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April 30, 2020

VIA EMAIL

Ms. Adele C. Lewis
Maplewood Township Zoning Board Administrator
Maplewood Township Municipal Building
574 Valley Street
Maplewood, New Jersey 07040

Re: Ridgewood Highland Place, LLC
Variance and Preliminary and Final Site Plan Application
9 Highland Place
Block 12.03, Lot 162 (with ancillary improvements on Block 12.03, Lots 127 and 161)

Dear Ms. Lewis:

On behalf of Ridgewood Highland Place, LLC ("Applicant"), enclosed for consideration by the Maplewood Township Zoning Board of Adjustment is the above-referenced application (the "Application").

I. BACKGROUND

Applicant acquired 9 Highland Place (the "Property") on May 2, 2019. The Property is located in the RB Retail Business District (the "RB Zone") and is currently improved with a building containing two ground floor commercial tenants, four residential units above the commercial space and parking garages to the rear of the building.

On July 9, 2019, Applicant submitted a Zoning Review Application to the Zoning Officer seeking confirmation that its contemplated plans to construct additional residential dwelling units above the parking area at the Property was a permitted use. The Zoning Officer denied Applicant's Zoning Review Application by letter dated July 12, 2019, indicating that the Applicant's proposal was not a permitted use because dwelling units in the RB Zone are only permitted if they are located "over stores" pursuant to Section 271-70.D(1) of the Maplewood Township Zoning and Development Regulations (the "Zoning Ordinance"). The Applicant appealed to the Zoning Board by letter, dated July 9, 2019 (the "Appeal"). The Board held a hearing regarding the Appeal on November 4, 2019. At the conclusion of the hearing, at Applicant's request, the Board deferred on rendering a formal decision on the Appeal to allow Applicant to file this Application for consideration by the Board in the alternative.

II. PROJECT DESCRIPTION

Applicant proposes to construct an addition to the rear of the existing building, which would add six new residential units over parking. The project will include ten (10) parking spaces on the Property. Applicant is also proposing to construct a net of four (4) new parking spaces straddling the boundary of the Property and the adjacent Township owned public parking lot on Block 12.03 Lots 127 and 161 (the "Township Parking Lot"). Two of these new parking spaces will be used exclusively for the Property, and two of these spaces will be reserved for public parking. By letter dated February 7, 2020 from the Township Attorney, Roger Desiderio, Esq., the Maplewood Committee on Entrepreneurship and Economic Development indicated that it supports the Applicant's request for cross parking easements at the Property and the Township Parking Lot.

III. RELIEF REQUESTED

Applicant seeks a variance pursuant to N.J.S.A. 40:55D(70)(d)(1) to permit an addition to the existing building, which will contain six (6) new residential units over parking, if the Board concludes that such use is prohibited by Section 271-70.D(1) of the Zoning Ordinance.

Applicant also seeks preliminary and final site plan approval for the project in accordance with N.J.S.A. 40:55D(76)(b) as well as such variances and waivers as are deemed necessary by the Board including the following.

- A variance from Section 271-70.D(4)(a)[3] for side yard setback, which requires a fifteen (15) foot set-back adjacent to "transitional lots". The existing building and parking garage is less than one (1) foot from the boundary line of the adjacent Township Parking Lot on Lot 161. Applicant is proposing to construct the building addition with the same setback.
- A variance from Section 271-70.D(5)(a) referencing Section 271-50.J(14) for number of required parking spaces. Applicant is proposing twelve (12) parking spaces to serve the Property, whereas twenty (20) parking spaces are required.
- A variance from Section 271-70.D(5)(a) referencing Section 271-50.K, which requires parking spaces to be setback at least five (5) feet from a property line. The Application proposes that four (4) of the proposed parking spaces will straddle the property line between the Property and the Township Parking Lot pursuant to a reciprocal easement agreement with the Township.
- A variance from Section 271-70.D(5)(a) referencing Section 271-50.E(1) for drive aisle width. The Zoning Ordinance requires a twenty-four (24) foot drive aisle width for parking stalls at a 90-degree angle. Applicant is proposing a drive aisle width of 23.4 feet.
- A design waiver from Section 271-50.I, which requires a loading space, whereas none is proposed.

Applicant also seeks two (2) de minimis exceptions from the Residential Site Improvements Standards for the number of parking spaces and for drive aisle width. The RSIS requires nineteen (19) parking spaces and a twenty-four (24) foot aisle width for parking stalls at

a 90-degree angle. De minimis exceptions from the Residential Site Improvement Standards are justified for the same reasons as the variances for drive aisle width and parking as set forth in the Application and Addendum thereto.

Finally, Applicant seeks a submission waiver from the requirement to provide legal documentation for the parking and access easement with the Township, which will be entered into as a condition of approval by the Zoning Board. Applicant also seeks a submission waiver from the requirement for existing and proposed contours within one hundred feet of the Property at two foot intervals. Applicant provides topographic information with respect to the Property, but not within a one-hundred foot overlap beyond any building, paved area or graded area under review as required by the checklist.

IV. SUBMITTALS

Pursuant to the Zoning Ordinance, the application includes the following:

1. Submission Checklist for Variance Applications;
2. Five (5) copies of the Submission Checklist for Major Site Plan - Preliminary Approval;
3. Four (4) copies of the Submission Checklist for Major Site Plan – Final Approval;
4. One (1) original and eleven (11) copies of the Zoning Board of Adjustment Application with Addendum;
5. Three (3) full sized sets of the site plans for the project, titled “Preliminary and Final Major Site Plan for Block 12.03, Lot 162, Township of Maplewood, Essex County, New Jersey,” prepared by Bowman Consulting, dated April 21, 2020;
6. Three (3) full sized sets of the architectural plans and elevations for the project, consisting of two (2) sheets entitled “Concept Plans” and “Elevations”, prepared by Minno Wasko, dated April 29, 2020;
7. Three (3) full sized copies of survey, entitled “Boundary and Topographic Survey, 9 Highland Place, Block 12.03, Lot 162, Township of Maplewood, Essex County, New Jersey,” prepared by Bowman Consulting, dated February 8, 2019 and last revised February 14, 2019;
8. Three (3) copies of a report, entitled Stormwater Management Compliance Summary for 9 Highland Place, Block 12.03, Lot 162, Township of Maplewood, Essex County, New Jersey” dated April 22, 2020, prepared by Bowman Consulting;
9. Three (3) copies of Title Commitment for the Property, dated December 19, 2018, which includes copies of existing easements;
10. Twelve (12) copies of an email dated November 4, 2019 from Deb Yohannan on behalf of the Maplewood Village Alliance expressing support for the Applicant’s project;

11. Twelve (12) copies of letter dated February 7, 2020 from Roger Desiderio, Esq. on behalf of the Maplewood Committee on Entrepreneurship and Economic Development indicating that it will support the Applicant's request for cross parking easements at the property;
12. Twelve (12) copies of the Certification by the Tax Collector;
13. Twelve (12) sets of site photos of the Property;
14. Check in the amount of \$1,930.00 in satisfaction of the required application fees; and
15. Check in the amount of \$5,000.00 in satisfaction of the required escrow fees.

Please note, the following application requirements will be provided subsequently, at the appropriate time:

- Twelve (12) sets of the site plans, architectural drawings and stormwater management summary will be provided upon completeness.
- Final mylar, cloth and paper prints of the site plan, to the extent necessary, will be provided for final signature.
- If required, a performance guarantee will be provided in advance of the issuance of a building permit.
- SCD Certification will be provided as a condition of approval.
- Will serve letters from utility companies will be provided as a condition of approval.

I trust the above submission complies with the requirements for a complete application so that the Application may be scheduled for the next upcoming Zoning Board hearing. Please do not hesitate to contact me if you require any additional information, or if you have any questions or comments.

We look forward to working with the Board in connection with this application. Thank you for your time and attention to this matter.

Very truly yours,



Andy S. Norin

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