZBA (the “Applicant”)
220 Orchard Place; Block 2311, Lot 5.01 (the “Property”)

Dear Mr. Chairman and Members of the Board:

The Property is located in the Villages R-2 Zone, is a corner lot with frontage along Orchard Place to the North and Briarcliff Road to the East, contains a lot area of 15,608 square feet and a lot width of 80’ where 105’ is the minimum required. The Property is improved with a single-family dwelling which is non-conforming as to: Minimum Front Yard Setback along Briarcliff (40’ Min. Required v. 18.17’ Existing); and Maximum Building Height (30’ Max. Allowed v. 30.54’ Existing).

The Applicant seeks to raze the existing dwelling and construct a new single family dwelling fronting on Orchard Place with a side loading garage accessed from Briarcliff Road as well as a pool and patio area in the rear yard, all of which is collectively referred to as the “Application”.

The Application requires the variance relief described below:

- Minimum Front Yard Setback as to Briarcliff Road: (40’ Minimum Required; 18.17’ Existing; 25.29’ Proposed) – While still a variance condition, the proposal results in placing the new home 7’ further away from Briarcliff Road. The Applicant’s inability to comply with the front yard setback requirement results from the narrowness of the Property, having only 80’ of lot width where 105’ is required. It is the 25’ shortfall in lot width that triggers the need for this variance.
- Maximum Coverage By Above Grade Structures Within 140’ of Orchard Place: (20% Maximum Allowed v. 23.35% Proposed). This variance also results from the narrowness of the Property. If the lot had the required width of 105’ within the first 140’ of the lot depth, the Applicant would be allowed 20% of 14,700 square feet or 2940 square feet of coverage. However, due to the narrowness of the lot, the Property only has 11,056 square feet of area within the first 140’ or 2,211 square feet of coverage. The Applicant is proposing 2582 square feet of coverage by above grade structures within

the first 140' of the lot, which is 358 square feet less than what could be constructed on a conforming lot.

- **Maximum Gross Building Area Within 140' of Orchard Place: Maximum Coverage By Above Grade Structures Within 140' of Orchard Place: (32% Maximum Allowed v. 38.5% Proposed).** This variance also results from the narrowness of the Property. If the lot had the required width of 105' within the first 140' of the lot depth, the Applicant would be allowed 32% of 14,700 square feet or 4704 square feet of gross building area. However, due to the narrowness of the lot, the Property only has 11,056 square feet of area within the first 140' or 3538 square feet of gross building area. The Applicant is proposing 4260 square feet of gross building area within the first 140' of the lot, which is 444 square feet less than what could be constructed on a conforming lot.
- **Minimum Patio Setback: (10' Min. Required. v. 4.5' Proposed).** This variance also results from the narrowness of the Property. If the Property had the required width, the Applicant would be able to provide a pool patio in a conforming location.

Despite the undersized nature of the Property as to width, except for the front yard setback along Briarcliff (which is an improvement over the existing condition), the home is being placed at the required setbacks, provides a conforming height and meets the maximum gross building area and maximum total coverage by above grade structures for the entire lot.

Based upon the above, the variances, individually and collectively, can be granted without causing a substantial negative impact to the neighborhood. Therefore, the Applicant requests his Application be granted.

Thank you.

Very truly yours,

Matthew G. Capizzi, Esq. /s

Matthew G. Capizzi, Esq.

MGC/hs

CERTIFICATE OF PRIOR PLANNING AND ZONING BOARD ACTION

BLOCK 2311, LOT 5, 220 Orchard Place (STREET ADDRESS)

was the subject of:

Planning Board action on: 1/20/81, 12/17/24

A resolution is attached.

A resolution is not attached. (If no resolution is available, provide a short explanation.) _____

There are no records of any planning board applications for this property address.

Jane Wondrym 2/26/25
Signature of Planning Board Secretary

Zoning Board action on: _____

A resolution is attached.

A resolution is not attached. (If no resolution is available, provide a short explanation.) _____

There are no records of any zoning board applications for this property address.

Jane Wondrym 2/26/25
Signature of Zoning Board Secretary

**PLANNING BOARD
VILLAGE OF RIDGEWOOD**

**IN THE MATTER OF THE
APPLICATION OF
185 JACKSON AVE LLC FOR MINOR
SUBDIVISION AND LOT
CONSOLIDATION RELATING TO
BLOCK 2311, LOT 6
KNOWN AS 248 BRIARCLIFF ROAD**

**MEMORIALIZATION RESOLUTION
APPLICATION NO. PB 2024-07**

WHEREAS, 185 JACKSON AVE LLC (“Applicant”), applied on July 19, 2024, to the Planning Board of the Village of Ridgewood for minor subdivision approval pursuant to N.J.S.A. 40:55D-47 and consolidation regarding the premises located on Block 2311, Lot 6 commonly known as 248 Briarcliff Road in the R-2 Zone District (“Lot 6”); and

WHEREAS, a public hearing was conducted on November 5, 2024, upon proper notice certified by Applicant’s proof of service to property owners within a 200-foot radius of the subject property and proof of publication in an official newspaper of the Village; and

WHEREAS, during the course of said hearing, Applicant presented testimony outlining the subdivision application and consolidation; and

WHEREAS, all application materials, including all plans and reports submitted by or on behalf of Applicant, are a part of the official record of the public hearing on the application; and

WHEREAS, Applicant was represented by Mark Madaio, Esq., covering for Giuseppe Randazzo, Esq., Applicant’s Attorney; and

WHEREAS, the Planning Board (the “Board”) was represented by Stephen Wellinghorst, Esq., at the hearing on this Application; and

WHEREAS, the following exhibits were admitted into evidence:

Exhibit A-1 – Engineer Plans, Dated: July, 3, 2024 Revised through September 10, 2024

WHEREAS, testimony in support of the application was given by Mark Madaio, Esq., and Steven Koestner, a licensed civil engineer and surveyor; and

WHEREAS, the Board did consider the testimony and evidence presented, and the following are the findings of fact of the Board:

The Application

1. The application submitted by the Applicant was complete and jurisdiction before the Board was proper.

2. John and Heather Madigan are the owners of Lot 6 and the neighboring property located at Block 2311, Lot 4 (“Lot 4”) and is contract seller of the eastern portion of Lot 6 in the R-2 Zone District.

3. The Applicant’s interest in Lot 6 is that the Applicant is a contract purchaser of the eastern portion of Lot 6 and owns the property located at Block 2311, Lot 5 (“Lot 5”).

4. According to the application and the summary provided by Applicant’s counsel, Applicant is seeking minor subdivision approval to divide subdivide Lot 6 and consolidate the eastern portion thereof to Lot 5, ultimately creating two proposed lots, designated as Lots 4.01 and 5.01.

Testimony

1. Testimony under oath was given in support of the application by Mark Madaio, Esq., and Steven Koestner, a licensed engineer and surveyor. Based upon the sworn testimony of Mr. Madaio and Mr. Koestner, the Board made the following findings of fact:

- a. Applicant is the current owner of Lot 5 and is the contract purchaser of the eastern portion of Lot 6.
- b. Lot 6 is currently owned by John and Heather Madigan, who also own neighboring Lot 4.
- c. Applicant is seeking to subdivide Lot 6 so that Applicant can purchase the eastern portion of Lot 6 to make the backyard of Lot 5 larger.
- d. There will not be any new variances needed after the subdivision.
- e. Proposed Lot 4.01 will not have any variances in relation to minimum width.
- f. Proposed Lot 5.01 width has a preexisting condition that is under the minimum lot width required.
- g. Neither proposed Lot 4.01 nor proposed Lot 5.01 will need variances and any variances on the proposed Lots that remain are preexisting.

WHEREAS, the matter was open to the public and the following people commented on the Application:

1. Norma Francesco, owner of a neighboring property located at 256 Briarcliff Road, asked if the proposed extension of the Property would change the footprint of the house. Mr. Koestner said that he was not presently aware of any plans to change the footprint of the existing house and that if there were any plans to do so in the future, Applicant would either comply with the zoning ordinances or come back to the Board to seek approval.

2. Henadzi Valynets, a principal of 185 Jackson LLC, explained that he previously approached the owners of Lot 4 and Lot 6 in regard to selling part of Lot 6 so that he could make the backyard of Lot 5 bigger.

3. Heather Madigan, owner of Lot 4, stated that she had purchased Lot 6 after Lot 6's prior owners moved so that she could maintain Lot 6. She also stated that Mr. Valynets previously approached her in regard to buying the eastern part of Lot 6.

CONCLUSIONS OF LAW

WHEREAS, the Planning Board, after having reviewed the application, considered the testimony and evidence presented, and considered the impact of the application on the Village of Ridgewood and its residents, and after careful deliberation, having determined that the Applicant proposes a minor subdivision that the application for minor subdivision is conducive to the orderly development of the site and the general area in which it is located pursuant to the land use and zoning ordinances of the Village of Ridgewood, and upon imposition of specific conditions to be fulfilled, the Board concludes that good cause has been shown to grant the Applicant Minor Subdivision approval, pursuant to the authority of N.J.S.A. 40:55D-47 and consolidation;

WHEREAS, the Planning Board, after having reviewed the application, considered the testimony and evidence presented, and considered the impact of the application on the Village of Ridgewood and its residents, and after careful deliberation, having determined that the application for minor subdivision approval is conducive to the orderly development of the site and the general area in which it is located pursuant to the land use and zoning ordinances of the Village of Ridgewood, and upon imposition of specific conditions to be fulfilled, the Board concludes that good cause has been shown to grant the Applicant Minor Subdivision approval, which includes the consolidation of Lots 4 and 6, and Lots 5 and 6 into Lots 4.01 and 5.01, pursuant to the authority of N.J.S.A. 40:55D-47.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Village of Ridgewood, that based upon the testimony and evidence presented, the application of 185 Jackson Ave LLC's Minor Subdivision and Lot Consolidation for the property commonly known as 248 Briarcliff Road, Block 2311, Lot 6, is hereby **GRANTED**, subject to the following terms and conditions.

CONDITIONS SPECIFIC TO THIS APPLICATION

1. The Applicant shall abide by all statements and representations testified to at the hearing on this Application.
2. The Subdivision approval pursuant to N.J.S.A. 40:55D-47 is based upon the subdivision plan submitted into evidence by the Applicant.
3. The Board shall retain jurisdiction over any future developments on proposed Lots 4.01 and 5.01 that requires an approval within the Board's jurisdiction.
4. If necessary, Applicant shall satisfactorily address and comply with the comments of Ridgewood Water Company as to the valve/curb stop to the satisfaction of the Water Company and the Village.
5. The subdivision deed or plat, as applicable, shall be signed by the Chairman and Secretary of the Board, provided that the signatures of the Chairman and Secretary shall not be affixed until the developer has posted any guaranties that may be required pursuant to Village Ordinance §§ 190-25 and 190-57.
6. The Subdivision Plat or Deed recorded memorializing this subdivision shall specifically refer to this Resolution and shall be subject to the review and approval of the Village Engineer and Board Attorney. Applicant acknowledges that N.J.S.A. 40:55D-47 provides that the approval of minor subdivision shall expire 190 days from the date of adoption of the Resolution

of Approval unless within such period, a Subdivision Plat or Deed clearly describing the approved minor subdivision is filed by the Applicant with the County Recording Officer, the Village Engineer and the Village Tax Assessor which must comply with all statutory requirements. Failure of the Applicant to record the Subdivision Plat or Deed within 190 days of the adoption of the memorializing Resolution shall render this approval null and void.

GENERAL CONDITIONS

1. This approval is specifically granted based upon the testimony of the Applicant, the exhibits, the application, any and amendments to same, submitted to the Board, all of which have been relied upon by the Board.

2. The Applicant or any successor in interest shall satisfactorily address all reasonable recommendations offered by the Village Police Department, Fire Department and Department of Public Works.

3. Applicant shall be responsible for obtaining any other approvals or permits from other governmental agencies as may be required by law, including, but not limited to, the Bergen County Planning Board, the Bergen County Soil Conservation District, and the New Jersey Department of Environmental Protection and Applicant shall comply with any requirements or conditions for such approvals or permits. This approval is conditioned upon any and approvals required by local, state or other government agencies.

4. The Applicant shall comply with all Village Ordinances, and any and all State and Federal laws and applicable regulations.

5. Applicant is responsible for any environmental clean-up and/or environmental conditions as to the site as required by federal, state, county and local governmental agencies and officials, which must be complied with to the satisfaction of each of the aforementioned agencies

and officials.

6. Applicant shall submit revised plans, as necessary, with correct revision dates on all sheets.

7. Applicant is required to obtain a building permit, post all necessary fees and costs with the Village of Ridgewood prior to any construction. This approval is subject to Applicant obtaining a building permit and any other State, County or Village approvals if required.

8. Applicant shall pay all fees, costs, bonds and escrows when due or becoming due and shall post all performance guarantees in connection with the review of this application prior and subsequent to the approval of this application, as required. Any monies are to be paid within twenty (20) days of said request by the Village's Secretary.

9. If an application before the Bergen County Planning Board is required and any material or substantial changes are required by the Bergen County Planning Board to the subdivision plan as approved by this Resolution, then the Planning Board retains jurisdiction over this application and reserves its right to amend or withdraw its approval of this application.

10. All representations and stipulations made by Applicant or its agents shall be deemed conditions of this approval and any misrepresentations by Applicant contrary to the representations and stipulations made before the Planning Board shall be deemed a violation of this approval.

11. The action of the Planning Board in approving this application shall not relieve Applicant of responsibility for any damages caused by this project, nor does the Planning Board of the Village of Ridgewood, or its reviewing professionals and agencies, accept any responsibility for design of the proposed improvement or for any damages that may be caused by this development.

12. Any condition imposed upon Applicant in connection with the approval granted herein shall apply to any successor in interest to Applicant.

13. Except for any variance(s) approved herein, the Applicant shall comply with all other provisions of the Zoning Code of the Village of Ridgewood.

14. In the event that any conditions of this resolution are held to be invalid, unenforceable, or unlawful, by a court of competent jurisdiction, then in said event, the entire approval granted herein shall be unenforceable. It is the intent of the Board that the approval granted herein shall not be deemed approved if any condition is declared invalid and the remaining conditions are not severable from the approvals granted herein.

15. Publication of a notice of this decision shall be published by Applicant in one of the Village's officially designated newspapers. A copy of the published notice shall be provided to the Planning Board's secretary no later than thirty (30) days from the date of the memorialization of this Resolution.

16. The Applicant has been advised that there is an appeal period for the relief granted herein for a period of forty-five (45) days from the date of publication of notice of the relief granted pursuant to this Resolution in a newspaper of general circulation approved by the Board. Accordingly, any work or construction done prior to the expiration of the appeal period is accomplished at the sole risk of the Applicant.

BE IT FURTHER RESOLVED that the Chairman and the Secretary of the Planning Board are hereby authorized to affix their signatures to this resolution. This resolution is a memorializing resolution adopted pursuant to *N.J.S.A. 40:55D-10(g) (2)*, memorializing the action taken by the Planning Board at the meeting held on February 6, 2024.

MOTION for approval of Application was granted and a Resolution memorializing the vote was to be prepared.

VOTE ON ROLL CALL FOR RESOLUTION:

IN FAVOR:



OPPOSED:

RECUSED:


DATE RESOLUTION APPROVED: December 17, 2024

ADOPTED:

ATTESTED:

 _____ JANE WONDERGEM, SECRETARY Planning Board of the Village of Ridgewood	 _____ RICHARD JOEL, CHAIRMAN Planning Board of the Village of Ridgewood
---	---

The foregoing is a true copy of a resolution adopted by the Planning Board of the Village of Ridgewood on December 17, 2024.

Date: <u>December 17, 2024</u>	 _____ JANE WONDERGEM, SECRETARY Planning Board of the Village of Ridgewood
--------------------------------	---

RIDGEWOOD PLANNING BOARD
SUBDIVISION AND VARIANCE RESOLUTION

BE IT RESOLVED, by this Planning Board of the Village of Ridgewood that the application of URSULA M. CLARKE for subdivision approval and variance relief as to Lots 5 and 6 in Block 2311, as considered by this Planning Board at its official meeting held on December 2, 1980 is hereby DENIED, in accordance with the terms, findings and conclusions set forth at length in a certain written decision resolution bearing this date, the terms of which are hereby approved and adopted by reference, and are hereby made a part of the official minutes of this meeting of this Planning Board held on this 20th day of January, 1981.

RIDGEWOOD PLANNING BOARD

MJD:emv
1/9/81

IN THE MATTER OF THE APPLICATION)
OF URSULA M. CLARKE FOR APPROVAL)
OF A SUBDIVISION AND FOR VARIANCE) SUBDIVISION AND VARIANCE
RELIEF AS TO LOTS 5 AND 6 IN BLOCK) RESOLUTION
2311)

WHEREAS, Ursula M. Clarke, hereinafter referred to as "applicant", by an application for development filed with this Planning Board on August 13, 1980, applied to this Planning Board for approval of a subdivision of premises located at the southwest corner of Orchard Place and Briarcliff Road, which premises are shown as Lots 5 and 6 in Block 2311 on the current Tax Map of the Village of Ridgewood and which premises are hereinafter referred to as the "premises in question"; and

WHEREAS, applicant has also applied to this Planning Board for variance relief as hereinafter described; and

WHEREAS, reports on the subdivision have been received by this Planning Board from its planning consultant, from its attorney, from the Division of Engineering and from various department directors; and

WHEREAS, applicant's subdivision application and variance application and accompanying engineering drawings were the subject of a public hearing held by this Planning Board on December 2, 1980, at which hearing applicant's case was presented by her attorney, Alfred S. Nugent, Jr., Esq., and during which hearing exhibits were introduced into evidence and testimony and arguments were presented both in favor of and against this Planning Board's granting the requested subdivision approval and variance relief.

NOW THEREFORE, be it resolved that this Planning Board

does hereby make the following findings of fact:

1. Notice of the public hearing was duly published and all persons required to be served with notice of the hearing were duly served and proof thereof has been filed with the Board.

2. The premises in question are located in the R-2 Single Family Residential Zone District and are owned by the applicant who acquired title thereto by deed dated May 24, 1940, recorded in Book 2218 at page 439.

3. The premises in question now constitute an "L-shaped" parcel, situated at the southwest corner of Orchard Place and Briarcliff Road; Lot 5 has a frontage measured along the southerly side of Orchard Place of fifty-five (55') feet to a point of tangency at said corner and has a depth measured along the westerly side of Briarcliff Road of one hundred twenty-five (125') feet to a point of tangency at said corner; Lot 6 has a width measured along the westerly side of Briarcliff Road of forty-six and seventy-nine hundredth of a foot (46.79'); located on Lot 5 is a dwelling and Lot 6 is vacant.

4. Chapter 35, Article I, Section 35-3 of the Village Code provides, inter alia:

"Despite what may be disclosed on the current Village tax map, if contiguous lots are in common ownership and shall have been treated by the owner or owners as one lot, the entire land area so treated shall, for the purposes of administering and enforcing this Chapter, be construed to be one lot."

5. As shown on applicant's engineering drawing (a minor subdivision map prepared by Robert P. Bosland dated August 4, 1980), applicant proposes to subdivide the premises in question by adding seventeen (17') feet of frontage on the westerly side of Briarcliff Road of Lot 5 to said Lot 6 so as to create a contiguous potential building lot which would have a frontage on the westerly side of Briarcliff Road of only sixty-three and seventy-nine hundredths of

a foot (63.79') with a square foot area of only seven thousand eight hundred eighty (7,880) square feet within 140 feet of the westerly sideline of Briarcliff Road and a total lot area of only nine thousand seven hundred twenty-one (9,721) square feet; the proposed subdivision would then leave the portion of the premises in question on which the dwelling is located with a lot area of ten thousand five hundred three (10,503) square feet which would be located within 140 feet of the front street sideline.

6. Chapter 35, Article X, Section 35-86.3 of the Village Code provides, inter alia, that with respect to premises located in the R-2 Single Family Residential Zone District:

(e) "Every lot shall contain a minimum lot area of 10,500 square feet and a minimum lot width, measured at the front yard setback line of 75 feet; provided, however that no lot shall measure less than 60 feet in width at any point within 140 feet of the front street sideline. The minimum lot area of 10,500 square feet shall be computed within 140 feet of the front street sideline."

7. Pursuant to the provisions of Chapter 35, Article III, Section 35-8(e)(1) of the Village Code, applicant has requested that this Planning Board grant variance relief with respect to both the aforementioned minimum lot area and minimum lot width requirements as to the aforementioned proposed building lot.

8. During the course of the public hearing, the following arguments were advanced as reasons for granting the requested variances as to the aforementioned proposed building lot and for granting subdivision approval accordingly:

The granting of the requested variances and the approvals of the proposed subdivision permitting the construction of a single-family residence on the proposed building lot would create little or no adverse effect on the properties in the vicinity of the premises in question.

Substantial non-conformity already exists in the vicinity of the premises in question with respect to both the aforementioned minimum lot area and the aforementioned minimum lot width requirements.

The premises in question constitute a peculiarly shaped parcel not typical of other properties in the vicinity and are larger than most of the other properties in the vicinity.

The size of the potential building lot is such that it could accommodate a reasonably-sized dwelling not inconsistent with those situated on other properties in the vicinity of the premises in question.

The Village of Ridgewood is correct in assessing existing Lot 6 as a potential building lot which has an assessed value of \$44,400.00.

9. During the course of the public hearing, applicant agreed that the time period in which this Planning Board may take official action on the variance application and subdivision application would be extended to January 21, 1981.

BE IT FURTHER RESOLVED that this Planning Board does hereby make the following conclusions and determinations:

DETERMINATION A. The foregoing facts are made a part hereof as if set forth herein in full.

DETERMINATION B. If the aforementioned proposed deficiency in lot width as to the potential building lot (i.e., 63.79 feet versus minimum requirement of 75 feet) were the only deficiency requiring variance relief for subdivision approval, or if the aforementioned proposed deficiency in lot area (i.e., 7,880 square feet within 140 feet of the westerly sideline of Briarcliff Road and total area of 9,721 square feet versus minimum lot area requirement of 10,500 square feet) were the only deficiency requiring variance relief for subdivision approval, either such variances might not constitute a substantial impairment of the intent of the Zoning Ordinance with respect to construction of single-family dwellings in the R-2 Single Family Residential Zone District, but in this case as presented, in the opinion of this Planning Board, the lot width and lot area deficiencies together constitute too substantial a deviation from the aforementioned applicable minimum requirements of the Village Code and accordingly the variances requested as described in Paragraph 7 of the Findings of Fact of this Resolution, if granted, would create a substantial detriment to the public good and would impair the intent and purpose of the Village Zone Plan and Zoning Ordinance.

DETERMINATION C. Applicant has failed to establish to the satisfaction of this Planning Board that there now exists any peculiar or exceptional practical difficulties to or undue hardship upon the applicant as a result of the application of the aforementioned minimum requirements of the Village Code to the premises in question. Any hardship of an economic nature now or hereafter sustained by the applicant as owner of the premises in question either as a result of any excessive real property taxes assessed against the premises in question by the Village or as a result of any inability to realize a higher economic gain through the sale of the premises in question as two separate parcels than the lesser economic gain which might be realized by her if the premises in question were sold in the future as one parcel, in the opinion of this Planning Board, does not constitute sufficient grounds for granting the requested variance relief and subdivision approval sought by applicant. On the contrary, applicant has failed to establish to the satisfaction of this Planning Board that the application of the aforementioned provisions of the Village Code to the premises in question impose any unreasonable interference with the applicant's basic rights relating to her ownership of said premises in question, this Planning Board being of the opinion that the premises in question have been, are now, and will in the future be inherently susceptible of use as one integral homesite and can be sold as such.

BE IT FURTHER RESOLVED therefore, that this Planning Board, pursuant to and in accordance with the provisions of Chapter 35, Article III, Section 35-8(e)(1) of the Village Code and N.J.S. 40:55D-25 of the Municipal Land Use Law does hereby DENY applicant's application for variance relief as aforesaid.

BE IT FURTHER RESOLVED that, in view of the foregoing denial of applicant's application for variance relief, this Planning Board also hereby DENIES applicant's application to subdivide the premises in question as herein described.

Public Meeting, Tuesday

January 20, 1981

M.J.D.



VILLAGE OF RIDGEWOOD
BERGEN COUNTY, NEW JERSEY
DEPARTMENT OF PUBLIC WORKS

DEPARTMENT OF PUBLIC WORKS
Christopher J. Rutishauser, PE, CPWM
Village Engineer, Director of Public Works

131 N. MAPLE AVENUE
RIDGEWOOD, NEW JERSEY 07451
PHONE: (201) 670-5500, Ext. 238
FAX: (201) 670-7305

FLOOD INSURANCE RATE MAP INFORMATION / CRS-320

The property located at 220 Orchard Place, also known as Block 2311 Lot 5 has been located on the Village's Flood Insurance Rate Map (FIRM), dated, **August 28, 2019**.

The following information is provided:

Ridgewood's community number is: **340067**

The address is located on panel number: 34003C0069J 34003C0088J 34003C0157J
34003C0159J 34003C0176H 34003C0177H
34003C0178H

The **property** is located in FIRM zone: **X** (Out or 500 year) AE (100 year) A (No BFE)

The **main building** is also located in: Floodway Repetitive Loss Area None

The **main building** on the property:

 is located in a Special Flood Hazard Area with a **Base Flood Elevation** of: +/- _____ (NGVD 1988), which correlates to a flood depth of +/- _____. Federal law requires that a flood insurance policy be obtained as a condition of a federally-backed mortgage or loan that is secured by the building. It is up to the lender to determine whether flood insurance is required for a property. The **National Flood Insurance Program** is available in Ridgewood and our **Community Rating System** rating is a 6 which provides a 20% discount on your insurance premium.

 is not located in a Special Flood Hazard Area. However, the property (*above*) may still be in floodplain (**Letter Of Map Amendment**) or subject to local drainage problems or other unmapped flood hazard. Flood insurance is available and may be obtained at non-floodplain rates. A flood insurance policy may be required by a lender.

 A determination of the building's exact location cannot be made at this time without an **Elevation Certificate**. A copy of the FIRM is attached for your information.

NOTE: This information is based on the Flood Insurance Rate Map for the Village. This letter does not imply that the referenced property will or will not be free from flooding or damage. A property not in a Special Flood Hazard Area may be damaged by a flood greater than that predicted on the FIRM or from a local drainage problem not shown on the map. This letter does not create liability on the part of the Village, or any officer or employee thereof, for any damage that results from reliance on this information.

Elevations on file: 1929 NGVD / 1988 NGVD (*circle one*)

Lowest Point Elevation: N/A Lowest Shingle Elevation: N/A First Floor Elevation: N/A

Dated: 2/26/2025 Christopher J. Rutishauser for/
Christopher J. Rutishauser, PE, CPWM
Director of Public Works/Village Engineer



VILLAGE OF RIDGEWOOD
 BERGEN COUNTY, NEW JERSEY
 PLANNING BOARD & HISTORIC PRESERVATION COMMISSION

131 NORTH MAPLE AVENUE
 RIDGEWOOD, NEW JERSEY 07450

PHONE: (201) 670-5500 x 2240

CERTIFICATE OF HISTORIC DISTRICT/SITE DESIGNATION

LOCATION OF PROPERTY: 220 Orchard Place, also

known as BLOCK 2311 LOT 5

IS NOT subject to review by the Historic Preservation Commission.

IS subject to review by the Historic Preservation Commission because:

The property is located within the Village Center Historic District and/or is designated in Chapter 190-98B (2), Land Use & Development.

The property is a national/state registered site or is locally identified in the master plan.

The property is located in a residential historic district described in the Historic Plan Element of the Master Plan.

IF THE PROPERTY REFERENCED ABOVE REQUIRES REVIEW BY THE HPC, the property owner or applicant shall provide the HPC Secretary with **9 collated copies** of the proposed plan, photos, drawings, and the completed HPC Application Permit. (Please request a review date from the Secretary at the time you file the application.) The HPC office is in the Engineering Division.

The property owner and/or applicant are invited to attend the meeting of the Historic Preservation Commission at which the application is reviewed.

If Planning Board or Zoning Board approval is also required, the Commission will issue a report to the appropriate Board. All other recommendations will be issued to the construction official.

Jane Wondergem, 2/26/2025
 Signature of HPC Secretary - date

For further information regarding review by the Historic Preservation Commission, please call or contact Jane Wondergem at (201) 670-5500 ext: 2240 or via email at: jwondergem@ridgewoodnj.net