

**VILLAGE OF RIDGEWOOD  
PLANNING BOARD**

IN THE MATTER OF THE APPLICATION )  
OF WESTSIDE PRESBYTERIAN CHURCH. )  
FOR MINOR SITE PLAN APPROVAL )  
AS TO LOT 3 IN BLOCK 2404 )

**RESOLUTION OF  
MEMORIALIZATION  
TO DISMISS THE  
MINOR SITE PLAN  
APPLICATION  
WITHOUT PREJUDICE  
“OFFICIAL ACTION”**

WHEREAS, West Side Presbyterian Church, (hereinafter referred to as the “Applicant”), has filed an application for minor site plan approval for property located at 6 South Monroe Street, known as Lot 3, Block 2404 (hereinafter referred to as the “Property”) as shown on the current Tax Assessment Map of the Village of Ridgewood; and

WHEREAS, that Application was filed with the Planning Board of the Village of Ridgewood (hereinafter referred to as the “Board”) on March 18, 2008 seeking MINOR SITE PLAN approval for existing improvements to the property, specifically the installation of a back-up natural gas generator to operate sewer and stormwater pumps in the event of a power failure; and

WHEREAS, after review by the Board’s professionals, the Application was deemed incomplete on April 16, 2008; and

WHEREAS, the Applicant revised and resubmitted the Application, which was deemed complete on July 2, 2008; and

WHEREAS, the Site Plan Committee reviewed the Application with the Board at the hearing on July 15, 2008, whereupon it was determined that additional information and submissions were required of the Applicant prior to any further action of the Board; and

WHEREAS, prior to the meeting of the Board on August 5, 2008, in the absence of

communication from the Applicant, the Board notified the Applicant's Counsel, Charles Collins, Esq., that the Site Plan Committee was recommending that the application be withdrawn unless further submissions were provided; and

WHEREAS, thereafter no further updates or supplemental application materials were provided to the Board; and

WHEREAS, no response, update or additional submissions have been received by the Applicant since the July 15, 2008 hearing on the Application to address the delay with the said Application; and

WHEREAS, at its August 5, 2008 meeting, in light of the foregoing, the statutory deadline for action within 45 days of minor site plans being determined complete, and the fact that no extension to such deadline was granted by the Applicant, the Board determined to dismiss the Application without prejudice for lack of prosecution subject to memorialization of its action; and

WHEREAS, the Board's dismissal of August 5, 2008 was within 45 days from the July 2, 2008 completeness date as required by the Municipal Land Use Law; and

WHEREAS, the Board wishes to memorialize its action of August 5, 2008;

NOW THEREFORE BE IT RESOLVED, that the members of this Planning Board who voted in favor of said dismissal without prejudice at its official public meeting held on the 5<sup>th</sup> of August, 2008 do hereby MEMORIALIZE AND CONFIRM its action to dismiss the within action without prejudice as set forth in this Resolution of Memorialization as the "Official Action" taken by this Planning Board on said date in accordance with the provisions of N.J.S.A. 40:55D-10(g)(2) of the New Jersey Municipal Land Use Law this 2<sup>nd</sup> day of September, 2008

BE IT FURTHER RESOLVED that:

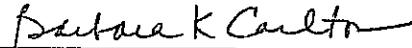
1. A copy of this Resolution shall be transmitted to the Applicant, its legal counsel, the Village Construction Code Official, the Village Engineer, the Village Clerk and the Mayor and Council of the Village of Ridgewood;
2. Notice of this decision shall be published in the official newspaper of the Village of Ridgewood.

**PLANNING BOARD OF THE  
VILLAGE OF RIDGEWOOD**

By: \_\_\_\_\_

**DAVID B. NICHOLSON, CHAIRMAN**

I certify that the foregoing is a true copy of a Resolution consisting of four (4) pages adopted at the September 2, 2008 Regular Meeting of the Board, memorializing the Decision made at the August 5, 2008 Regular Meeting of the Village of Ridgewood Planning Board.



---

**Barbara K. Carlton**  
**Planning Board Secretary, Village of Ridgewood**

Official Public Monthly Meeting:  
September 2, 2008

SEP 30 1965

# This Indenture,

2403  
17 ET  
17.01

Made the 28<sup>th</sup> day of September, in the year of our Lord  
One Thousand Nine Hundred and Sixty-five,

Between DOROTHY B. KRAFT, Unmarried,

B-2403  
-17-18-  
-20-23-25-27  
20,000

REVENUE STAMPS

residing at 540 Park Avenue, City and State of New York  
party of the first part;

And THE WEST SIDE PRESBYTERIAN CHURCH OF RIDGEWOOD,

a religious corporation organized and existing under the laws of the  
State of New Jersey, having an office at 6 South Monroe Street,

In the Village of Ridgewood, in the County of  
Bergen and State of New Jersey, party of the second part:

Witnesseth, that the said party of the first part, for and in consideration of  
ONE HUNDRED TWENTY THOUSAND (\$120,000.00) DOLLARS  
lawful money of the United States of America,

to her in hand well and truly paid by the said  
party of the second part, at or before the sealing and delivery of these presents, the receipt whereof is  
hereby acknowledged, and the said party of the first part being therewith fully satisfied, contented and  
aid, has given, granted, bargained, sold, aliened, released, enfeoffed, conveyed and confirmed, and  
y these presents do es give, grant, bargain, sell, alien, release, enfeoff, convey and confirm unto the  
aid party of the second part, and to its successors and assigns, forever,

All those certain lots,  
act s or parcels of land and premises, hereinafter particularly described, situate, lying and being  
the Village of Ridgewood,  
the County of Bergen and State of New Jersey,

### PARCEL I

BEGINNING at a stone monument in the northerly line of Godwin Ave-  
e and in the southwest corner of lands of Frances A. Martin said  
int being distant fifty nine feet and forty two one hundredths of a  
ot westerly from where the centre line of Lincoln Avenue produced  
tersects the northerly line of Godwin Avenue and running from thence  
) along the northerly line of Godwin Avenue forty seven degrees  
fty six minutes west two hundred and thirty eight feet and forty  
ur one hundredths of a foot to a bend thence (2) still along Godwin  
enue North forty three degrees six minutes west nine feet and forty  
e hundredths of a foot to a stone monument thence (3) North forty  
rees eight minutes East five hundred and sixty three feet and  
enty three one hundredths of a foot to a stone monument thence (4)  
ith fifty seven degrees fifteen minutes East five hundred and thirty  
ren feet and forty four one hundredths of a foot to a stone monument  
he westerly line of Monroe Street thence (5) along the westerly  
ie of Monroe Street south thirty three degrees fifty six minutes  
it fifty feet thence (6) north fifty seven degrees fifteen minutes  
it two hundred and twenty five feet and seven one hundredths of a  
t thence (7) south thirty five degrees thirty nine minutes west two  
dred and ninety one feet and one tenth of a foot to a stone monu-  
t thence (8) North forty eight degrees twelve minutes west eighty  
t and twenty four one hundredths of a foot to a stone monument  
nce (9) south forty two degrees four minutes west two hundred and  
enty five feet to the said northerly line of Godwin Avenue the  
nt or place of BEGINNING.

Subject to the provisions of a certain agreement now on record in  
Bergen County Clerk's office at Hackensack, N.J. as to the use and  
aintenance of a well to be used in common located in the division  
e between the lands above conveyed and lands formerly of Ida M.  
terson adjoining the same on the west.

Handwritten initials/signature

PARCEL II

BEGINNING at a point on the northwesterly line of South Monroe Street distant measured northeasterly along the same five hundred and fifty-one and thirty-three one-hundredths (551.33) feet from the point of intersection of the said line of South Monroe Street extended southwesterly and the northeasterly line of Godwin Avenue extended southeasterly, and from thence running (1) along the said line of South Monroe Street north thirty-three (33) degrees fifty-six (56) minutes east fifty-five (55) feet to a monument in the line of lands now or formerly of one Kraft; thence (2) along the said line of Kraft north fifty-seven (57) degrees fifteen (15) minutes west two hundred and twenty-five and seven one-hundredths (225.07) feet to another line of lands of said Kraft; thence (3) still along the line of said Kraft south thirty-five (35) degrees thirty-nine (39) minutes west one hundred and sixty-one and four one-hundredths (161.04) feet; thence south fifty-seven (57) degrees twenty-eight (28) minutes east seventy-nine and ninety-four one-hundredths (79.94) feet to land of Seaver; thence north thirty-three (33) degrees fifty-six (56) minutes east along said land of Seaver one hundred and nine and forty-seven one-hundredths (109.47) feet; thence south fifty-five (55) degrees forty-five (45) minutes thirty (30) seconds east one hundred and forty-nine and ninety-six one-hundredths (149.96) feet to the northwesterly line of South Monroe Street, and the point or place of beginning.

PARCEL III

BEGINNING at a point in the dividing line between lands of Clarence E. Chapman and lands of Henry Patterson and William J. Fullerton (formerly of Garret I. Hopper) where the same is intersected by the dividing line between lands of Fannie M. Barber and lands of Clarence E. Chapman, said beginning point being distant one hundred and fifty-one and twelve one-hundredths (159.12) feet southeasterly from a stone monument placed in the dividing line between lands of Mrs. J. Francis Chase and lands of Henry Patterson and lands of Fannie M. Barber and running from said beginning point, thence (1) south fifty-seven (57) degrees eighteen (18) minutes east and along said dividing line between lands of Clarence E. Chapman and lands of Henry Patterson and William J. Fullerton six hundred and fifty-one and forty-eight one-hundredths (651.48) feet to the center line of Monroe Street; thence (2) along the same north thirty-three (33) degrees fifty-three (53) minutes east twenty-five (25) feet; thence (3) north fifty-seven (57) degrees eighteen (18) minutes west and parallel with the first course and distant twenty-five (25) feet northeasterly at right angles from the same six hundred and forty-eight and eighty-nine one-hundredths (648.89) feet to the dividing line between lands of said Fannie M. Barber and lands of said Clarence E. Chapman and thence (4) along the same south thirty-nine (39) degrees forty-eight (48) minutes west twenty-five and twenty one-hundredths (25.20) feet to the place of BEGINNING.

PARCEL IV

BEGINNING at a point in the Southwesterly side of South Hillside Place distant one hundred and eighty-eight and forty-five one-hundredths (188.45) feet from the corner formed by the Southwesterly side of South Hillside Place with the Northwesterly side of South Monroe Street; running thence (1) Northwestwardly along the Southwesterly side of South Hillside Place one hundred feet (100); thence (2) Southwesterly thirty-two degrees; thirty-one minutes West, one hundred forty-two and five tenths feet (142.5); thence (3) Southeastwardly fifty-nine degrees, twenty-nine minutes East one hundred feet (100); thence Northeastwardly thirty-two degrees, thirty-one minutes East, one hundred and forty-two and five tenths feet (142.5) to the Southwesterly side of South Hillside Place to the point or place of BEGINNING.

PARCEL V

BEGINNING at a point on the southwesterly side of South Hillside Place, distant 288.45 feet northwesterly from the intersection of the southwesterly side of South Hillside Place, produced southeasterly with the northwesterly side of South Monroe Street, produced northwesterly; thence (1) south 32 degrees 31 minutes west 142.50 feet; thence (2) north 57 degrees 29 minutes west 100 feet; thence (3) north 32 degrees 31 minutes east 142.50 feet to the aforesaid southwesterly side of South Hillside Place; thence (4) south 57 degrees 29 minutes west 100 feet along the said southwesterly side of South Hillside Place, 100 feet to the point or place of BEGINNING.

description continued on attached Rider and made a part hereof.)

RIDER

PARCEL VI

BEGINNING at the point of intersection of the westerly line of Monroe Street with the northerly line of Godwin Avenue and running thence (1) along the said westerly line of Monroe Street north thirty-four degrees east two hundred and sixteen and fifty-five hundredths feet to lands now or formerly of Alford A. Hazzard; thence (2) along the same north forty-seven degrees fifty-nine minutes west one hundred and thirty-three and eighty-eight hundredths feet; thence (3) still along the same north forty-two degrees four minutes east sixty and twenty hundredths feet to a monument; thence (4) along lands now or formerly of Spanier north forty-eight degrees three minutes west, sixty-four and eighty-eight hundredths feet to lands of Ann Isabel Martin; thence (5) along the same south forty-two degrees twelve minutes west two hundred and seventy-five and thirty-two hundredths feet to the northerly line of Godwin Avenue; thence (6) along the same south forty-eight degrees twelve minutes east, two hundred and thirty and sixty-seven hundredths feet to the point or place of BEGINNING.

Excepting, however, from the above described premises the following BEGINNING at a point formed by the intersection of the northerly line of Godwin Avenue with the westerly line of Monroe Street; and running thence (1) north forty-eight degrees twelve minutes west along the northerly line of Godwin Avenue a distance of twenty-two and ninety-three hundredths feet; thence (2) northeasterly along the arc of a circle curving to the left and having a radius of twenty feet an arc distance of thirty-four and fourteen hundredths feet to a point on the westerly line of Monroe Street; thence (3) south thirty-four degrees west along the westerly line of Monroe Street a distance of twenty-two and ninety-three hundredths feet to the point of BEGINNING.

PARCEL VII

BEGINNING at the southeasterly corner of said premises in the westerly line of Monroe Street and in the northeast corner of lands now or formerly of one Martin, running thence (1) north forty-seven degrees fifty-six minutes west, along the line of lands now or formerly of said Martin, two hundred thirty-five feet and forty-eight one-hundredths of a foot; thence (2) north thirty-three degrees fifty-six minutes east, sixty-three feet; thence (3) easterly, to a point in the westerly line of Monroe Street distant as measured along the same northerly side of Monroe Street eighty-five feet six inches from the beginning point; thence (4) southerly, along said westerly side of Monroe Street, eighty-five feet six inches to the place of BEGINNING.

THE foregoing parcels are being sold subject to the following additional covenants and restrictions, viz.:

Parcel III: Outstanding rights in South Monroe Street, the center line of which constitutes the southeasterly boundary of land therein described.

Parcels IV & V: 1. Rights to Bergen Acqueduct Company under Grant as in Deed Book 932 page 311 recorded April 22, 1916, affecting bed of Riverside Place. 2. Covenants restricting use of Parcel IV described in Deed Book 1345 page 153, and as to Parcel V, as in Deed Book 1316 page 593 as modified by Agreement recorded in Deed Book 1925 page 377.

Parcel VI: Covenants restricting use as set forth in Deed from Harry S. Patterson et al, to Frances A. Martin dated January 21, 1904 and recorded January 26, 1904 in Deed Book 577 page 30.

THE foregoing parcels are also being sold subject to the possible claims of others in and to a strip of land two feet in width running along the most northwesterly line of lands described as Parcel II and extensions of said two foot strip in both northeasterly and southerly direction.

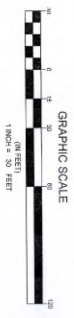
1965 SEP 30 PM 2:23

*Alexander Ocean*  
BERGEN COUNTY CLERK

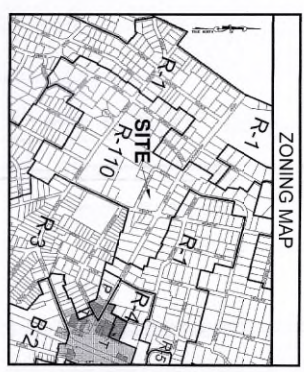
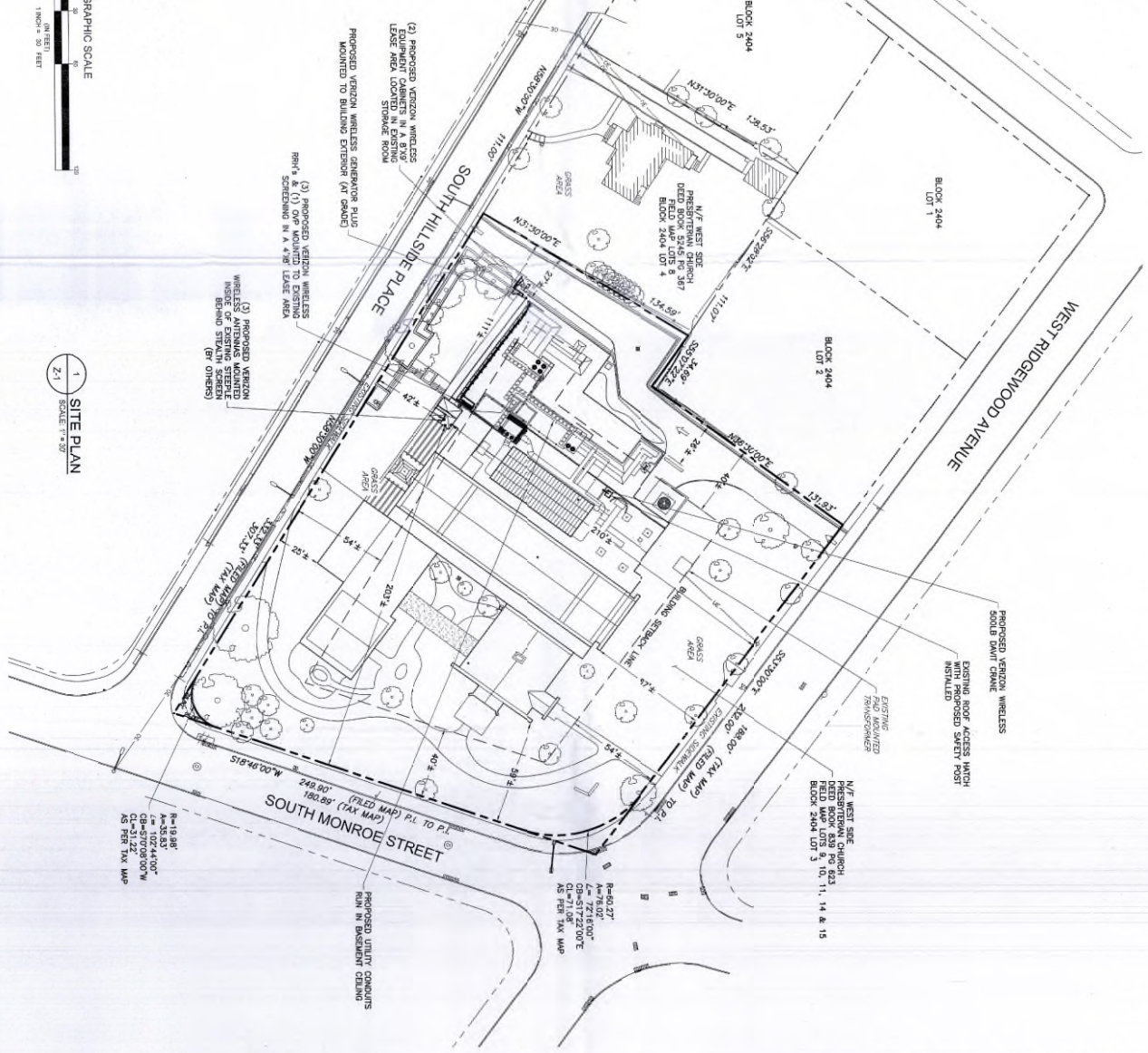








1 SITE PLAN  
SCALE: 1" = 50'



**ZONING DATA**

ADJACENT ZONING DISTRICTS	REQUIRED	EXISTING	PROPOSED
R-10: SINGLE FAMILY RESIDENCE	NO CHANGE	NO CHANGE	NO CHANGE
R-1: SINGLE FAMILY RESIDENCE (MIN. LOT WIDTH 100 FT)	NO CHANGE	NO CHANGE	NO CHANGE
R-10: SINGLE FAMILY RESIDENCE (MIN. LOT WIDTH 100 FT)	NO CHANGE	NO CHANGE	NO CHANGE
R-1: SINGLE FAMILY RESIDENCE (MIN. LOT WIDTH 100 FT)	NO CHANGE	NO CHANGE	NO CHANGE
R-3: SINGLE FAMILY RESIDENCE (MIN. LOT WIDTH 100 FT)	NO CHANGE	NO CHANGE	NO CHANGE
R-4: SINGLE FAMILY RESIDENCE (MIN. LOT WIDTH 100 FT)	NO CHANGE	NO CHANGE	NO CHANGE
B-2: BUSINESS (MIN. LOT WIDTH 100 FT)	NO CHANGE	NO CHANGE	NO CHANGE

**GENERAL NOTES**

- PROPERTY LINE INFORMATION WAS PREPARED USING DEEDS, TAX MAPS, PLANS OF RECORD AND PLANS BY JACOB ENGINEERING & ENVIRONMENTAL SERVICES, DATED JANUARY 21, 2003.
- THIS PLAN IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
- NO CONFLICTING HOSE SERVICE DUCTS OR DUCTS WILL RESULT FROM THIS FACILITY.
- THE FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN OCCUPATION. THERE IS NO HANDICAP ACCESS REQUIRED.
- THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
- ACCORDING TO FIRM FLOOD INSURANCE RATE MAP NUMBER 1400010101A, FIRM 1707, THE 1% ANNUAL FLOOD ELEVATION IS 100.00 FEET. THE 50-YEAR FLOOD ELEVATION IS 100.00 FEET. THE 100-YEAR FLOOD ELEVATION IS 100.00 FEET.

**TOWNSHIP ENGINEER'S CERTIFICATION**

I HAVE REVIEWED THIS SITE PLAN AND CERTIFY THAT IT MEETS ALL CODES AND ORDINANCES UNDER MY JURISDICTION.

DATE: \_\_\_\_\_ ENGINEER: \_\_\_\_\_

**ZONING BOARD APPROVAL:**

AT A PUBLIC HEARING ON \_\_\_\_\_ AT THE VILLAGE OF RIDGEWOOD ZONING BOARD REVIEWED THIS PLAN AND A COPY OF THE REVIEW COMMENTS IS ON FILE IN THE TOWNSHIP OFFICE.

ZONING BOARD CHAIRMAN: \_\_\_\_\_ ZONING BOARD SECRETARY: \_\_\_\_\_



NEW JERSEY LAW REQUIRES THAT WORKING DRAWINGS FROM TO ALL ENGINEERING ACTIVITIES

**NP+C**  
TOTALLY COMMITTED  
N+C ENGINEERING SERVICES, LLC  
1000 WASHINGTON AVENUE  
SUITE 200  
WARREN, NJ 07059

NEW YORK SMSA  
LIMITED PARTNERSHIP d/b/a  
VERIZON WIRELESS  
**Verizon**  
283 KING GEORGE ROAD  
RD 1000  
WARREN, NJ 07059

RIDGEWOOD 4 SC  
6 SOUTH MONROE STREET  
RIDGEWOOD, NJ 07450  
VILLAGE OF RIDGEWOOD  
BERGEN COUNTY

**REVISIONS**

REV	DATE	DESCRIPTION	BY
1	1/15/16	FINAL 2/8	AMG
0	1/08/16	PRELIMINARY ZONING	KMD

DESIGN RECORD

PROFESSIONAL STAMP

*Philip Burtner*

ENGINEER

PHILIP BURTNER, P.E.  
1000 WASHINGTON AVENUE SUITE 200  
WARREN, NJ 07059  
NJ PROFESSIONAL ENGINEER LIC. #229172  
PA PROFESSIONAL ENGINEER LIC. #017857-1  
VA PROFESSIONAL ENGINEER LIC. #222223

SHEET TITLE

**SITE PLAN**

SHEET NUMBER

**Z-1**

**VILLAGE OF RIDGEWOOD**  
**ZONING BOARD OF ADJUSTMENT**

OFFERED BY:

SECONDED BY:

IN THE MATTER OF THE APPLICATION OF  
NEW YORK SMSA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS

**WHEREAS, NEW YORK SMSA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS**

of One Verizon Way, Basking Ridge, New Jersey (hereinafter referred to as the "Applicant") has instituted suit against the Village of Ridgewood Zoning Board of Adjustment under Docket No. BER-L-10729-15 in connection with a Prerogative Writ action challenging the denial of its Application for the installation of a proposed wireless communication facility at 6 Monroe Street, Ridgewood, New Jersey; and .

**WHEREAS,** the Applicant has proposed a Settlement and a public hearing has been held in accordance with Whispering Woods v. Middletown, Tp., 220 N.J. Super 161 (Law Div. 1987); and

**WHEREAS,** notice of this proposed Settlement was published and served in accordance with the requirements of the aforementioned Whispering Woods Case, and in accordance with the Municipal Land Use Laws of the State of New Jersey; and

**WHEREAS,** public hearings were held on August 23, 2016, October 25, 2016 as it pertains to this Settlement proposal; and

**WHEREAS,** the BOARD by voice vote approved the Settlement under certain terms and conditions, all of which are more particularly set forth in the Stipulation of Settlement that is attached hereto and made a part of this Resolution; and

**WHEREAS,** the Board has made the following findings of fact:

1. The Applicant's proposal for Settlement as more particularly set forth in the Stipulation of Settlement attached hereto, addresses the concerns that the Planning Board had that served as a basis for its denial of the Applicant's original Application. The proposed wireless communication facility itself is now contained inside the existing steeple with screening that shall match the color and size of the opening so that the antennas will not be visible. The equipment cabinets will now be inside the existing building in an 8' by 9' leased area located in an existing storage room within the existing building;
2. The cables will be contained within a cable tray that will match the façade of the building and will match the color of the façade of the building, and color of the roof and from an architectural standpoint will basically resemble a commercial gutter. The cable tray will be approximately 12" wide and 6" deep. The Applicant has stipulated and made as a condition of approval, that if the screening becomes damaged or discolored, as well as the cable trays, so that it no longer matches respectively the steeple, the façade of the building or the roof the building, that such damaged stealthing material for the steeple shall be replaced, and the cable trays will be recoated with material to continue to match the façade and roof of the building.
3. The Applicant has stipulated and agreed that if it no longer occupies the premises, the steeple shall be restored to its current state, all equipment shall be removed including but not limited to the cable tray.
4. There shall be no permanent generator installation on site.

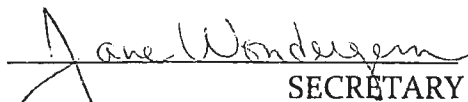
5. Relative to condition "D" on page 6 of the Ridgewood Zoning Board of Adjustment Resolution dated September 9, 2003, the Board has determined that this condition shall be removed with the understanding that Westside Presbyterian Church shall comply with all of the Ordinances, Rules and Regulations of the Village of Ridgewood, including but not limited to all Zoning Ordinances that area applicable, to Westside Presbyterian Church and the property it occupies at 6 South Monroe Street, Ridgewood, New Jersey.

**NOW THEREFORE, BE IT RESOLVED**, on this 8<sup>th</sup> day of November, 2016 by the Zoning Board of Adjustment of the Village of Ridgewood that it hereby approves the Settlement proposed in accordance with the Findings of Fact set forth in this Resolution, and in accordance with the conditions and requirements set forth in the Stipulation of Settlement attached hereto and made a part hereof.

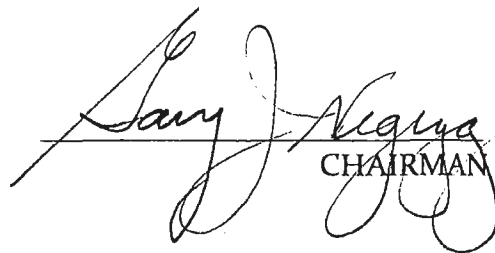
**BE IT FURTHER RESOLVED**, that Bruce E. Whitaker, Esq. of the Firm of McDonnell & Whitaker, L.L.C. is hereby authorized to execute on behalf of the Village of Ridgewood, the attached Stipulation of Settlement.

ADOPTED: November 8, 2016

ATTESTED:

  
SECRETARY

BEW: cbp  
(Ridgewood.Verizon)

  
CHAIRMAN

**OFFICIAL PUBLIC MONTHLY MEETING: Verizon, 6 South Monroe St., Block 2404, Lot 3**

**DATE OF DECISION: 10/11/16**

<b>NAME</b>	<b>MOVED</b>	<b>SECONDED</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Hans-Jurgen Lehmann Chairman					X	
Gary Negrycz Vice Chairman			X			
Alyssa Matthews		X	X			
Diana Ruhl			X			
Greg Brown						
Sergio Alegre	X		X			
Ines Bunza			X			
John Papietro Alternate #1					X	
Isaac Lebow Alternate #2					X	

Warren O. Stilwell, Esq.  
Cooper Levenson, P.A.  
1125 Atlantic Avenue – 3<sup>rd</sup> Floor  
Atlantic City, New Jersey 08401  
(609) 572-7624  
File #58436.20  
Attorney for Plaintiff

NEW YORK SMSA LIMITED PARTNERSHIP:	SUPERIOR COURT OF NEW JERSEY
d/b/a VERIZON WIRELESS,	LAW DIVISION
	: BERGEN COUNTY
	: DOCKET NO.: BER-L-10729-15
Plaintiff	:
	:
Vs.	:
	:
VILLAGE OF RIDGEWOOD ZONING	: CIVIL ACTION
BOARD OF ADJUSTMENT,	:
	: STIPULATION OF SETTLEMENT
Defendant.	:

WHEREAS, the Plaintiff and Defendant have:

- a. Agreed to the settlement set forth herein;
- b. Held a public hearing in accordance with Whispering Woods vs. Middletown Tp., 220 N.J. Super 161 (Law Div. 1987), upon notice as required in the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-12; and
- c. Defendant has voted to approve this settlement following the public hearing of October 25, 2016, as memorialized in the Zoning Board of Adjustment Resolution dated November \_\_\_\_, 2016 and which Resolution is attached hereto and made a part hereof.

NOW, THEREFORE, it is hereby agreed that this matter is settled under the following terms and conditions:

1. The proposed wireless communications facility shall be revised to provide that the antennas shall be placed inside of the existing steeple and the openings in the steeple for the antenna

shall be covered with radio frequency compatible screening. The screening shall match the color and size of the opening so that the antennas will not be visible. Also, the cabling will be placed inside of cable trays covered to match the façade or roof surfaces over which they are placed.

2. The wireless communications facility shall be constructed in accordance with the Plans prepared by NB&C Engineering Services with a last revision date of 10/12/16, which Plans were filed with the Zoning Board and made a part of the record of these proceedings.
3. The Plaintiff agrees that so long as it occupies the premises that if the screening or conduit become damaged, deteriorates or discolors, so that it no longer matches the steeple or the building façade or roof surface that such damaged, deteriorated or discolored material will be repaired or replaced.
4. That the prior Village of Ridgewood Zoning Board of Adjustment Resolution dated September 9, 2003, specifically condition "D" on page 6 thereof, be removed so that Westside Presbyterian Church is required to comply with all applicable rules, regulations and Ordinances of the Village of Ridgewood.

This Stipulation of Settlement is accepted and approved by the undersigned attorneys who have been duly authorized to do so by their respective clients.

NEW YORK SMSA LIMITED PARTNERSHIP  
D/B/A VERIZON WIRELESS

BY: \_\_\_\_\_  
WARREN O. STILWELL, ESQ.  
ATTORNEY FOR PLAINTIFF/APPLICANT

Dated:

CLAC 3670747 I

VILLAGE OF RIDGEWOOD  
ZONING BOARD OF  
ADJUSTMENT

BY: \_\_\_\_\_  
BRUCE E. WHITAKER, ESQ.  
ATTORNEY FOR  
DEFENDANT

Dated:

**VILLAGE OF RIDGEWOOD**  
**ZONING BOARD OF ADJUSTMENT**

OFFERED BY:

SECONDED BY:

IN THE MATTER OF THE APPLICATION OF  
NEW YORK SMSA LIMITED PARTNERSHIP d/b/a  
VERIZON WIRELESS

**WHEREAS, NEW YORK SMSA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS** of 141 Industrial Parkway, Branchburg, New Jersey 08876 (hereinafter referred to as the “Applicant”) has filed an Application with the Zoning Board of Adjustment of the Village of Ridgewood (hereinafter referred to as the “Board”) for variance relief to permit the installation of a network node on the top of the Westside Presbyterian Church structure and to permit the equipment for the proposed wireless facility to be placed on the roof of the Church structure for the property located at 6 South Monroe Street, Ridgewood, New Jersey and shown on the Tax Map of the Village of Ridgewood as Block 2404, Lot 3; and

**WHEREAS,** in connection with said Application for variance relief, Applicant also sought amended site plan approval to permit network node facility and equipment on the existing rooftop of Westside Presbyterian Church; and

**WHEREAS,** a Notice of Application was published and served in accordance with Municipal Land Use Laws of the State of New Jersey; and

**WHEREAS,** public hearings were held on August 26, 2014, September 30, 2014, November 11, 2014, January 13, 2015, February 24, 2015, March 24, 2015, July 14, 2015, September 8, 2015; and

**WHEREAS**, the Board heard the testimony of the Applicant's professional witnesses, the testimony of residents who opposed the Application, and the testimony of the Board's professionals during the course of these public hearings; and

**WHEREAS**, the Board by voice vote denied the relief sought by the Applicant; and

**WHEREAS**, in consideration of the testimony, statements and documents submitted during the course of the public hearings, the Board made the following findings of fact:

1. The Property is owned by the Westside Presbyterian Church of Ridgewood, New Jersey. The Owner executed a letter of authorization permitting the Applicant to file and complete the Application for constructing antennas, support structures and related equipment as may be required for its proposed wireless facility. Westside Presbyterian Church has entered into a lease agreement with the Applicant to rent space at the Church Property for the Applicant's antenna and related equipment, subject to Applicant receiving appropriate land use approval to permit installation of the network node and equipment for a wireless facility as set forth in this Application.
2. The Property is located in the R-110 Zone. A Church exists on the Property together with parking facilities and related improvements. The Church use is a conditional use in the R-110 Zone. The Property consists of 73,315 square feet. It is surrounded by a Church parking lot to the south of the Property and residential dwelling units on all four sides of the Property.
3. Besides the Church itself, there is an all-purpose facility used by the Church. The

all-purpose facility has a flat roof. The Church has a cross on the top of the Church roof. The height of the cross is approximately 81 feet. This cross exceeds the building height of 30 feet and evidently, was considered a steeple-like structure which is exempt from the height requirements under the Ridgewood Zoning Ordinance, when the Church was permitted to build the cross.

4. The Applicant proposes to install antennas and equipment which will be mounted to the roof of the existing building. No ground disturbance is proposed. As shown on the plans, the Applicant proposes the installation of antennas to be placed on the top of the cross at the Church. The cabinets housing cellular equipment would be installed on the flat roof area of the all-purpose building. The Applicant proposes that height of the equipment cabinet is to be lower than the height of the screening that exists and to be lower than existing HVAC units on the roof. The Applicant proposes certain camouflage treatment for the antennas that are proposed for the cross. The overall height above ground level to the antennas is 68.5 feet. In connection with the camouflage treatment, the Applicant is proposing stealth paneling to match the color of the cross. The antenna equipment is 2 feet tall, 16 inches in diameter. Coax cables are attached to the antenna, and they will stay on the outside of the building and run to the equipment cabinets which would be installed behind the existing parapet of the building.
5. Section 190-101 of the Ridgewood Zoning Ordinance does not permit cellular wireless facility in this Zone. Therefore, the Applicant seeks a use variance relief

under N.J.S. 40:55D-70(D)(1).

6. The Applicant also seeks a height variance to permit the antenna to be installed at a height greater than permitted in this Zone and therefore, seeks variance relief under N.J.S. 40:55D-70(D)(6).
7. This Property has previously been the subject of a number of land use applications before the Land Use Boards of the Village of Ridgewood. During the course of the hearings, the Applicant and Board was made aware of a Resolution by the Zoning Board of Adjustment in connection with an application of the Westside Presbyterian Church for variance relief in order to permit the reconstruction and alteration of the Church as a permitted conditional use, to permit a front yard setback of 26.9 feet on Hillside Place, where 40 feet is required, a height to the roof ridge of 50.83 feet, where 45 feet is the maximum permitted, a variance for maximum lot coverage of 30.3%, where 20% is the maximum permitted, and coverage by improvement of 51.4%, where 35% is the maximum permitted. The Applicant also sought variance relief to permit 214 parking spaces, where 237 spaces are required, and for a rear yard setback of 29.9 feet, where 40 feet is required. The Zoning Board of Adjustment granted approval of the Westside Presbyterian Church requests, and adopted a Resolution subject to certain conditions. One of the conditions of that September 9, 2003 Resolution is that "no part of the premises shall be rented to outside entities".
8. Upon discovering this condition, the Applicant modified its use variance and site

plan application to also request an interpretation and/or modification of the Resolution as it pertains to the condition that no part of the premises shall be rented to outside entities.

9. The Board has carefully reviewed the Resolution and has made the following findings:

A. The Resolution itself is silent with respect to any reason why this condition was imposed.

B. There are no minutes or transcripts available to provide the Board with any insight as to why this condition was imposed.

C. Both a representative of the Westside Presbyterian Church as well as the Attorney for the Church at the time, testified that they had no recollection as to why this condition was imposed. Mr. Pierce, Chairman of the Property and Technology Committee of Westside Presbyterian Church and a Trustee of the Church testified that he was unaware of the condition, but in fact the Church does rent space to a number of different entities including renting the parking lot to the Ridgewood Board of Education, an area in the building to musical groups that perform at Westside Presbyterian Church, and for space used by Ridgewood High School.

Charles Collins, Attorney for Westside Presbyterian Church confirmed that after reviewing his notes and his entire file, that he doesn't know where the condition came from and what purpose it was to serve.

D. Westside Presbyterian Church has never objected to this condition or

requested any modification of it.

10. Members of the public expressed the opinion and suggested the language inserted in the Resolution preventing rental to outside entities was based upon the fact that the Board did not want commercial entities to have use of a conditional use facility in a residential area.
11. The Board has concluded that there is no basis in fact and no evidence presented that will help the Board in determining what was the basis for the Board's decision in September of 2003 when granting the variance and providing the condition and stipulation that no rentals shall occur to outside entities on the Church premises. None of the current Board Members were Members of the Zoning Board of Adjustment at the time the September 9, 2003 Westside Presbyterian Church Application was presented and decided upon by the Zoning Board of Adjustment. On that basis, the Board has determined that they have no ability to render any opinion as to what the basis or foundation was since there is no record or basis for it. The condition set forth in the Resolution does in fact pertain to the Applicant which is an "outside entity" being a prospective lessee of the Property who would be renting a portion of the premises and therefore, falls within the parameters of the conditions set forth in the Resolution of September 9, 2003. The condition in essence prevents the Applicant from using this Property. The Board therefore, determined that they had no ability to eliminate the condition in its entirety.
12. In the alternative, the Applicant requested the Board to consider a modification

of the aforementioned condition to permit the Applicant's use to be permitted on the site, and to be an exemption from the condition that no part of the premises could be rented to outside entities. The Board reviewed this matter and first determined that there is no limitation on the definition of "premises" in connection with that condition, and therefore, the Applicant's request falls within the parameter of the condition.

The Board discussed modifications to the language of the condition in the September 9, 2003 Resolution. The Board determined however, that again it is left with no basis or foundation as to why the condition was imposed in the first place, but the Board is cognizant of the fact that certain words in that condition namely the word "rent" and the word "premises" is somewhat nebulous. The Board believes that instead of the word "rent", the better term would be "use", and the better term for "premises" would be "property". In any event, the Board has determined that any such modification of the Resolution would require Westside Presbyterian Church, the original Applicant, to seek such a modification as the Property Owner and primary user of the Property. The Board considered permitting certain charitable groups, school groups and civic groups to have use of the Church which on the basis of the Board's review, is common to all Churches within the Village of Ridgewood. However, formulation of modifications to the Resolution relative to that aspect, is not before the Board. Specifically, the Board is being requested by this Applicant, New York SMSA Limited Partnership d/b/a Verizon Wireless, to permit a modification to the

Resolution to allow its use on the premises. Although the Board has determined that as previously referenced, some modification to the Resolution may be warranted, the Board has determined that the Resolution should not be modified to permit the Applicant's use which would permit other commercial use of the premises which should not occur within a Residential Zone. Therefore, the Applicant's request to modify the Resolution to permit New York SMSA Limited Partnership d/b/a Verizon Wireless to have use of the Church building for the installation of cellular tower antenna and equipment is hereby denied. The condition of the September 9, 2003 Resolution prevails in this instance, and there is no justification for a modification to permit an exception that condition for Applicant's use.

13. Based upon all of the testimony, documentation and evidence presented by all Parties in connection with this Application, the Board also wishes to opine on the merits of the Applicant's Application, and for that purpose, the Board is making certain findings of fact pertaining to the Applicant's proposed installation of the antenna and cellular equipment at this location. It is the Board's position that even if the condition pertaining to the prohibition of outside entities renting the premises, did not exist, the Applicant has failed to meet its burden of proof in connection with its variance request for the following reasons:

- A. The Applicant has failed to provide sufficient testimony that the Applicant's proposal is the "least intrusive means of filling the gaps with a reasonable

level of service". The Applicant has failed to provide additional data and information pertaining to other locations that both Board Members and members of the public suggested for purposes of filling in any gap.

- B. The Applicant has failed to show that this site is particularly suitable for the proposed use under the Sica Test. In that regard, the Board determined that the residential character of an area must be protected, and the Board recognizes that Churches are only permitted in this residential neighborhood as a conditional use. The installation of the cross on this Church is a very limited exception since it evidently was considered within the definition of a steeple-like structure when it was permitted to be built, which is exempt from height considerations. However, such an exception to the height standards should not be expanded any further, and the Applicant's proposal to have it a height variance of twice of the amount that is permitted in this Residential Zone, is inappropriate and detrimental to the Zone Plan and residential character of the neighborhood. It substantially impairs the character of the neighborhood. In this instance, the Applicant's proposal exceeds the 45 feet of height that a House of Worship is permitted. Steeples are exempt from the height limitation provided they do not exceed 75 feet and in this instance, Applicant's facility is out of character with the residential aspect of the neighborhood. The Applicant has failed to meet its burden of proof as it pertains to overcoming the negative criteria. It is the Board's determination that this use in this Residential Zone substantially

impairs the purpose and intent of the Zoning Ordinance and constitutes a substantial detriment to the public good.

14. The Board does agree with the Applicant that there is a gap that needs to be filled, but the Applicant has failed to provide testimony pertaining to suggestions and proposals made by the Board and members of the public that there are better places for a cellular facility to be installed. Comments by Applicant's experts that other sites were "not available", lack any specific detail, foundation or basis.
15. The Board has further determined that the Applicant's proposal is not the least intrusive means of filling the gap in service. The Applicant testified that the antenna could go on the north part of the cross which would make it much more concealed. There was testimony from the Applicant's planner that in fact, it would be a better planning solution. However, the Property Owner Westside Presbyterian Church would not permit such a relocation even though the Applicant's own planner admitted that it would be less intrusive and would still help cover the gap if located on the north part of the cross. The Board also heard evidence that there was the possibilities of stealthing the antenna even more than proposed including perhaps doing it internally within the cross.
16. The Board is cognizant of Section 190-123E that states: "Residential areas are to be protected from incompatible uses such as cellular communication antennas and to provide for the appropriate separation of residential uses and cellular telecommunication antennas". In this instance, there is no separation of the residential use from observing this cellular antenna facility, and as previously

stated, there were better ways to accomplish hiding such equipment so that it would not be detrimental to the residential character of the area, but such modifications to accomplish this would not be consented to by the Property Owner even though based upon the Applicant's own expert witnesses, it could fill the gap that existed. The ability to create a situation where you can combine stealthing and provide a location where such antennas are virtually hidden, constitutes a positive aspect in zoning, and the failure to do this, in this instance, negatively affects the residential character of an area. The Applicant has not met its burden of proof under the Sica Test. The detrimental effects in this instance, could have been reduced substantially if the Property Owner had consented to such modifications. The findings set forth pertaining to the Applicant's failure to meet the Sica Test, are merely an additional opinion rendered by the Board recognizing that the primary decision of the Board pertaining to the denial of the Application is the condition imposed in the September 9, 2003 Resolution which is also delineated in this findings of fact.

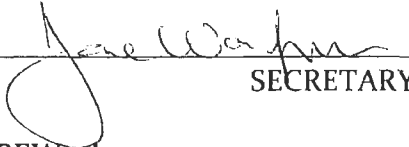
17. For the foregoing reasons, the Board has determined that even if the condition proposed in the September 9, 2003 Resolution did not exist, or was determined to be invalid, the Applicant's proposal for the installation of the cellular facility as proposed in this Property is not justified under the appropriate planning criteria, and is therefore denied.

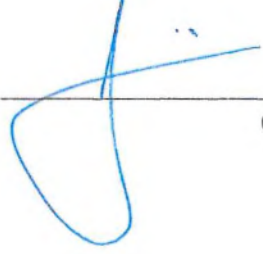
**NOW, THEREFORE, BE IT RESOLVED** on this 27<sup>th</sup> day of October, 2015 by the Zoning Board of Adjustment of the Village of Ridgewood that the Application of New York

SMSA Limited Partnership d/b/a Verizon Wireless for variance relief as previously set forth in this Resolution is hereby **DENIED WITH PREJUDICE** based upon the reasons previously set forth in this Resolution.

ADOPTED: October 27, 2015

ATTESTED:

  
\_\_\_\_\_  
SECRETARY

  
\_\_\_\_\_  
CHAIRMAN

BEW:cbp  
(Ridgewood, New York SMSA Limited  
Partnership d/b/a Verizon Wireless)

**VILLAGE OF RIDGEWOOD  
PLANNING BOARD**

IN THE MATTER OF THE APPLICATION )  
OF WESTSIDE PRESBYTERIAN CHURCH. )  
FOR MINOR SITE PLAN APPROVAL )  
AS TO LOT 3 IN BLOCK 2404 )

**RESOLUTION OF  
MEMORIALIZATION  
TO DISMISS THE  
MINOR SITE PLAN  
APPLICATION  
WITHOUT PREJUDICE  
“OFFICIAL ACTION”**

WHEREAS, West Side Presbyterian Church, (hereinafter referred to as the “Applicant”), has filed an application for minor site plan approval for property located at 6 South Monroe Street, known as Lot 3, Block 2404 (hereinafter referred to as the “Property”) as shown on the current Tax Assessment Map of the Village of Ridgewood; and

WHEREAS, that Application was filed with the Planning Board of the Village of Ridgewood (hereinafter referred to as the “Board”) on March 18, 2008 seeking MINOR SITE PLAN approval for existing improvements to the property, specifically the installation of a back-up natural gas generator to operate sewer and stormwater pumps in the event of a power failure; and

WHEREAS, after review by the Board’s professionals, the Application was deemed incomplete on April 16, 2008; and

WHEREAS, the Applicant revised and resubmitted the Application, which was deemed complete on July 2, 2008; and

WHEREAS, the Site Plan Committee reviewed the Application with the Board at the hearing on July 15, 2008, whereupon it was determined that additional information and submissions were required of the Applicant prior to any further action of the Board; and

WHEREAS, prior to the meeting of the Board on August 5, 2008, in the absence of

communication from the Applicant, the Board notified the Applicant's Counsel, Charles Collins, Esq., that the Site Plan Committee was recommending that the application be withdrawn unless further submissions were provided; and

WHEREAS, thereafter no further updates or supplemental application materials were provided to the Board; and

WHEREAS, no response, update or additional submissions have been received by the Applicant since the July 15, 2008 hearing on the Application to address the delay with the said Application; and

WHEREAS, at its August 5, 2008 meeting, in light of the foregoing, the statutory deadline for action within 45 days of minor site plans being determined complete, and the fact that no extension to such deadline was granted by the Applicant, the Board determined to dismiss the Application without prejudice for lack of prosecution subject to memorialization of its action; and

WHEREAS, the Board's dismissal of August 5, 2008 was within 45 days from the July 2, 2008 completeness date as required by the Municipal Land Use Law; and

WHEREAS, the Board wishes to memorialize its action of August 5, 2008;

NOW THEREFORE BE IT RESOLVED, that the members of this Planning Board who voted in favor of said dismissal without prejudice at its official public meeting held on the 5<sup>th</sup> of August, 2008 do hereby MEMORIALIZE AND CONFIRM its action to dismiss the within action without prejudice as set forth in this Resolution of Memorialization as the "Official Action" taken by this Planning Board on said date in accordance with the provisions of N.J.S.A. 40:55D-10(g)(2) of the New Jersey Municipal Land Use Law this 2<sup>nd</sup> day of September, 2008

BE IT FURTHER RESOLVED that:

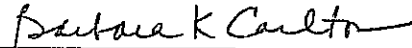
1. A copy of this Resolution shall be transmitted to the Applicant, its legal counsel, the Village Construction Code Official, the Village Engineer, the Village Clerk and the Mayor and Council of the Village of Ridgewood;
2. Notice of this decision shall be published in the official newspaper of the Village of Ridgewood.

**PLANNING BOARD OF THE  
VILLAGE OF RIDGEWOOD**

By: \_\_\_\_\_

**DAVID B. NICHOLSON, CHAIRMAN**

I certify that the foregoing is a true copy of a Resolution consisting of four (4) pages adopted at the September 2, 2008 Regular Meeting of the Board, memorializing the Decision made at the August 5, 2008 Regular Meeting of the Village of Ridgewood Planning Board.



---

**Barbara K. Carlton**  
**Planning Board Secretary, Village of Ridgewood**

Official Public Monthly Meeting:  
September 2, 2008

VILLAGE OF RIDGEWOOD  
ZONING BOARD OF ADJUSTMENT

OFFERED BY:

SECONDED BY:

IN THE MATTER OF THE APPLICATION OF  
WESTSIDE PRESBYTERIAN CHURCH

WHEREAS, WESTSIDE PRESBYTERIAN CHURCH, (hereinafter "applicant") filed an application to the Zoning Board of Adjustment of the Village of Ridgewood (hereinafter "BOARD") for amended site plan approval and variance relief on property located at Block 2404, Lot 3, commonly known as 6 South Monroe Street, in the Village of Ridgewood, State of New Jersey; and

WHEREAS, the applicants are requesting an amendment to previous site plan approval granted in 2003 which requires additional variance relief from Section 190-101 E (2) & (10) and 190-119 H (1) of Article X of the Ridgewood Village Code to permit construction of an addition and entry stairs which will result in a front yard set back on South Hillside Place of 19 feet to the stairs and 24.8 feet to the addition where 45 feet is the minimum required; and the applicant is further seeking approval for total lot coverage from the previous site plan approval for 33.1% coverage where 20% is the maximum permitted and coverage by improvements of 51.9% where 35% is the maximum permitted; and

WHEREAS, notice of the application was published and served in accordance with the Municipal Land Use Laws of the State of New Jersey; and

WHEREAS, a public hearing was held on August 10, 2004 in regard to the subject application; and

WHEREAS, at said public hearing, the BOARD, by voice vote, granted the amendments to the prior site plan approval and the additional variance relief sought by the applicants; and

WHEREAS, in consideration of the testimony, statements, and documents submitted during the course of the public hearing, the BOARD makes the following findings of fact and conclusions:

1. The subject property is located in the R-110 zone and consists of a House of Worship that exists as a conditional use on the subject lot pursuant to Section 190-123(b)(2).
2. The subject lot is approximately 72,291 square feet in area and has been used as a House of Worship up and until a major fire on the site occurred destroying the church and the attached buildings.
3. The applicant previously applied for and was granted (post fire) site plan approval by the BOARD, said resolution of approval having been memorialized on or about September 9, 2003.
4. In this new application the applicant proposes to construct an addition and entry stairs which will result in a front yard set back on South Hillside Place of 19 feet to the stairs and 24.8 feet to the addition where 45 feet is the minimum required. The

applicant is further seeking variance approval for total lot coverage from a previous application of August 2003 for 33.1% coverage where 20% is the maximum permitted and coverage by improvements of 51.9% where 35% is the maximum permitted. These changes are amendments to the previously granted site plan approval.

5. The applicant submitted a seven page set of architectural plans prepared by Herbert S. Newman and Partners, P.C. Architects, dated March 29, 2004. These plans depicted the Ground Floor Plan, First Floor Plan, Second Floor Plan, Roof Plan and Exterior Elevations.

6. The proposed construction increases the square footage of the church organ area, and the South Hillside Place entry area and accessible areas for handicap persons.

7. The additional construction proposed by the applicant narrows the previous set back along South Hillside Place from 26.9 feet to 24.8 feet and increases the total lot coverage percentage and lot coverage by improvements. These variances have been identified above.

8. The amendment proposed does not change the available on site parking spaces which remains at 212 parking spaces. This is the same number of on site spaces approved in the 2003 site plan.

9. The BOARD concluded as it did in 2003 the applicants use is an inherently beneficial use as a House of Worship and related activities commensurate with the operations of the church.

10. The BOARD further concluded the proposed changes and additions promote a reasonable use of the premises and benefit the utilization of the proposed facility by the community and its parishioners and congregants.

11. The BOARD decided to grant the proposed amendments in this application and conditioned this approval on the continued requirements and conditions set forth in the memorialized resolution of September, 2003.

12. The BOARD accepted correspondence from Christopher J. Rutishauser, P.E., the Village Engineer dated August 3, 2004 which established certain requirements that must be met by the applicant if this application were to be approved. The BOARD finds these requirements to be reasonable and made them a part of this approval granted by this Resolution.

13. The BOARD finds the proposed amendments applied for herein to benefit the utilization of the church facility. They will not impact negatively the surrounding properties or the zone scheme in the area of the site.

BE IT RESOLVED on this 14<sup>th</sup> day of ~~August~~ September, 2004, by the Zoning Board of Adjustment of the Village of Ridgewood that the request for variance relief by the above applicant is hereby GRANTED subject to the following conditions:

1. Applicant is required to obtain a building permit and post all necessary fees and costs with the Village prior to any construction;
2. All construction shall be completed in accordance with all ordinances and building requirements of the Village of Ridgewood, the Uniform Construction Code of

the State of New Jersey, and in accordance with the instructions of the Construction Official of the Village; and

3. The variance relief granted by this Resolution applies only to such variance requests as depicted in this Resolution.

4. The applicant must enter into a Developer's Agreement with the Village.

5. The applicant must apply for and receive a major soil movement permit from the Village Council. Said major soil permit shall have conditions the applicant shall adhere to as a condition of approval.

6. The applicant must coordinate the movement of soil once permitted with the Ridgewood Police Department, the Village Engineering Division and Board of Education so as to minimize the impact of said importation/exportation on the George Washington Middle School and the Ridge Elementary School.

7. The applicant must obtain Village Engineer approval of its drainage plan to retain all stormwater runoff on site.

8. An accurate site plan drawing must be filed with the Building Department and the Engineering Division showing all approved areas granted.

ADOPTED:

ATTESTED:



SECRETARY



CHAIRMAN

IN THE MATTER OF THE  
APPLICATION OF  
WESTSIDE PRESBYTERIAN CHURCH

BE IT RESOLVED by the Zoning Board of Adjustment of the Village of Ridgewood, that the application of Westside Presbyterian Church for a variance from the strict enforcement of Section 190-123b(2)(b), 190-123B(2)(c), 190-119H(1), 190-121A(4) and 190-101E(5), Article X of the Ridgewood Village Code in order to permit the reconstruction/alteration of its House of Worship, as a permitted Conditional Use Variance as follows: for minimum front yard, 26.9 feet (Hillside Place) where 40 feet is required; for height, 50.83 feet (roof ridge) where 45 feet is the maximum permitted; for maximum lot coverage, 30.3% where 20% is the maximum permitted; for coverage by improvement, 51.4% where 35% is the maximum permitted; for parking, 214 spaces provided where 237 spaces are required; and for rear yard, 29.9 feet where 40 feet is required at property located at 6 South Monroe Street, Block 2404, Lot 3 in an R-110 Zone. The foregoing is hereby approved for the reasons, findings and conclusions set forth in a resolution, separate from but attached hereto, which resolution is adopted by reference and is hereby made a part of the official minutes of this Zoning Board of Adjustment, subject to the following:

A. All other regulations of the Village of Ridgewood be complied with without exception.

B. A building permit must be obtained before any work begins.

C. Nothing contained in this decision shall supersede

the provisions of the Uniform Construction Code of the State of New Jersey.

D. No part of the premises shall be rented to outside entities.

E. The final plans shall be subject to Site Plan Committee review.

F. The materials shall substantially match the existing materials utilized in the structure.

G. The ratification of a Developer's Agreement.

IN THE MATTER OF THE  
APPLICATION OF  
**WESTSIDE PRESBYTERIAN CHURCH**

WHEREAS, Westside Presbyterian Church has filed an appeal to this Board of Adjustment in order to permit the reconstruction/alteration of its House of Worship, as a permitted Conditional Use Variance as follows: for minimum front yard, 26.9 feet (Hillside Place) where 40 feet is required; for height, 50.83 feet (roof ridge) where 45 feet is the maximum permitted; for maximum lot coverage, 30.3% where 20% is the maximum permitted; for coverage by improvement, 51.4% where 35% is the maximum permitted; for parking, 214 spaces provided where 237 spaces are required; and for rear yard, 29.9 feet where 40 feet is required at property located at 6 South Monroe Street, Block 2404, Lot 3 in an R-110 Zone; and

WHEREAS, the application was filed on March 17, 2003, seeking certain relief, requested pursuant to N.J.S.A. 40:55D-70(c)(1)&(2); and

WHEREAS, the applicant appeared, represented by its attorney, Charles C. Collins, Jr., testimony being taken and exhibits reviewed, at a public hearing, as required by law.

NOW, THEREFORE, BE IT RESOLVED that this Board of Adjustment make the following findings of fact:

1. All persons required to be served with Notice of hearing were duly served, and proof thereof has been duly filed with this Board.

2. Public hearing was held on August 12, 2003, at the

Village Hall of the Village of Ridgewood, said meeting being scheduled, and advertised, and held pursuant to the Open Public Meetings Act.

3. The premises in question are located in an R-110 Zone.

4. Applicants are the owners of these premises by deed dated \_\_\_\_\_, recorded in the office of the Clerk of Bergen County in Deed Book \_\_\_\_\_ at page \_\_\_\_\_, et seq. (omitted)

5. The site in question is located on South Monroe Street, as shown on plans prepared by Robert Freud, dated June 25, 2003.

6. There is an existing fire damaged structure.

7. Applicants seek to permit the reconstruction/alteration of its House of Worship, as a permitted Conditional Use Variance as follows: for minimum front yard, 26.9 feet (Hillside Place) where 40 feet is required; for height, 50.83 feet (roof ridge) where 45 feet is the maximum permitted; for maximum lot coverage, 30.3% where 20% is the maximum permitted; for coverage by improvement, 51.4% where 35% is the maximum permitted; for parking, 214 spaces provided where 237 spaces are required; and for rear yard, 29.9 feet where 40 feet is required at property located at 6 South Monroe Street, Block 2404, Lot 3 in an R-110 Zone.

8. Applicant's testimony may be summarized as follows:

A. Applicant seeks to rebuild a fire damaged church which is an inherently beneficial use.

B. Applicant presented the testimony of architect, Robert Godshall who explained the details of the plans. Mr. Godshall explained that the plans called for a bell tower. He also explained that 7,000 additional square feet is contained in the basement. The plans also call for the re-orientation of the church to meet the practice of the congregates.

C. The applicant also presented the testimony of Robert Freud, a licensed engineer whose expert qualifications were

accepted by the Board. Mr. Freud testified as to the site plan and the variances required. Mr. Freud testified that there would be no impact on the zone and that the rebuilding of the church would be in keeping with the Master Plan of the Village of Ridgewood.

9. No objectors appeared.

THEREFORE, BE IT RESOLVED that this Board of Adjustment does make the following determinations:

1. The foregoing findings of fact, summary of testimony, and those matters which may be deemed argument, are made a part hereof as if set forth in full.

2. This is an application to vary the provisions of Section 190-123b(2)(b), 190-123B(2)(c), 190-119H(1), 190-121A(4) and 190-101E(5), Article X of the Ridgewood Village Code, in order to permit the reconstruction/alteration of its House of Worship, as a permitted Conditional Use Variance as follows: for minimum front yard, 26.9 feet (Hillside Place) where 40 feet is required; for height, 50.83 feet (roof ridge) where 45 feet is the maximum permitted; for maximum lot coverage, 30.3% where 20% is the maximum permitted; for coverage by improvement, 51.4% where 35% is the maximum permitted; for parking, 214 spaces provided where 237 spaces are required; and for rear yard, 29.9 feet where 40 feet is required at property located at 6 South Monroe Street, Block 2404, Lot 3 in an R-110 Zone.

3. Such application is governed by N.J.S.A. 40:55D-70(c)(1)&(2).

4. Applicant's testimony has been summarized above.

5. The Board finds additionally:

A. Applicant is using the property as a church which is an "inherently" beneficial use which satisfies the positive criteria.

B. Applicant met its burden through its testimony and exhibits that there is minimal negative impact from the conditions that can't be met under the conditional use ordinance.

C. The benefits of rebuilding the church from both an aesthetic and planning perspective outweighs any negative impact.

THEREFORE, BE IT RESOLVED that the application of Westside Presbyterian Church for a variance from the strict enforcement of Section 190-123b(2)(b), 190-123B(2)(c), 190-119H(1), 190-121A(4) and 190-101E(5), Article X of the Ridgewood Village Code, in order to permit the reconstruction/alteration of its House of Worship, as a permitted Conditional Use Variance as follows: for minimum front yard, 26.9 feet (Hillside Place) where 40 feet is required; for height, 50.83 feet (roof ridge) where 45 feet is the maximum permitted; for maximum lot coverage, 30.3% where 20% is the maximum permitted; for coverage by improvement, 51.4% where 35% is the maximum permitted; for parking, 214 spaces provided where 237 spaces are required; and for rear yard, 29.9 feet where 40 feet is required at property located at 6 South Monroe Street, Block 2404, Lot 3 in an R-110 Zone, be and is hereby approved, subject to the following:

A. All other regulations of the Village of Ridgewood be complied with, without exception.

B. A building permit must be obtained before any work begins.

C. Nothing in this decision shall supersede the provisions of the Uniform Construction Code of the State of New Jersey.

D. No part of the premises shall be rented to outside entities.

E. The final plans shall be subject to Site Plan Committee review.

F. The materials shall substantially match the existing materials utilized in the structure.

G. The ratification of a Developer's Agreement.

Dated: September 9, 2003

c:\ridgewood\resolutions\westside

RIDGEWOOD PLANNING BOARD

IN THE MATTER OF THE APPLICATION )  
OF WESTSIDE PRESBYTERIAN CHURCH )  
FOR MINOR SITE PLAN APPROVAL AS TO)  
LOT 3 IN BLOCK 2404)

RESOLUTION OF MEMORIALIZATION  
AS TO "OFFICIAL ACTION"  
GRANTING MINOR SITE PLAN  
APPROVAL ON JANUARY 20, 1998

WHEREAS, WESTSIDE PRESBYTERIAN CHURCH, hereinafter referred to as "applicant", applied to this Planning Board for minor site plan approval with respect to the installation of memorial garden improvements in the rear yard area of lot 3 in block 2404 as shown on the current tax map of the Village of Ridgewood, which premises are commonly known as 6 South Monroe Street and are hereinafter referred to as the "premises in question"; and

WHEREAS, applicant's application was the subject of a public hearing held by this Planning Board on January 20, 1998, during which hearing testimony and exhibits were submitted with respect to said application,

NOW, THEREFORE, BE IT REMEMBERED that this Planning Board, at its said official public monthly meeting held on the 20th day of January, 1998, did make the following findings of fact, determination and decision:

MEMORIALIZATION OF FINDINGS OF FACT

1. The premises in question are located at the intersection of South Monroe Street and South Hillside Place in the R-110 Single Family Residence Zone District.

2. The premises in question are devoted to church use, which is a permitted use under the provisions of Chapter 190, Article II, Section 190-3 of the Village Code (see definition of "institutional use") and under the provisions of Chapter 190, Article X, Section 190-123B of the Village Code.

3. As shown on applicant's site plan drawings, as a use ancillary and accessory to the said church use, applicant proposes to install in the rear of the premises in question a memorial garden which is to be devoted to the burial of cremated remains in an attractive, contemplative setting and which will consist of the installation of shrubs, flowers, a walkway, lighting, a waterfall, a wall-mounted memorial plaque, benches and other garden improvements.

#### MEMORIALIZATION OF DETERMINATION

This Planning Board determined that (i) applicant's proposed memorial garden will not constitute a "cemetery" as provided in N.J.S.8A:1-2 and (ii) applicant's proposed improvements meet the "minor site plan" provisions of Chapter 190, Article II, Section 190-3 of the Village Code; no variance relief or site plan deviation relief is required from any applicable provisions of the Village Code with respect to applicant's proposed improvements.

#### MEMORIALIZATION OF DECISION

This Planning Board, therefore, did GRANT applicant's application for minor site plan approval for the installation of the proposed memorial garden as provided for on a site plan drawing entitled "The Memorial Garden, Westside Presbyterian Church, Ridgewood, NJ, Block 2404, Lot 3, Bergen County, prepared by Ardie Runckel dated November 1997 and an accompanying site plan drawing entitled "Westside Presbyterian Church Memorial Garden", also prepared by Ardie Runckel dated September 1997, 1997, subject, however, to the condition that, in the interests of pedestrian safety, the slope of the memorial garden walkway shall not exceed five percent.

N.B. If there is any discrepancy between the information set forth on the aforementioned drawing dated November 1997 and the information set forth on the aforementioned drawing dated September 1997, the drawing dated November 1997 shall take precedence and shall prevail.

---

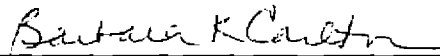
BE IT RESOLVED, that the members of this Planning Board who voted in favor of said minor site plan approval decision at its official meeting held on the 20th day of January, 1998 do hereby MEMORIALIZE AND CONFIRM the foregoing findings of fact, determination and decision set forth in this resolution of memorialization as the "official action" taken by this Planning Board on said date in accordance with the provisions of N.J.S.40:55D-10G2 of the New Jersey Municipal Land Use Law this 17th day of February, 1998.

M.J.D.

P.B. RESOLUTION #98\_\_\_\_\_

Official Public Monthly Meeting:  
February 17th, 1998

I hereby certify that this resolution of memorialization consisting of three pages was duly adopted by a majority vote of the members of the Ridgewood Planning Board who voted in favor of said approval decision, a quorum of the membership being present, at the official public meeting of said Planning Board held on the 20th day of January, 1998.



---

BARBARA CARLTON, Recording Secretary  
and Clerk of the Planning Board of the  
Village of Ridgewood

Patrick Mancuso  
 Jeffrey S. Hartke  
 Lolly Burgin  
 Mark Follender  
 Morgan Hurley  
 David Pfund  
~~Arthur Wrubel~~  
 Jacques Harlow  
 Thomas Riche  
 Max ~~Wangi~~ (Alt 1)  
 Lynne ~~Brady~~ (Alt 2)

Moved	Seconded	Yes	No	Abstain	Absent
		✓			
		✓			
		✓			
					✓
	✓	✓			
		✓			
		✓			
		✓			
		✓			

BLOCK 2403, LOT 17

FAVORABLY RECOMMENDED TO THE  
GOVERNING BODY 5-17-1971

WEST SIDE PRESBYTERIAN CHURCH -- KRAFT ESTATE "BARN"

For proposed youth center which will be located on other<sup>premises</sup>  
than the principal building.

BLOCK 2404, Lot 3  
6 South Monroe St.

Case # 74-7-1

Westside Presbyterian Church addition

8/28/74 Taken under advisement  
9/11/74 Granted

On condition that:

- (i) the proposed addition be limited in height to one story;
- (ii) the within variance is granted on condition that the premises are continued to be used as the site for the church purposes of the W/S Pres. Church.

(over)

- (iii) Lots 18 and 19 of Bl. 2403 will be continued as parking lots for the building on Lot 3, Bl. 2404, as indicated in the application.

BLOCK 2403, LOT 17  
6 S. Monroe Street

#81-8

Appeal for dual use of existing nonconforming structure for youth center and residence, by West Side Presbyterian Church

Heard: 5/20/81 and 6/24/81  
Decision: DENIED 8/26/81

Block 2403 Lot 17  
40 South Hillside Place

92-11

An appeal of WESTSIDE PRESBYTERIAN CHURCH for permission to use the second floor of the building known as "The Barn" as a social center/meeting hall which is not permitted by Village Ordinance.

HEARD: April 8, 1992  
DECISION: May 13, 1992 GRANTED WITH CONDITIONS

(RESIDENTIAL USE)

WEST RIDGEWOOD AVENUE  
(OPEN TO PUBLIC)

(RESIDENTIAL USE)

BLOCK 2404  
LOT 1  
RESIDENTIAL USE

BLOCK 2404  
LOT 2  
RESIDENTIAL USE

SOUTH HILLSIDE PL.  
(OPEN TO PUBLIC)

SOUTH MONROE STREET  
(OPEN TO PUBLIC)

### SIGNAGE TABLE:

TYPE	ALLOWABLE	EXISTING	PROPOSED
1. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
2. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
3. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
4. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
5. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
6. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
7. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
8. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
9. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
10. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
11. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
12. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
13. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
14. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
15. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
16. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
17. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
18. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
19. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
20. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
21. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
22. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
23. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
24. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
25. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
26. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
27. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
28. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
29. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
30. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
31. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
32. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
33. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
34. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
35. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
36. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
37. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
38. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
39. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
40. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
41. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
42. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
43. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
44. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
45. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
46. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
47. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
48. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
49. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
50. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
51. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
52. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
53. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
54. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
55. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
56. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
57. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
58. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
59. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
60. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
61. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
62. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
63. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
64. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
65. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
66. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
67. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
68. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
69. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
70. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
71. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
72. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
73. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
74. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
75. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
76. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
77. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
78. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
79. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
80. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
81. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
82. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
83. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
84. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
85. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
86. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
87. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
88. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
89. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
90. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
91. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
92. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
93. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
94. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
95. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
96. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
97. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
98. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
99. SIGNAGE	ALTERNATE	EXISTING	PROPOSED
100. SIGNAGE	ALTERNATE	EXISTING	PROPOSED

NOTE: 6 EXISTING PARKING SPACES TO BE R-STRIPPED AS HANDICAP ACCESSIBLE FOR A TOTAL OF 7 HANDICAP SPACES.


GRAPHIC SCALE  
1" = 50' TL

### GENERAL NOTES:

1. THE WORK SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS AND CONDITIONS, DRAWINGS AND NOTES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
5. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING OF ALL WORK DONE.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS AND THE PUBLIC.
7. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING OF ALL WORK DONE.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS AND THE PUBLIC.
9. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING OF ALL WORK DONE.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS AND THE PUBLIC.
11. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING OF ALL WORK DONE.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS AND THE PUBLIC.
13. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING OF ALL WORK DONE.
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS AND THE PUBLIC.
15. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING OF ALL WORK DONE.
16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS AND THE PUBLIC.
17. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING OF ALL WORK DONE.
18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS AND THE PUBLIC.
19. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING OF ALL WORK DONE.
20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS AND THE PUBLIC.

### CONDITIONAL USE NOTES:

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
2. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
4. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING OF ALL WORK DONE.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS AND THE PUBLIC.
6. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING OF ALL WORK DONE.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS AND THE PUBLIC.
8. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING OF ALL WORK DONE.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS AND THE PUBLIC.
10. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING OF ALL WORK DONE.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS AND THE PUBLIC.
12. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING OF ALL WORK DONE.
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS AND THE PUBLIC.
14. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING OF ALL WORK DONE.
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS AND THE PUBLIC.
16. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING OF ALL WORK DONE.
17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS AND THE PUBLIC.
18. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING OF ALL WORK DONE.
19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS AND THE PUBLIC.
20. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING OF ALL WORK DONE.



**Bohler Engineering, P.C.**  
1000 N. CENTRAL EX. SUITE 1000  
DALLAS, TEXAS 75208  
PHONE: (214) 761-1111  
FAX: (214) 761-1112  
WWW.BOHLENG.COM

**P.L. STREKER**  
REGISTERED PROFESSIONAL ENGINEER  
NO. 12345 (STATE OF TEXAS)

**K.L. HANEY**  
REGISTERED PROFESSIONAL ENGINEER  
NO. 67890 (STATE OF TEXAS)

PROJECT: WESTSIDE PRESBYTERIAN CHURCH  
ADDRESS: 3000 WESTSIDE PRESBYTERIAN CHURCH, 3.02E CANTON ST., DALLAS, TEXAS 75208

TITLE: SITE PLAN

DATE: 11/20/14  
BY: P.L. STREKER  
CHECKED BY: K.L. HANEY  
SCALE: AS SHOWN





RIDGEWOOD PLANNING BOARD

IN THE MATTER OF THE APPLICATION OF )  
WESTSIDE PRESBYTERIAN CHURCH FOR )  
PRELIMINARY SITE PLAN APPROVAL WITH )  
VARIANCE AND MAJOR SOIL PERMIT AS TO )  
LOT 17.01 IN BLOCK 2403 )

RESOLUTION OF "OFFICIAL ACTION"  
GRANTING PRELIMINARY SITE PLAN  
APPROVAL WITH VARIANCE AND  
MAJOR SOIL PERMIT ON  
AUGUST 3, 1999

WHEREAS, Westside Presbyterian Church (hereinafter referred to as the "Applicant"),  
6 South Monroe Street, Ridgewood, New Jersey, is the owner of property located on South  
Hillside Place, known as Lot 17.01 in Block 2403, (hereinafter referred to as the "Property") as  
shown on Sheet #24 of the current Tax Assessment Map of the Village of Ridgewood; and

WHEREAS, the Applicant has applied to the Planning Board of the Village of  
Ridgewood (hereinafter referred to as the "Board") for preliminary site plan approval with  
variances and for the issuance of a major soil permit; and

WHEREAS, the Application (#PB 1997-06) was originally filed on April 25, 1997 and  
was subsequently amended by the Applicant following numerous requests for hearing  
postponements during 1998 and 1999; and

WHEREAS, the application was considered by the Board at its meetings of November  
16, 1998, June 15, 1999, and July 20, 1999, proper notice having been given in accordance with  
law for the public hearing portions of the matter; and

WHEREAS, the application was deemed complete and accepted as a preliminary site  
plan application with variances on April 20, 1998; and

WHEREAS, the Applicant has requested relief from Section 190-119C(1)(c) (accessory buildings in front yard), Section 190-124(H) (play structures in front yard), Section 190-90B (requires parking spaces to be 20 feet long unless 2 foot overhang is provided - relief sought for two noncompliant spaces), and Section 190-94A(4) (parking areas to be screened by landscaping), each being a section of the Village Land Use and Development Ordinance (the "Ordinance"); and

WHEREAS, on July 20, 1999, the Board authorized its legal counsel to prepare a written Resolution providing for the grant of the requested preliminary site plan and variance approval, as amended during the hearing, subject to the imposition of certain conditions and official adoption; and

WHEREAS, the Board now wishes to take official action to adopt this Resolution on August 3, 1999.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Village of Ridgewood as follows:

1. The Record. The record in this matter shall consist of:
  - a. The initial Application for site plan approval filed on April 25, 1997 and all exhibits attached thereto, together with subsequent filings and the Application for Major Soil Permit filed March 10, 1999;
  - b. The site plan package consisting of seven (7) drawings and entitled "Site Plan for Westside Presbyterian Church, Block 2403, Lot 17.01, Ridgewood, Bergen County, New Jersey", prepared by Andrew Marshall, Jr., P.E. & L.S., Ridgewood, New Jersey, dated March 27, 1997, last revised June 7, 1999;

c. Review memorandum prepared by Blais L. Brancheau, Planning Consultant to the Board, including but not limited to memos dated June 12, 1997, December 11, 1997, April 20, 1998, March 12, 1999, April 19, 1999 and June 10, 1999;

d. Inter-office memorandum to the Board prepared by Jeffrey S. Hartke, P.E., Village Engineer, including but not limited to memos dated November 16, 1998, February 16, 1999, April 16, 1999 and June 10, 1999;

e. Report of Ridgewood Fire Department dated February 5, 1999;

f. All other correspondence received from Village agencies and departments pertaining to this application and all other documents on file with the Planning Board Clerk;

g. All presentations, exhibits, testimony and discussions made or introduced at the meetings of November 16, 1998, June 15, 1999 and July 20, 1999.

2. Findings and Conclusions. The Board hereby makes the following findings of fact and conclusions of law based upon the record:

a. The subject Property is located on the northwesterly corner of the intersection of South Monroe Street and South Hillside Place, being located in the "R-110" zone (single family residence). The use of the subject property as a Church is noted in the Zoning Code of the Village of Ridgewood as a conditional use;

b. The Applicant, The Westside Presbyterian Church, is the owner of the subject property, which is approximately 172,282 square feet, or 3.95 acres;

c. The Applicant also owns property located on the eastern side of South Hillside Place, designated as Lots 3 and 4 in Block 2404, said property being developed with the actual church structure.

d. The Property which is the subject of this Application is used principally as a parking lot for the Church. The structure located on the Property is used as a Youth Center.

e. The Applicant has previously received approvals by way of a minor site plan for parking lot lighting and a 1992 Zoning Board Application which was approved to allow use of the second floor of the structure for social activities.

f. The within Application seeks approval to allow for the enlargement and improvement of the Church parking lot. Although the original Application sought relief for numerous variances and waivers, the list was reduced substantially by the time the Application reached its first public hearing on November 16, 1998. At that point, the Applicant sought approval for the following:

1. Accessory building location - §190-119C(1)(c) prohibits accessory buildings located in the front yard. Three sheds are proposed to be moved to front yard locations. This section also prohibits play structures in the front yard; if the proposed play area involves play structures, an additional variance is required, pursuant to §190-124H.

2. Maximum fence height - §190-124F(1)(a) restricts property fences to 4 feet in height. The proposed fence between the parking and play areas is shown on the initial site plan package at 6 feet in height.

3. Screening of parking areas - §190-94A(4) requires that all parking areas be screened from view of the street by landscaping. The parking area is not shown as fully screened from the Monroe Street and South Hillside Place frontages.

4. Parking space dimensions - §190-90B requires parking spaces to be 20' long unless a minimum overhang of 2' is provided, in which case the spaces must be at least 18' long.

The proposed parking spaces in the southwest corner of the property are 18' long, and while most spaces have an available overhang, several spaces adjacent to the existing retaining wall do not, and therefore require relief.

g. At the November 16, 1998 hearing, the Applicant was represented by George Cotz, Esq., who provided an overview of the Application to the Board and members of the public in attendance. The Applicant's first witness was Paul A. Mensing, 25 Pine Street, Midland Park, New Jersey, past president of the Board of Trustees and authorized spokesperson for the Church. Mr. Mensing testified as to the current use of the parking lot and reasons in support of its request for enlargement. His testimony can be summarized as follows:

- Property is currently developed with 135 parking spaces.
- The Church currently obtains revenue of approximately \$7,100 per year for non-church related use of the parking lot. The Ridgewood Board of Education pays approximately \$3,600 yearly for 56 teacher parking spaces and the remainder of the funds are received from events held at the Women's Club located diagonally across the street from the subject property and from parking fees charged to approximately 15 commuters. The Church has no plans to increase the rental of the spaces if the application for enlargement of the lot is approved. The yearly maintenance cost of the parking lot approximates \$6,900 per year, which includes \$3,000 for regular maintenance, \$900 for insurance and \$3,000 for snow plowing.

h. Mr. Mensing introduced and relied upon Exhibit A-1 entitled "Identifiable

Range of Vehicle Use" which served as an analysis of cars using the lot on a daily basis. The witness testified that the Church calendar was reviewed, consideration given to existing programs and attendance at those programs, as well as weekly Church service schedules. The analysis demonstrates that on Sunday mornings approximately 444 cars use the lot for two services, Sunday evening use ranges from 136 to 221 cars, weekday morning and afternoon use demands approximately 240 cars, inclusive of nursery school, George Washington School, Church staff, teachers and various fellowship groups. The evening use of the lot varies between 53 and 400 cars, with occasional overflow parking taking place on the street and other portions of the property.

i. Mr. Mensing also responded to various questions concerning the elimination of the 15 commuter spaces and whether restriping the parking lot rather than expanding the lot would meet the Church's needs. He explained that while consideration had been given to eliminating the commuter spaces, that the result would not be sufficient because the parking shortage is a 6-day a week problem and the 15 spaces would not serve the demonstrated demand for additional parking. A similar answer was provided regarding the restriping issue.

j. The second witness presented by the Applicant was Andrew Marshall, P.E. & L. S., project engineer. Mr. Marshall testified with the assistance of Exhibit A-2, the site plan last revised February 9, 1998. That plan provided for 211 parking spaces on the subject property and the relocation of the South Hillside driveway to the east, toward South Monroe Street. The witness opined that this would provide for better circulation and pedestrian safety. He also discussed the provision for a sidewalk that traversed the midsection of the parking lot in a north/south direction, the elimination of two driveways on South Monroe Street, and the increase

of the buffer along Lot 20 and the side of Lot 21.

k. Additional testimony was presented by the witness using Exhibit A-3, the site plan revised to November 9, 1998. Mr. Marshall explained the revisions contained on said plan to include the following:

- 215 new parking spaces vs. the 211 originally shown
- relocation of the mid-lot sidewalk to the area adjacent to the school playground
- increase in the depth of the berming and the landscaping of the buffers to the residential properties
- creation of a right-hand only exit lane at the southerly end of the existing lot
- reduction in the size of the proposed 6' fence to 4', thereby eliminating a variance request
- provision for the installation of landscaping along the South Hillside Place frontage, thereby eliminating a variance request
- reduction in the number of light poles proposed in the parking lot through a relocation plan so that there would be no increase in the number of poles now existing on site.

l. The witness testified in support of the variance for the location of the accessory buildings and play structures in the front yard. He explained that these are used by the nursery school and are an existing condition on the site. He also responded to questions concerning an undersized existing right-of-way of 40' for South Hillside Place. The Master Plan for the Village

of Ridgewood calls for a 50' right-of-way. Mr. Marshall opined that since the street was one-way in nature, that 40' was sufficient from an engineering perspective. If South Hillside Place were to be widened to 50', the proposed parking would be only 1 to 2 feet from the street right-of-way, with a possible encroachment at the intersection with South Monroe Street.

m. The witness also indicated that the revised plan provided new pedestrian access to Citizen's Park, Village parkland. In response to Mayor Mancuso's question as to whether people using Citizen's Park will be able to park in the Church lot, Mr. Mensing said that people using the park have left their cars in the Church lot in the past and that he saw no reason why that would not be able to continue.

n. The Board spent considerable time addressing issues relating to site lighting. This was also a major concern of Barbara Rodgers, 46 South Monroe Street, the property located directly adjacent to the parking lot. Ms. Rodgers objected to the parking lot lighting plan and stated that the parking lot is currently illuminated 7 days a week until 1:30 a.m. Following a lengthy discourse concerning possible alternative parking lot layouts, the Applicant, through counsel, stipulated that lighting would be fully downshielded. He also stated that the Church had no plans to increase the number of commuter parking spaces and that it would agree to a binding restriction in any approving Resolution. Mr. Marshall testified that various layouts had been considered which had been discarded based upon an increase in the required amount of cut on the site, creation of additional drainage runoff and loss of green area.

o. In addition to Ms. Rodgers' testimony, which included her own survey of parking in other Churches and non-profit organizations in the Village, the Board received testimony from Art Rubel, 79 Ridge Road, and Jerry Solomon, 226 West End Avenue.

p. The Board acknowledges that the Applicant made notable revisions to the site plan package prior to its return to a continued public hearing on June 15, 1999. The revisions are reflected on the seven (7) sheet site plan set marked as Exhibit A-4 in evidence revised through June 7, 1999. Specifically, the Board finds the following revisions significant and a refinement to the original Application.

1. The buffer areas to the residential properties have been significantly increased and the Applicant proposes the installation of a 6' high screening fence along the common property line of Lot 20 and Lot 21, with landscaping to be located in the area between an existing fence and the new enclosure.

2. Mr. Marshall, the Applicant's engineer, utilized Exhibit A-5 entitled "Section Through Rodgers' Dwelling", dated December 3, 1998, revised December 28, 1998, to help the Board and members of the public visualize the proposed line of sight from the second floor of the Rodgers's dwelling looking in a westerly direction into the Applicant's parking lot. Mr. Marshall addressed questions pertaining to the proposed stockade fence, supplementation of plantings and the existing row of 35' high evergreens along the common property line. He stated that in his opinion the Church had done everything possible to reduce the visibility of the parking lot and its lighting to the residential properties.

3. As a condition of approval and in response to the Board's concerns, the Applicant stipulated that it was willing to work with the Board and the residents concerning a final choice of material for the 6 foot high fence along Lots 20 and 21.

4. A depressed curb detail has been added on Sheet 3 of the plan set to address the concerns of the fire chief that fire apparatus be able to make a right turn off of South Monroe

Street into the proposed exit driveway near Block 2403, Lot 20. However, the Board specifically finds the fire chief has not yet reviewed this detail and that the 10' radius shown on the detail may in fact need to be increased. Accordingly, the Applicant shall forward the detail for review and possible modification by the fire chief. The Village Engineer shall be provided with copies of any correspondence or documents pertaining to same.

5. Although an additional handicap van accessible space has been added to the plan and the grades in the parking lot have been reworked to provide a 2% maximum slope in all directions at the handicapped spaces, the Village Engineer has opined that two undesirable and dangerous conditions have resulted. Specifically, the parking spaces to the east of the handicapped spaces as shown on the last revised set of site plans now have greater than a 5% slope. Additionally, the proposed sidewalk near the middle handicapped space has an elevation of 137.5. The gutter elevation less than 2 feet away is approximately 135.6. The Board finds that this is a dangerous condition for both pedestrians and wheelchairs. Accordingly, the Applicant and its engineer must work together with the Village Engineer to adequately satisfy the handicapped requirements and all safety issues relating thereto.

6. At the Board's request, the Applicant has relocated the proposed mid-block crosswalk on South Hillside Place in an easterly direction. However, the location of this crosswalk must be approved and formalized by an ordinance or a resolution by the Village Council to provide for the addition of this location to §265-52 of the Village Code. The Board will forward a copy of this Resolution to the Council, but it shall be the applicant's responsibility to pursue and achieve satisfaction of this condition.

7. A note has been added to the plan to reflect that all curbs and sidewalks

adjacent to the site will be upgraded as needed and as directed by the Village Engineer. An additional note has been added indicating that all trees lost or substantially damaged during construction along South Hillside Place shall be replaced.

8. While the Board recognizes that the West Side Presbyterian Church is a conditional permitted use, the Board is most concerned about insuring appropriate preservation of the public health, safety and general welfare, particularly in light of the surrounding residential properties. Pursuant to §190-83 of the Village of Ridgewood Code, the Board may impose such conditions and safeguards as it deems appropriate with respect to, among other matters, the minimizing of traffic congestion by appropriate arrangements of entrances and exits to assure public safety and any other requirements it deems appropriate for the particular application.

9. Accordingly, the Board is most concerned with the aforementioned issues, conditions and stipulations, as well as the following site design and construction matters.

A. Lighting. The Board accepts the Applicant's stipulation that no additional lighting poles will be added to the site, the condition that the lights will be no greater than 20' feet high and that they all will be down lit. Illumination until 1:30 a.m. is hereby prohibited. The Applicant has agreed as a condition of approval that all exterior lighting will be extinguished no later than 11:00 p.m. The Applicant has agreed to install a timer to insure that the lights are turned off at 11:00 p.m. Furthermore, the fixture to be located in the back area of the parking lot shall be separately wired to allow for the extinguishing of that light at a time earlier than 11:00 p.m. if the area is not being utilized by the Church. This compromise will serve to help mitigate any impact within the residential zone from the Church lighting plan while at the same time insuring that on site security issues are adequately addressed.

B. Plan Revisions. So as to prevent any misunderstanding or miscommunication concerning issues relating to fencing, landscaping and soil erosion plan, the Applicant shall revise the site plan to reflect that:

1. There shall be a complete fence enclosure around the southern end of the parking lot that abuts Lots 20 and 21.

2. The plan shall be revised to clearly depict the new landscaping proposed along the western property line and also along the northern side of the lot, including all landscaping to be shown abutting Lots 20 & 21.

3. The Applicant shall revise the soil erosion plan to match what is depicted on the site plan.

C. Accessory Parking Use. Although the Board accepts the Applicant's explanation for utilization of its lot for a small amount of commuter parking, the Board clearly advises and hereby notifies the Applicant that this accessory use may not be permitted in the zone. The Applicant has stipulated that it has no intention of expanding the use of the parking lot for commuter or George Washington School rental. The Board does not make any interpretation or findings of fact or conclusions of law concerning the legal status of these additional uses of the parking lot. The applicant is advised to address the issue with the Village Zoning Officer and other Village departments.

D. Soil Movement. The total excavation proposed for this site is 2,720 cubic yards. Therefore, a major soil permit is required as per Chapter 246 of the Village Code. The Applicant and its engineer stipulated that the soil would be removed in accordance with the provisions provided in the Village Code. However, no information was provided during the course of the hearing as to the destination, trucking route, hours or operation, etc., pertaining to

soil movement issues. As a result, the Board shall require the Applicant to provide all of the necessary information required by Ordinance to the Village Engineer for his review and approval. In the event the engineer does not wish to act on the information provided without further input by the Board, the Applicant shall submit all of the required information for further action by the Planning Board.

E. Developer's Agreement/Maintenance Agreement. Given the sensitivity of this project and its development in a residential neighborhood, the Board has determined it appropriate to have the Applicant enter into a Developer's Agreement with the Village of Ridgewood and the Planning Board to ensure the completion of all of the site improvements as approved. Furthermore, the Agreement shall cover any required inspections and all requisite escrows and performance guarantees necessitated by the project and allowed by State statute. The Applicant has been further advised that following completion of the work and release of the Developer's Agreement and accompanying performance guarantees, a Maintenance Guaranty will be required as per the Municipal Land Use Law to assure the preservation of the work as completed and installed.

10. Each of the foregoing recitations in paragraphs, 2.p(3)(4)(5)(6) and 9(A) through 9(E), shall be deemed binding conditions and stipulations.

11. N.J.S.A. 40:55D-70(c)(1) allows the Board to grant the requested variance relief when, by reason of exceptional topographic conditions or physical features specifically and uniquely affecting a specific piece of property, the strict application of any development regulation would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon an applicant. Alternatively, the Board may grant the requested relief when

the benefits of the deviation substantially outweigh the detriments, and the purpose of the Municipal Land Use Law would be advanced by such a deviation. In either case, it must be demonstrated that there would not be a detriment to the public good, and that the deviation would not substantially impair the intent of the zone plan or ordinance. In the within matter, the Board specifically finds that the grant of the requested variances for the location of the accessory buildings in the front yard and the lack of a 2' overhang for 2-3 parking spaces are de minimus in nature. The Board finds that the Applicant has been receptive to the concerns of the Board and of the public and has made ardent revisions to its plan which demonstrates a good faith attempt to balance the Church's need for additional parking with the concerns about potential impact upon adjoining properties. The Board is further cognizant that the variances do not relate to the request for additional parking spaces and that the number of parking spaces are permitted by code.

12. Accordingly, the Board hereby finds that based upon the merits of the application and in light of the particular facts of the case as elicited from the testimony and exhibits reviewed in accordance with the statutory requirements of the Municipal Land Use Law, that the requested variance relief can be granted. It finds that the requested relief can be granted in a manner that will not impair the intent of the zoning ordinance or zone plan of the Village.

NOW, THEREFORE BE IT RESOLVED, that the Planning Board of the Village of Ridgewood hereby approves the application of the Westside Presbyterian Church for preliminary site plan approval as amended, together with the aforementioned variance relief and conditional major soil permit subject to the following conditions:

1. The Applicant shall obtain all other governmental approvals and permits and shall

perform all acts of compliance which may be required under applicable Federal, State, County and local statutes, regulations and ordinances. The Applicant shall submit to the Planning Board copies of all permits and approvals or in the alternative written verification that no permits or approvals are required. The Board reserves the right to require further review of this application in the event that another governmental entity requires "substantial modifications or revisions" to the plan as approved.

2. All conditions and stipulations of approval contained in the body of this resolution are incorporated herein as if they were repeated at length. The Applicant agrees to be bound by all such conditions and stipulations.

3. The site plan shall be amended herewith to include all required changes noted herein, those which have been previously agreed to by the Applicant and those as may be further required by the Village Engineer and/or the Village Planning Consultant.

4. The Applicant and his engineer shall coordinate a performance estimate with the Village Engineer to cover all of the work addressed on the site plan and referenced in the body of this Resolution. The Applicant shall enter into a Developer's Agreement with the Village of Ridgewood and the Planning Board covering said work and shall post any and all necessary bonds and/or letters of credit required to cover this estimate. Any such bonds and/or forms of surety shall be submitted for approval by both the Village Engineer and the Village Attorney.

5. The Applicant shall post any and all necessary escrows and fees required in connection with this application, approval, subsequent inspections and any other work encompassed by way of the approval. If applicable, the Applicant shall immediately correct any negative balances in the legal and engineering escrows posted for review of the application.

It shall further agree to keep all future accounts current. No permits shall be issued in the event a negative balance exists.

6. The Applicant shall comply with all conditions listed in the review letters issued by the Village Engineer and Village Planning Consultant except for those items which were specifically modified during the course of the public hearings and by way of this Resolution.

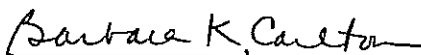
7. A copy of this Resolution shall be transmitted to the Applicant, its legal counsel, the Village Construction Code Official, the Village Engineer, the Village Fire Chief, the Governing Body of the Village of Ridgewood and the Village Attorney.

8. Notice of this decision shall be published in the official newspaper of the Village of Ridgewood.

BE IT RESOLVED, that the following members of the Planning Board cast their vote in favor of this Resolution granting preliminary site plan approval with variance relief and major soil permit at its public meeting held on the 3<sup>rd</sup> day of August, 1999 and do hereby adopt the foregoing findings of fact and conclusions of law set forth in this Resolution.

P.B. RESOLUTION 99-13

I hereby certify that this resolution consisting of sixteen pages was duly adopted by a majority vote of the members of the Ridgewood Planning Board who voted in favor of said approval decision, a quorum of the membership being present, at the meeting of said Planning Board held of the 3<sup>rd</sup> day of August 1999.

  
\_\_\_\_\_  
BARBARA CARLTON, Recording Secretary  
and Clerk of the Planning Board of the Village  
of Ridgewood

Official Public Monthly Meeting:  
August 3, 1999

IN THE MATTER OF THE APPLICATION	)	
OF WEST SIDE PRESBYTERIAN CHURCH	)	RESOLUTION OF MEMORIALIZATION
FOR MINOR SITE PLAN APPROVAL AS TO	)	AS TO "OFFICIAL ACTION"
LOT 17.01 IN BLOCK 2403	)	GRANTING MINOR SITE PLAN
		APPROVAL ON JULY 6, 1993

WHEREAS, WEST SIDE PRESBYTERIAN CHURCH , hereinafter referred to as "applicant", applied to this Planning Board for minor site plan approval with respect to the installation of light lamp fixtures and aluminum poles on lot 17.01 in block 2403 as shown on the current tax map of the Village of Ridgewood, which premises are hereinafter referred to as the "premises in question"; and

WHEREAS, said application and accompanying site plan drawing was the subject of a public hearing held by this Planning Board on July 6, 1993, during which hearing applicant was represented by Stuart Liebman, Esq., and testimony and exhibits were presented in favor of this Planning Board granting the requested minor site plan approval hereinafter referred to,

NOW, THEREFORE, BE IT REMEMBERED that this Planning Board, at its official public monthly meeting held on the 6th day of July, 1993, did make the following findings of fact, determination and decision:

MEMORIALIZATION OF FINDINGS OF FACT

1. The premises in question are located at the southwest corner of South Hillside Place and South Monroe Street; the premises in question are devoted to onsite, offstreet parking use for members of the congregation of and visitors to the West Side

Presbyterian Church located on lot 3 in block 2404 (located on the west side of said South Monroe Street and the north side of said South Hillside Place).

2. The lighting now serving the premises in question is inadequate for vehicular traffic and parking and pedestrian traffic safety.

3. Therefore, as shown on the site plan drawing hereinafter referred to, applicant proposes to install ten light lamp fixtures (four of one type and six of another type) each containing four hundred watts and each to be mounted on a twenty foot high aluminum pole.

#### MEMORIALIZATION OF DETERMINATION

This Planning Board hereby determines that applicant's proposed light lamp fixtures installation will not be in violation of any applicable provisions of the Village Code.

#### MEMORIALIZATION OF DECISION

This Planning Board therefore did GRANT applicant's application for minor site plan approval of a site lighting plan entitled "West Side Presbyterian Church, South Monroe Street & South Hillside Place, Block 2403, lot 17.01, Ridgewood, Bergen County, NJ", prepared by LaPatka Associates dated May 3, 1993, subject, however, to applicant complying with the following conditions:

1. The duration of light emanating from the ten light lamp fixtures will be controlled by appropriate light timing devices so that the light will be automatically turned off at 11:00 p.m. (except for such occasions when events at the West Side Presbyterian Church dictate a later reasonable turn off time); and
2. It is the intent of this Planning Board that all ten of the light lamp fixtures shall be installed at such locations and in such a manner that any direct source of light emanating from any of the ten light lamp fixtures will not be visible beyond the property lines of the premises in question; accordingly, this Planning Board hereby retains jurisdiction on applicant's application for minor site plan approval for a period of one hundred twenty days from the date of the installation of the

last of the ten light lamp fixtures on the premises in question and if, during said period, it comes to the attention of this Planning Board that any residents in the vicinity of the premises in question have suffered any disturbance as the result of any direct source of light from any of the ten light lamp fixtures being visible beyond the property lines of the premises in question, then this Planning Board will appropriately reconsider the minor site plan approval hereby granted.

BE IT RESOLVED that the members of this Planning Board who voted in favor of said minor site plan approval decision at its official meeting held on the 6th day of July, 1993, do hereby MEMORIALIZE AND CONFIRM the foregoing findings of fact, determinations and decision set forth in this resolution of memorialization as the "official action" taken by this Planning Board on said date in accordance with the provisions of <sup>7th</sup> N.J.S.40:55D-10G2 of the Municipal Land Use Law this 3rd day of August 1993.

M.J.D.

P.B. RESOLUTION #93 -8

	Moved	Seconded	Yes	No	Abstain	Absent
Patrick Mancuso			✓			
William J. Cooke, Jr.			✓			
Jerome Solomon			✓			
Arthur Wrubel			✓			
Lolly Burgin			✓			
Paul Callan			✓			
Robert D. Snyder	✓		✓			
Mark Follender						✓
Morgan Hurley		✓	✓			

I hereby certify that this resolution of memorialization consisting of three pages was duly adopted by a majority vote of the members of the Ridgewood Planning Board who voted in favor of said denial decision, a quorum of the membership being present, at the official public meeting of said Planning Board held on the 3rd day of August, 1993.

William J. Cooke, Jr. / MJC  
WILLIAM J. COOKE, Secretary of the  
Planning Board of the Village of  
Ridgewood

Official Public Monthly Meeting:  
August 2, 1993

17<sup>th</sup>