

TOWNSHIP OF SOUTH ORANGE VILLAGE
VILLAGE HALL
SOUTH ORANGE, NEW JERSEY 07079

RECEIVED MAR 19 2021

PLANNING BOARD and ZONING BOARD APPLICATION FORM

To be completed by Township Staff Only

Date Filed 3/19/21

Application No. 282

Planning Board X

Zoning Board of Adjustment _____

Application Fees 512.00

Escrow Deposit 2115.00

Scheduled for: Review for Completeness _____ Hearing _____

To be Completed by Applicant

1. APPLICANT:

Name(s) The Y Group LLC ("Applicant")

Address 526 Hudson Street, Hoboken, NJ 07030

Telephone Number (908) 399-7104 (c/o Ryan Benson, Esq.)

Applicant is a ☐ Corporation ☐ Partnership ☐ Individual ☒ Limited Liability Company

2. OWNER:

Name(s) Same as Applicant

Address _____

Telephone Number () _____

3. CORPORATE DISCLOSURE:

Pursuant to N.J.S.A. 40:55D-48.1 and 40:55D-46.3, set forth on a separate sheet the names, addresses and telephone numbers of all persons who own ten percent (10%) or more of the following: Stock of the Corporate Applicant; interest in the Partnership Applicant; stock of a corporation owning ten percent (10%) or more of a corporate or partnership Applicant; partnership owning ten percent (10%) or more of a partnership Applicant.

APPLICANTS OTHER THAN INDIVIDUALS, COMPLETE AND ATTACH "CERTIFICATE OF OWNERSHIP" FORM INCLUDED WITHIN THE APPLICATION PACKET.

4. SUBJECT PROPERTY:

Street Address 14 Second Street

Nearest Intersecting Street Sloan Street

Tax Map Page 19 Lot 2 Block 1905

Page _____ Lot _____ Block _____

PROPERTY DIMENSIONS:

Frontage 78.8 Ft.
Depth 113.67 Ft.

LOT AREA

Acreage 0.191
Square Feet 8,304

ZONE DISTRICT:

B-1

PRESENT USE:

Mixed Use Building (Under Construction)

5. Any existing or proposed restrictions, covenants, easements or association by-laws affecting the subject property YES X NO. (If yes, attach description of same.)

6. APPLICANT'S ATTORNEY:

Name Kevin J. Coakley, Esq.

Firm CONNELL FOLEY LLP

Address 56 Livingston Avenue, Roseland, New Jersey 07068

Telephone Number (908) 399-7104 (c/o Ryan Benson, Esq.)

Fax Number (973) 535-9217

Email: rbenson@connellfoley.com

7. APPLICANT'S ENGINEER and/or SURVEYOR:

Name Gerard P. Gesario, P.E.

Firm Jarmel Kizel Architects and Engineers, Inc.

Professional License GE038255

Telephone Number (973) 994-9669

Fax Number () Email: ggesario@jkarch.com

8. TYPE OF APPLICATION: (Check applicable sections)

A. SUBDIVISION

- ☐ Informal Review
☐ Minor Subdivision
☐ Preliminary Major Subdivision
☐ Final Major Subdivision

B. SITE PLAN

- ☐ Informal Review
☒ Minor Site Plan
☒ Preliminary Site Plan (Amended)
☒ Final Site Plan (Amended)

C. VARIANCES N/A

- ☐ Appeal decision of Administrative Officer
- ☐ Map or Ordinance Interpretation
- ☐ Relief pursuant to NJSA 40:55D-70(c)
- ☐ Relief pursuant to NJSA 40:55D-70(d)
- ☐ Direct issuance of a permit for a lot not abutting an improvement street
- ☐ Direct issuance of a permit for a structure in bed of a mapped street, public drainage way or flood control basin.

D. CONDITIONAL USE

Describe: N/A

9. If a variance is requested, list the section or sections of the ordinance from which relief is sought and a brief statement as to the reason the variance is sought (attach additional pages as needed):

N/A

10. If a waiver from one or more design standards is requested, list the section(s) which are to be waived:

N/A

11. List any waivers of submission requirements requested along with the applicable section(s):

N/A

12. Have there been any previous or are there any pending applications, appeals or subdivisions involving or affecting the subject property?

☒ YES ☐ NO

If YES, please provide type of application, date and disposition of same:

Applicant previously obtained Preliminary and Final Major Site Plan Approval and "C" Variance Approvals on April 2, 2018, which approvals are memorialized in a Planning Board Resolution adopted on May 7, 2018 (the "Prior Approval"). The Prior Approval authorized construction of a four-story mixed-use building consisting of retail space and parking on the ground floor and eight residential units on the upper floors. The variances granted were from the requirements for minimum side yard setback, minimum rear yard setback, maximum height, and minimum parking spaces. A design waiver was also granted for use of PVC pipe instead of iron for sanitary sewer. The Prior Approval is attached hereto.

13. PROJECT DESCRIPTION:

Explain in detail the proposed changes to the property including: proposed use, number of dwelling units, number of employed, etc. (attach additional pages as needed):

See attached addendum.

14. APPLICANT CERTIFICATION:

I certify that the foregoing statements and the materials submitted are accurate and true. I further certify that I am the Individual Applicant or that I am an Officer of the Corporate Applicant and that I am authorized to sign the Application for the Corporation or that I am a General Partner of the partnership Applicant.

I acknowledge that the Application Fee submitted with the Application is non-refundable and that I have been advised further the escrow review fee will be deposited in an escrow account. The Escrow Fee is established to cover the costs of professional services including engineering, planning, legal and other expenses associated with the review of Application. Monies not utilized in the review process shall be returned in accordance with the applicable Ordinances. If additional Application or Escrow Fees are deemed necessary, I agree to furnish such sum(s) to the municipality with fifteen (15) days of written notification.



SIGNATURE OF APPLICANT
By: Yayine Abeba Melaku, President

DATE

3/19/21

Sworn to and subscribed
before me this

19th day of March, 2021


Notary Public



15. OWNER CERTIFICATION:

I certify that I am the Owner of the Property which is the subject of this application and if I am not the Applicant in this matter, that I have authorized the Applicant to make this application.

I further understand that the Applicant has deposited Application and Escrow Fees in connection with this Application. I am furthermore aware that if additional fees are required by the municipality pursuant to the applicant's certification (Item 14 above) and said fees are not paid by the Applicant, it is understood that I, as the property owner, shall become responsible for same. It is understood and acknowledged that a lien may be placed on the subject property should said fees not be paid within fifteen (15) days of written notification.



SIGNATURE OF OWNER (SAME AS APPLICANT)
By: Yayine Abeba Melaku, President

DATE 3/19/21

Sworn to and subscribed
before me this

19th day of March, 20 21


Notary Public



ADDENDUM
TO APPLICATION OF THE Y GROUP LLC
FOR AMENDED PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL FOR
BLOCK 1905, LOT 2 (14 SECOND STREET), SOUTH ORANGE, NJ

Application Form

13. Project Description. Explain in detail the proposed changes to the property including: proposed use, number of dwelling units, number of employed, etc.

Applicant previously obtained Site Plan Approval in 2018 as is explained on the application form. The purpose of this application for amended Site Plan Approval is to obtain approval of certain changes in approved building materials and architectural flourishes. The changes were largely made necessary by unavailability of materials and/or contractors as a result of the COVID-19 pandemic or otherwise. Applicant does not propose any change in use, basic structure, affordable housing, or number of dwelling units.

The following is a list of the changes for which approval is sought:

- A. The building sign on the north façade was to read “14 Second Street,” be cast stone, and be recessed into the wall. Instead, it reads “14 [¶] The Mignote,” is not cast stone, and is not recessed.
- B. There was to be a masonry cornice over the above-mentioned sign, but the cornice has not been installed.
- C. There was to be spandrel glass buffering windows on the north façade, with associated trim. The spandrel glass has been replaced with stone tiles.
- D. There was to be a soldier course brick arch over windows on the north façade. Soldier course brick arches have not been installed.
- E. There was to be Hardie plank siding toward the top left and top middle of the north façade. The Hardie plank was not installed.
- F. There were to be arches and a masonry cornice above the retail space and the garage entrance on the north façade. The arches and cornice have not been installed.
- G. The roof drains toward the middle of the north façade were to extend straight from the roof to the area above the garage entry. Instead, the roof drains turn horizontally toward each other near the garage entrance and merge into one drain.
- H. There are lights along the top of the north façade that were not shown in the approved plans.
- I. There was to be ground face CMU stone at the bottom of the north façade, but it was not installed.

- J. On the west façade, there was to be spandrel glass above the bottom row of windows and middle row of windows. The spandrel glass was not installed and was replaced with siding.
- K. There was to be a Fypon casing beneath windows on the west façade. The Fypon casing was not installed.
- L. There was to be a pre-finished metal security grille between the bottom stone and siding around the parking area on the west façade. The pre-finished metal security grille has not been installed.
- M. There was to be a brick wall and pre-finished metal security grille separated by two columns on the left side of the west façade, along with metal arching details. The metal grille was installed along the bottom of this portion of the façade, but not the brick wall or the metal arching details on the grille.
- N. On the south façade, there was to be a soldier course brick arch over the bottom row of windows and the middle row of windows. The soldier course brick arch was not installed over the windows on the south façade.
- O. A small retaining wall (ground face block) has been added along the east, west, and south elevations.

Application Fee (\$512)

Under Township Code section 92-190A(2), the fee for Preliminary Major Site Plan Approval is \$20 per 5,000 square feet of lot area, plus \$4 per 100 square feet of building area. The fee for Final Major Site Plan Approval is a flat \$200. Ibid.

Block 1905, Lot 2 (the "Property") is 8,304 square feet, and the footprint of the building on the Property is 7,300 square feet. Accordingly, \$20 is owed for the lot area, and \$292 is owed for the building area. When the foregoing owed for Preliminary Major Site Plan Approval is added to the \$200 owed for Final Major Site Plan Approval, the total application fee is **\$512**. A check for that amount is attached.

Technical Review Fee Deposit (\$2,115)

Under Township Code section 92-193A(4), the initial technical review fee deposit for Preliminary Major Site Plan Approval for residential development is \$300 per residential unit, and the initial deposit for non-residential development is \$60 per 100 square feet of gross floor area. The deposit for Final Major Site Plan Approval is half of the cost of Preliminary Major Site Plan Approval. Ibid. However, for amended Site Plan Approval, the total initial deposit is half of what it would otherwise be. Ibid.

As the building on the Property contains 8 residential units, \$2,400 must be deposited for the residential portion of the building. Further, as the building contains 706 square feet of retail

space (on the ground floor only), \$420 must be deposited for the retail portion of the building. The combined total for Preliminary Major Site Plan Approval is \$2,820.

The initial deposit for Final Major Site Plan Approval is half of \$2,820, *i.e.*, \$1,410.

When the \$2,820 for Preliminary and the \$1,410 for Final are combined, the total is \$4,230. However, because Applicant is seeking amended Site Plan Approval, the initial deposit is half of \$4,230, *i.e.*, **\$2,115**. A check for that amount is attached.

CERTIFICATE OF OWNERSHIP

Listed below are the names and addresses of all owners of ten percent (10%) or more of the stock / interest in the undersigned Applicant Corporation / Partnership:

	<u>NAME</u>	<u>ADDRESS</u>
1.	<u>Yayine Abeba Melaku</u>	<u>526 Hudson Street, Hoboken, NJ 07030</u>
2.	<u>Menassie Taddese</u>	<u>526 Hudson Street, Hoboken, NJ 07030</u>
3.	<u></u>	<u></u>
4.	<u></u>	<u></u>
5.	<u></u>	<u></u>

Where corporations / partnerships own ten percent (10%) or more of the stock / interest in the undersigned or in another corporation / partnership so reported, this requirement shall be followed until the names and addresses of the non-corporate stockholders / individual partners exceeding the ten percent (10%) ownership criterion have been listed.

By: Yayine Abeba Melaku, President
CORPORATION/PARTNERSHIP OFFICER

SIGNATURE

DATE 3/16/21

Sworn to and subscribed
before me this

16th day of March, 2021

Montes
Notary Public



TOWNSHIP OF SOUTH ORANGE VILLAGE

CERTIFICATE OF PAID TAXES

ARTICLE VI (n) Certificate from Tax Collector that all taxes are paid to date.

Owner: The Y Group LLC Phone No. (908) 399-7104

Address: 526 Hudson Street

City/State: Hoboken, New Jersey Zip Code: 07030

TITLE and LOCATION OF PROPERTY: 14 Second Street

Block No. 1905 Lot No. 2 Zone No. B-1 No. of Lots 1

Tax Sheet No. 19

TAXES AS RECORDED FOR 2021

First Quarter 1621.14 paid Second Quarter _____

Third Quarter _____ Fourth Quarter _____

The TAX COLLECTOR of the Township of South Orange Village

Rosa Allen dated March 15, 20 21
(Name)

certifies that the above taxes are paid to date.

*Verify that this information accurately reflects
municipal tax records*

Tax Collector
South Orange Village, Inc.
Tax Collector



ADJACENT PROPERTY LISTING APPLICANT: 14second
TAXING DISTRICT 19 SOUTH ORANGE TWP COUNTY 07 ESSEX

PAGE 1

PROPERTY ID	PROPERTY LOCATION	CLASS	OWNERS NAME & ADDRESS	
1900 1	TRESTLE	5A	ERIE LACKAWANNA/NJ TRANSIT ONE PENN PLAZA NEWARK, N.J.	07102
1905 1	8 SECOND STREET	4A	8 SECOND STREET, LLC 2029 MORRIS AVENUE UNION, NJ	07083
1905 2	14 SECOND STREET	4C	Y GROUP LLC, 526 HUDSON STREET HOBOKEN, NJ	07030
1905 3	20 SECOND STREET 2 FAMILY	2	BYRNE:20 SECOND LLC 29 DOGWOOD ROAD WEST ORANGE, NJ	07052
1905 4	24 SECOND ST 2 FAMILY	2	CLARK, HENRY BRUCE & WINONA M 24 SECOND STREET SOUTH ORANGE, NJ	07079
1905 5	28 SECOND STREET	15D	FIRST BAPTIST CHURCH P.O.BOX 56 SOUTH ORANGE, N.J.	07079
1905 6	103 VALLEY STREET	15D	FIRST BAPTIST CHURCH P.O. BOX 56 SOUTH ORANGE, N.J.	07079
1905 7	109 VALLEY STREET	4A	ANTOINE, AMIN 109 VALLEY STREET SOUTH ORANGE, NJ	07079
1905 8	115 VALLEY STREET	4A	VALLEY NATIONAL BANK 1720 ROUTE 23 NORTH WAYNE, NJ	07470
1906 1	7 SECOND STREET 2 FAMILY	2	LEWIS,ALYCE, L JONES, R BRINKLEY 7 SECOND STREET SOUTH ORANGE, N.J.	07079
1906 2	62 SLOAN STREET	15C	SOUTH ORANGE RESCUE SQUAD, INC 13 FOURTH ST. SOUTH ORANGE, NJ	07079
1906 4	18 FIRST STREET	15C	TOWNSHIP OF SOUTH ORANGE VILLAGE VILLAGE HALL SOUTH ORANGE, N.J.	07079
1906 8	65 VALLEY STREET	4A	OGUNBOTE, JANET 117 MELROSE AVENUE IRVINGTON, N.J.	07111
1906 9	67-69 VALLEY STREET	4A	THOMPSON, RONALD 59 GREEN WOOD AVENUE WEST ORANGE, NJ	07052

ADJACENT PROPERTY LISTING
TAXING DISTRICT 19 SOUTH ORANGE TWP

APPLICANT: 14second
COUNTY 07 ESSEX

PAGE 2

PROPERTY ID	PROPERTY LOCATION	CLASS	OWNERS NAME & ADDRESS
1906 10	71 VALLEY STREET	4A	MONTROSE REALTY I NJ, LLC 71 VALLEY STREET SOUTH ORANGE, NJ 07079
1906 11	15 SECOND ST	15C	TOWNSHIP OF SOUTH ORANGE VILLAGE VILLAGE HALL SOUTH ORANGE, N. J. 07079
1906 12	13 SECOND ST	15C	TWSP SOUTH ORANGE VILLAGE 101 SOUTH ORANGE AVENUE SO ORANGE, NJ 07079
1906 13	11 SECOND STREET	2	ANDERSON, STACY 11 SECOND STREET SOUTH ORANGE, NJ 07079
1906 14	9 SECOND STREET	2	LUARCA, DYRONNE R & MAYRA REGIS 1132 PENNSYLVANIA AVE BREMERTON, WA 98337
2304 5	153 VALLEY STREET	15F	THIRD & VALLEY URB REN LLC/J ROSE 6406 IVY LN #700/ BOZZUTO GREENBELT, MD 20770

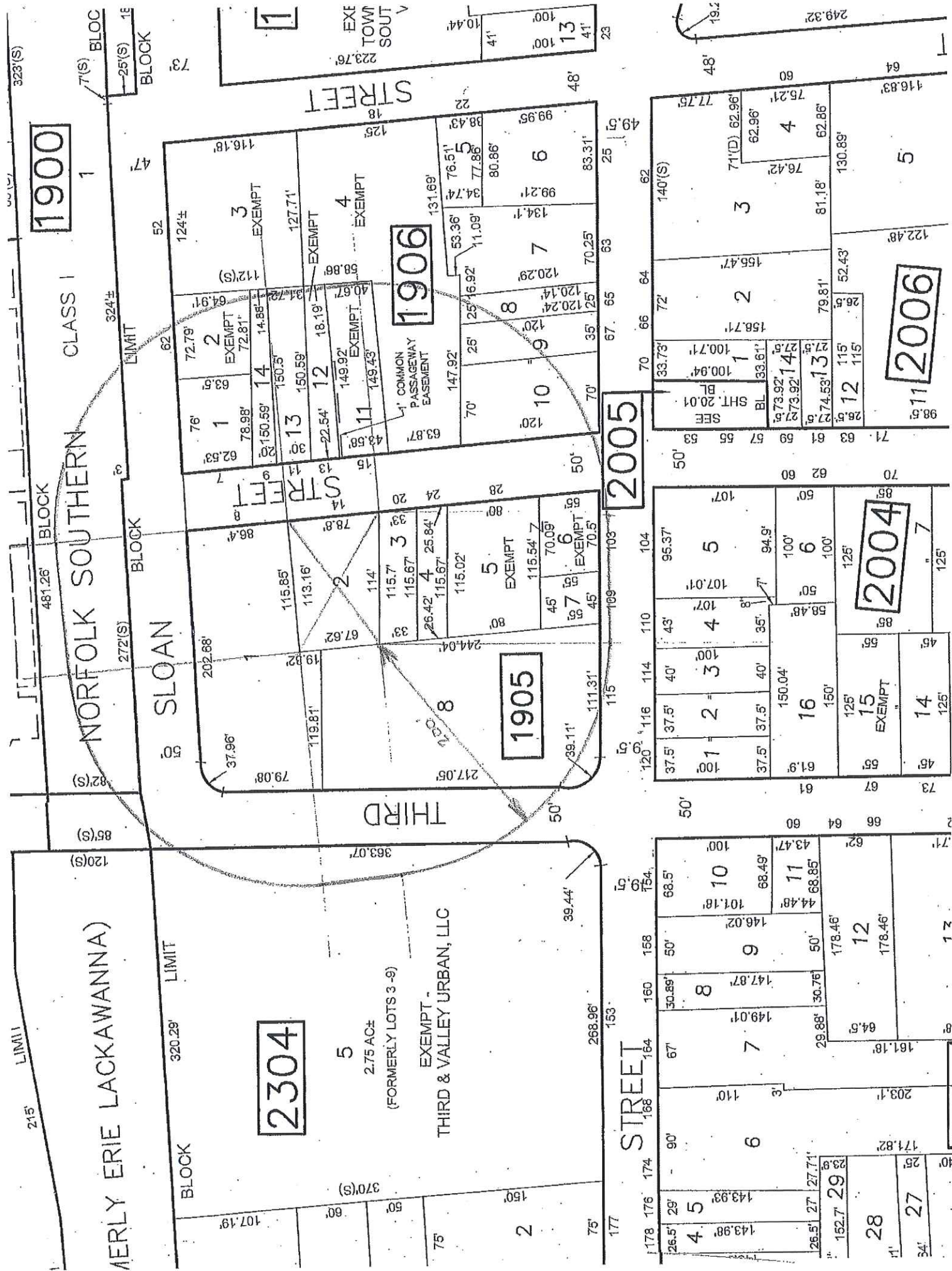
UTILITIES

1. New Jersey American Water
167 John F Kennedy Pkwy – Bldg A
Short Hills New Jersey 07078
2. Public Service Electric & Gas Co.
Manager – Corporate Properties
80 Park Place, T6B
Newark, New Jersey 07102
3. Verizon
540 Broad Street
Newark, New Jersey 07101
4. CABLEVISION
186 West Mark Street
Newark, New Jersey 07103

I, Ellen Foye Malgieri, Village Tax Assessor, do hereby certify that this is an accurate and complete list of property owners and addresses. Said list has been prepared from the most recent tax rolls.

Ellen Foye Malgieri

Ellen Foye Malgieri
Tax Assessor



**TOWNSHIP OF SOUTH ORANGE VILLAGE
LAND DEVELOPMENT APPLICATION CHECKLIST
(Must be submitted with each Application)**

All pages of this checklist must be submitted. An application shall not be considered complete until all the materials and information specified below have been submitted, unless upon receipt of a written waiver request from the applicant, a specified requirement is waived by the municipal agency. If an item is considered by the applicant to be "Not Applicable", a waiver request should be made.

The waiver request shall be granted or denied within 45 days of receipt of said request.

Any questions regarding the submission of Land Development Application documents should be directed to Administrative Clerk of the Township Engineering Department (973)378-7715 ext. 7706. All application materials should be submitted to the Administrative Clerk of the Township Engineering Department, Village Hall, 101 South Orange Avenue, South Orange, NJ 07079.

Instructions: This single checklist is designed for all land development applications. The applicant should identify the type of application being made and search down the appropriate column to the left of the page to identify which items are required by the presence of a circle. The circle can be filled in by the applicant to help keep track of those items that have been provided. The applicant should make a mark under the Applicant column to the right of the page to indicate either compliance or the seeking of a waiver. The Comments box can be filled in to provide additional information.

Example: In the example below, an applicant is seeking Final Major Site Plan Approval. The applicant will note that the 7th column is for that type of application (**bolded**). The applicant is seeking a waiver for the final plat until after approval as indicated by the x in the Waiver column and indicates the reason for the request in the comments field. The applicant will provide a Title Block on the plans submitted as indicated by the x in the Complies column.

Item Number	Subdivision			Site Plan		Variance 40:55D-70	Item Description	Applicant Status		Township Status		Comments
	Minor	Preliminary	Major	Minor	Major			Minor	Major	Complies	Waiver	
16	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	A final plat/site plan prepared in accordance with the New Jersey Map Filing Law, including all certifications, signature lines, location and description of all monuments, whether found or to be set	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Applicant seeks temporary waiver and will submit final plat following approval.
25	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Title block, including lot and block number(s) of subject property, original plan date and date(s) of all revisions, scale and graphic scale (all sheets)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

The Y Group LLC

Name of Application

Application No.

Block(s) 1905

Lot (s)

2

Date Filed

Application Submission Checklist

Item Number	Subdivision			Site Plan		Variance 40:55D-70	Item Description	Quantities		Applicant Status		Township Status		Comments
	Minor	Preliminary	Major	Minor	Major			Complies	Waiver	Complies	Waiver	Complies	Waiver	
1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Completed Checklist (This Document) with written explanations for all requested completeness waivers, signed by the applicant	2	<input checked="" type="checkbox"/>					
2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Application Form - Township: Completed Township of South Orange Village application forms, original and 19 copies to be submitted	20	<input checked="" type="checkbox"/>					
3	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Individual checks made out to the Township of South Orange Village for 1) any application fees, as calculated by the Township and 2) the review escrow fee. Each check shall include the applicants Federal ID number.	2	<input checked="" type="checkbox"/>					
4	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Tax Collector Certification from the Township of South Orange Village Tax Collector that all taxes and assessments on the property are paid in full.	1	<input checked="" type="checkbox"/>					
5	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Certified list of property owners within 200' of the property as prepared by the Township of South Orange Village Tax Assessor.	1	<input checked="" type="checkbox"/>					
6	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Deed(s) and affidavit title for lands being conveyed for protection covenants, deed restrictions, road widening, sight triangles, open space, recreation, utilities and easements	1	N/A					No lands are being conveyed.
7	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Completed escrow agreement signed by owner and applicant (Form Attached)	1	<input checked="" type="checkbox"/>					

Item Number	Gen. Dev. Plan	Subdivision		Site Plan		Variance		Item Description	Quantities	Applicant Status		Township Status		Comments
		Minor	Major	Minor	Major	40:55D-70	(a) & (b)			(c)	(d)	Complies	Waiver	
8	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Ownership Disclosure Affidavit (Form Attached)	1	<input checked="" type="checkbox"/>			
9	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Public hearing notification (Form Attached)	1	<input checked="" type="checkbox"/>			
10	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Letter(s) signed by a responsible officer of the water company, sewer authority, or other utility company which provides water, sewer, gas, telephone, and/or electricity, stating approval for each proposed utility installation design and indicating who will construct the facility.	1	N/A			Utilities installed.
11	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Application Form – County: Completed County Planning Board application forms (if applicable, i.e. on a County Road or impacting County drainage facility), including copy of a check made payable to Essex County.	1	N/A			
12	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Completed Essex County Health Department application., including copy of a check made payable to Essex County.	1	N/A			
13	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Hudson-Essex-Passaic Soil Conservation District application and submitted soil erosion and sediment control plan, including copy of a check made payable to "HEPSCD".	1	N/A			No soil will be disturbed.
14	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	New Jersey state approvals: Copies of any and all Department of Transportation and Department of Environmental Protection approvals.	1	N/A			
15	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	A digital copy of the Site Plan in a format approved by the Township Engineer. Plan to show lot lines, easements, buffers, existing and proposed structures.	1	<input checked="" type="checkbox"/>			

Item Number	Gen. Dev. Plan	Subdivision			Site Plan		Variance		Item Description	Quantities		Applicant Status		Township Status		Comments
		Minor	Preliminary	Final	Minor	Major	(a) & (b)	(c)				Complies	Waiver	Complies	Waiver	
16	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	A final plat/site plan prepared in accordance with the New Jersey Map Filing Law, including all certifications, signature lines, location and description of all monuments, whether found or to be set	1	<input checked="" type="checkbox"/>					
17	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Environmental Impact Assessment – should include, at least, the following: <ul style="list-style-type: none"> • Map of the site • Description of proposed development • Inventory of existing conditions, to include: <ul style="list-style-type: none"> ◦ Hydrology ◦ Geology ◦ Soils ◦ Topography & Slope ◦ Drainage ◦ Vegetation ◦ Air quality ◦ Wildlife ◦ Noise • Required permits & approvals • Assessment of Impacts • Impact mitigation steps • Alternatives to development 	1	N/A					Applicant is only changing materials on facade of previously approved building.
18					<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Photograph(s) of the subject premises that may prove useful in helping the Board make a more informed decision on the application.	20	<input checked="" type="checkbox"/>					
19	<input type="radio"/>				<input type="radio"/>			<input type="radio"/>	Traffic & Parking Impact Assessment – should include, at least, the following: <ul style="list-style-type: none"> • Peak traffic generation (AM/PM) • Predicted future conditions (build/no-build) • Level of Service impacts • Mitigation requirements • Parking generation • Onsite & offsite parking capacity • Compliance with ordinance standards 	1	N/A					Applicant is only changing materials on facade of previously approved building.

Item Number	Gen. Dev. Plan	Subdivision			Site Plan			Variance			Item Description	Quantities	Applicant Status		Township Status		Comments
		Minor	Preliminary	Major	Minor	Preliminary	Major	(a) & (b)	(c)	(d)			Complies	Waiver	Complies	Waiver	
20											An affirmative statement in writing indicating how all applicable conditional use standards are met. (If for a Conditional Use)	1	N/A				
21											An engineer's cost estimate of all the improvements identified on the approved preliminary plan, whether completed or remaining to be completed at the time of final plat.	1	N/A				Applicant is only changing materials on facade of previously approved building.
22											Certification from the Township of South Orange Village Tax Assessor approving the block and lot designations	1	N/A				
23											"As-Built" plans or final plats depicting all the proposed site improvements approved during the preliminary site plan application and any deviations noted in the actual constructed improvements. As applicable: 2 mylars, 2 vellums and 20 prints	2	N/A				The building is not yet complete. As was indicated in original site plan application/approval, Applicant will provide as-built plans upon completion of building.
												2	N/A				
												20					
24											Certification from the Township of South Orange Village approving the road names and subdivision name.	1	N/A				

Plans shall show or include the following:

Item Number	Subdivision		Site Plan		Variance		Item Description	Quantities	Applicant Status		Township Status		Comments
	Major	Minor	Major	Minor	(a) & (b)	(c)	(d)		Complies	Waiver	Complies	Waiver	
25	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Title block, including lot and block number(s) of subject property, original plan date and date(s) of all revisions, scale and graphic scale (all sheets)	✓				
26	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Name, address and telephone number of record owner and applicant	✓				
27	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	North arrow with reference (all sheets)	✓				
28	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Drawn at a scale not less than 1 inch equals 50 feet	✓				
29	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Professional Seals - All plans or plats prepared by a New Jersey licensed engineer or a licensed Land Surveyor. Each sheet must be signed and sealed by the appropriate professional.	✓				
30	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Zoning compliance schedule, including notation as to any variances/waivers requested	✓				
31	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Historic Site or District: Identification of any historic site or historic district shown on the Master Plan or in the Zoning Regulations involving the property.	✓				
32	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Boundary information, lot lines, both existing and proposed, with bearing and distance, including existing lot lines to be removed based upon a current survey. Original boundary survey used to prepare the plan should be provided with the application.	✓				
33	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Setback lines - All front, side and rear setback lines shall be shown in accord with the applicable zoning.	✓				
34	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Areas and dimensions of lots: All lot areas, existing and proposed to be shown in acres and square feet. The minimum lot area within 100 feet of the front property line should be identified if different from entire lot area.	✓				

Item Number	Subdivision			Site Plan		Variance 40:55D-70	Item Description	Quantities		Applicant Status		Township Status		Comments
	Gen. Dev. Plan	Minor	Preliminary	Major	Minor					Complies	Waiver	Complies	Waiver	
35	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	(a) & (b)	Existing critical environmental areas: Location of any of the following features on the property and within 50 feet of the property: a. Critical environmental areas b. Stream corridors c. Flood boundaries d. Wetlands on the property If none exist, supply separate engineer's statement.	N/A		Complies	Waiver	Complies	Waiver	
36	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	(c)	Existing Trees: The location, species and size of all existing trees having a caliper of 4 inches or greater measured at breast height on site	✓		Complies	Waiver	Complies	Waiver	
37	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	(d)	Existing wells and septic system on the property and within 100 feet of the property.	N/A		Complies	Waiver	Complies	Waiver	
38	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		Landscaping plan delineating all proposed exterior plantings, including ground cover, shrubs and trees, including size (planted and mature) and species of all materials, including common names. The plan shall be signed and sealed in accord with applicable laws	✓		Complies	Waiver	Complies	Waiver	
39	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		A developer's agreement with the Village that addresses the affordable housing requirements	N/A		Complies	Waiver	Complies	Waiver	Applicant only changing materials on facade of previously approved building.
40	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		Key map at a scale of not less than 1 inch equals 400 feet showing street names and zone district	✓		Complies	Waiver	Complies	Waiver	
41	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		Signature blocks for Board Chairperson, Secretary and Engineer	✓		Complies	Waiver	Complies	Waiver	
42	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		Approvals Statement - Confirmation that all federal, state, county and local permits or approvals have been obtained and a complete listing of the same	✓		Complies	Waiver	Complies	Waiver	

Item Number	Gen. Dev. Plan	Subdivision			Site Plan		Variance 40:55D-70	Item Description	Quantities		Applicant Status		Township Status		Comments
		Minor	Preliminary	Major	Minor	Preliminary	Major				Complies	Waiver	Complies	Waiver	
43								Utility systems - showing connections to existing and proposed systems including, but not limited to: a. Plans and profiles of storm drainage facilities (ditches, pipes, detention facilities, etc.) showing b. Materials, sizes, and elevations. c. Drainage area map and drainage calculations d. Plans and profiles of existing and proposed sanitary sewers and appurtenant facilities. e. Existing and proposed water mains, showing sizes and materials. f. Location of any proposed individual sewage disposal system along with percolation test results approved by the Board of Health. g. Existing electric and natural gas lines and proposed connections thereto h. Location of existing and proposed water wells. i. Letter of intent to serve the property from utilities (gas, electric, telephone, etc.) j. A statement containing estimated daily water consumption, volume and nature of sewage, waste and water to be disposed of and descriptions of water supply and sewage treatment facilities.			Complies	Waiver	Complies	Waiver	

Item Number	Gen. Dev. Plan	Subdivision			Site Plan			Variance 40:55D-70			Item Description	Quantities	Applicant Status		Township Status		Comments
		Minor	Preliminary	Major	Minor	Preliminary	Major	(a) & (b)	(c)	(d)			Complies	Waiver	Complies	Waiver	
44	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<p>Structure locations and use: Identify the locations and use of all existing structures within 200 feet of the property. For buildings on site, that are:</p> <p>a. Residential - Include number of proposed apartments or family units</p> <p>b. Office/Commercial/Industrial - Include number of employees, total and in maximum shift</p> <p>c. Require machinery operation or processes performed on site - Include a description of any proposed machinery operation, products, by-products and processes to be contained on the site, including a description of raw materials from which products are to be manufactured.</p>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		
45	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<p>Shortest distance between any existing or proposed buildings and a proposed or existing lot line. Include a minimum of two (2) ties from proposed structures to property lines for site plans.</p>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		
46	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<p>Architectural plans and elevations of all sides for proposed building or structures. Elevations at the corners of all proposed buildings, paved areas and property corners, if new buildings or paved areas are proposed. All such plans shall be signed and sealed in accord with the applicable laws</p>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		
47	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<p>Solid waste and recyclable material - A statement and/or details identifying provisions for the collection, storage and disposal of such shall be shown on the plan.</p>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		Site Plan shows location of trash room within building.
48	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<p>The entire tract on one sheet at the same scale as the Tax Map sheet it appears on.</p>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		

Item Number	Gen. Dev. Plan	Subdivision			Site Plan			Variance 40:55D-70	Item Description	Quantities	Applicant Status		Township Status		Comments
		Minor	Preliminary	Final	Minor	Preliminary	Final				Complies	Waiver	Complies	Waiver	
49	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	(d)	Existing and proposed rights-of-way and easements within and adjoining the tract, with dimensions and existing improvements accurately shown		N/A				
50	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	(c)	Current topographic survey with contours at 2-foot intervals within the tract and within 50 feet of the tract.		✓				
51	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	(a) & (b)	Grading plan showing all grading on site and off site based upon 2-foot contour topographic survey; provide typical cross sections where necessary.		✓				
52	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		Stormwater management plan - showing how stormwater will be controlled and in what manner it will be released; including pre- and post-development drainage area map, drainage calculations and water quality control methods		✓				No changes are being made to the previously approved stormwater management plan.
53	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		Circulation plan showing proposed vehicular and pedestrian circulation systems, showing how the proposed ties into the existing system, including: a. Location of off-street parking and loading spaces with dimensions b. Width of traffic aisles c. Direction of traffic flow d. Profiles, and cross sections of all streets, common driveways or private roads e. Vision clearance triangles at street intersections and where driveways and curb cuts intersect with streets f. Specifications and construction details sheet of existing and proposed paving and curbing g. Dimensions, location and treatment of proposed entrances and gates to public rights of way h. Identify use of traffic control devices, signs and traffic signals, channelization and all other traffic alterations		N/A				

Item Number	Subdivision			Site Plan			Variance		Item Description	Quantities	Applicant Status		Township Status		Comments
	Minor	Preliminary	Final	Minor	Preliminary	Final	(a) & (b)	(c)			Complies	Waiver	Complies	Waiver	
54		<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>			Parking Calculations: a. Number of required parking spaces b. Number of proposed parking spaces c. Location of the parking area d. Dimensions from parking spaces to the property lines, street and structures		✓				
55		<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>			Lighting plan clearly delineating all exterior lighting, including a. Proposed isolux patterns b. Mounting height, c. Pole type d. Manufacturer's identification e. Construction details		✓				
56		<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>			Sign plans showing all exterior signage, both identification and traffic control. The size and type of signs and height shall be delineated.		✓				
57		<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>			Soil erosion and sediment control plan designed in accord with the Hudson-Essex-Passaic Soil Conservation District, including two (2) copies of the application(s) made thereto	2	N/A				No soil will be disturbed.
58		<input type="radio"/>	<input type="radio"/>			<input type="radio"/>			Residential cluster details including amount (SF and acres) and location of common open space to be provided, location and description of the organization to be established for the ownership and maintenance of any common space.		N/A				
59			<input type="radio"/>			<input type="radio"/>			A certification from the applicant's engineer stating that the final plat conforms to the preliminary plat as submitted and approved.		✓				
60			<input type="radio"/>			<input type="radio"/>			Soil Permeability Logs , a minimum of two (2), with the permeability test results for each proposed lot or use if on-site sewerage disposal system proposed.		N/A				

Application Incomplete pending the Board's determination regarding the following written waiver requests:

By: _____

Date: _____

Application Incomplete with the following information to be submitted or written waiver requests provided:

By: _____

Date: _____

TOWNSHIP OF SOUTH ORANGE VILLAGE
COUNTY OF ESSEX
STATE OF NEW JERSEY

Application No. _____
DATE: _____

AFFIDAVIT AS TO OWNERSHIP OF PROPERTY.

I, Yayine Abeba Melaku, President of The Y Group LLC, of full age, being duly sworn, upon my oath depose and say:

Y Group is

1. I am the owner of Lot(s) 2 in Block(s) 1905 on the tax assessment map of the Township of South Orange Village, the property affected by my application herein.

2. I authorize Ryan Benson as my agent or as my attorney, to appear on my behalf in connection with my application filed herein.

[Signature]
(Signature)

Subscribed and sworn
before me this 19th day
of March, 2021

[Signature]
Notary



CORPORATE OWNERSHIP

If the applicant is a corporation or partnership, the names and addresses of all parties owning 10% or more of the property are as follows:

NAME: ADDRESS:

See certificate of ownership.

TOWNSHIP OF SOUTH ORANGE VILLAGE
County of Essex
State of New Jersey

Application No. _____
Date: _____

ESCROW AGREEMENT


Complete the Following Information

Applicant Name The Y Group LLC

Application Number _____

Block 1905 Lot(s) 2

I understand that the sum of \$ 2,115 has been deposited in an escrow account. In accordance with the Ordinances of the Township of South Orange Village, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board under the provisions of N.J.S.A. 40:55D-1 et seq. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.



Signature

Yayine Abeba Melaku

Print Name

President, The Y Group LLC

Title

NOTICE TO PROPERTY OWNERS

TO: Owner of Property Within 200 Feet of
Block 1905, Lot 2 (14 Second Street), South Orange, NJ

PLEASE TAKE NOTICE:

That the undersigned has filed an appeal or Application for development with the

☐ Zoning Board of Adjustment
☒ Planning Board

of the Township of South Orange Village.

The Application proposes to (erect, alter or construct) alter the design of the building facade at 14 Second Street, Block 1905, Lot 2, South Orange, NJ (the "Property"), which Property previously received Site Plan Approval in 2018. Because changes are proposed to the facade's materials, signage, lighting, and architectural flourishes, and a retaining wall is proposed, the Applicant seeks Amended Preliminary and Final Major Site Plan Approval. Applicant will also seek any variances, exceptions, waivers, and/or modifications that the Planning Board may deem necessary and/or appropriate in connection with this application. The Application requires a variance from the requirements of the Land Development Ordinance so as to permit (include Section Number):

N/A

The premises which is subject to this Application is known as: (Street Address)
14 Second Street

And designated as Lot 2 Block 1905 on the Township of South Orange Village Tax Map, and this notice is being sent to you as an owner in the immediate vicinity.

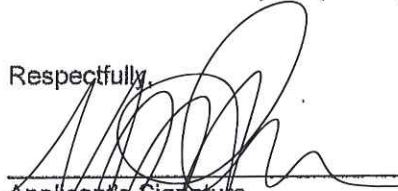
A Public Hearing has been set down for _____, 2021, at _____ p.m. in the Main Stage Room of the South Orange Performing Arts Center (SOPAC), 1 SOPAC Way, South Orange, N.J.

You may appear at that time and place to speak either for or against the Application.

All Plans and supporting documents are on file in the office of the Board Secretary and are available for inspection Monday – Friday, 9:00 a.m. – 4:00 p.m.

This Notice is sent to you by the Applicant by order of the Board.

Respectfully,


Applicant's Signature

By: Yvonne Abeba/Melaku, President
The Y Group LLC

NOTICE TO BE PUBLISHED IN THE
SOUTH ORANGE MAPLEWOOD NEWS RECORD

TAKE NOTICE THAT on the ____ day of _____, 20__ at 7:30 p.m. in the Main Stage Room of the South Orange performing Arts Center (SOPAC), located at 1 SOPAC Way, South Orange, New Jersey, a hearing will be held before the Planning Board of the Township of South Orange Village on the appeal or application of the undersigned for a SITE PLAN or SUBDIVISION (circle one)

Applicant proposes to alter the design of the building facade at 14 Second Street, Block 1905, Lot 2, South Orange, NJ (the "Property"), which Property previously received Site Plan Approval in 2018. Because changes are proposed to the facade's materials, signage, lighting, and architectural flourishes and a retaining wall is proposed, the Applicant seeks Amended Preliminary and Final Major Site Plan Approval. Applicant will also seek any variances, exceptions, waivers, and/or modifications that the Planning Board may deem necessary and/or appropriate in connection with this application.

on premises located at 14 Second Street
and designated as Block 1905, Lot 2 on the Tax Map of the Township of South Orange Village, located in the B-1 Zone.

The application and supporting documents are on file in the office of the Planning Board and are available for inspection during business hours between 9:00 a.m. and 4:00 p.m. Monday through Friday.

Any interested party may appear at said hearing and participate therein in accordance with the rules of the Planning Board.

The Y Group LLC

Name of Applicant

Publication Date: _____

RESOLUTION
Township of South Orange Village
Planning Board
In the Matter of The Y Group, LLC
Application #259
Decided on April 2, 2018
Memorialized on May 7, 2018
Bulk Variances and Preliminary and Final Site Plan Approval

WHEREAS, The Y Group, Inc. (hereinafter the "Applicant") has made an application to the Township of South Orange Village Planning Board for bulk variances and preliminary and final site plan approval to construct a four-story mixed-use building consisting of retail space and parking on the ground floor and eight residential units on the upper floors, on property located at 14 Second Street, Block 1905, Lot 2 in the B-1 Business Zone; and

WHEREAS, a public hearing was conducted on June 6, 2017, resulting in a finding of completeness of the application, followed by public hearings on the application held on September 7, 2017, October 2, 2017, November 29, 2017, and April 2, 2018; and

WHEREAS, the application was also reviewed by the Village Design Review Board and by the Historic Preservation Commission; and

WHEREAS, the Applicant was represented by Allyson Kasetta, Es. and then by Ryan Benson, Esq.; and

WHEREAS, the Applicant provided testimony by Gerard Gesario, a professional engineer; Frederick Kincaid, a professional architect, and Keenan Hughes, a professional planner, all of whom were accepted as expert witnesses by the Board in their respective fields; and

WHEREAS, the Applicant presented and introduced the following exhibits, in addition to all documents presented to the Board in the form of the application package:

- A-1. Aerial location exhibit, 9/7/17;
- A-2. Colorized site plan, 9/7/17;
- A-3. Color rendering front elevation, 10/2/17;
- A-4. Color materials board, 10/2/17;
- A-5. Site photos, 10/2/17;
- A-6. Revised garage floor plan;
- A-7. Memo of design changes, prepared by F. Kincaid;
- A-8. Colorized revised site plan, 11/29/17;
- A-9. Turning movement plan, 11/29/17; and

WHEREAS, the Board reviewed and considered the application and documents submitted therewith, and subsequent submissions by the Applicant, including the following:

1. Planning and Zoning Board Application Form dated May 15, 2017, signed by Menassie Taddese;
2. Land Development Application Checklist dated May 15, 2017;
3. Preliminary and Final Site Plan package, signed and sealed by Gerard Gesario, P.E., dated April 10, 2017 and revised August 23, 2017, September 20, 2017; and November 17, 2017;
4. Architectural Drawings, signed and sealed by Matthew Jarmel, MBA, AIA, dated August 16, 2017;
5. Revised Concept Plans, signed and sealed by Matthew Jarmel, MBA, AIA, dated August 24, 2017; and November 17, 2017;
6. Revised Concept Plans, signed and sealed by Frederick Kinkaid, AIA, dated November 17, 2017;
7. Rendering entitled "Perspective View 1," undated and unsigned, prepared by Jarmel Kizel;
8. Survey signed and sealed by James M. Helb, P.E., P.L.S., P.P., dated September 30, 2016;
9. Stormwater Drainage Calculations signed by Gerard Gesario, P.E. dated March 30, 2017, revised November 16, 2017;
10. Response Letters from Jarmel Kizel dated November 17, 2017 and March 21, 2018; and

WHEREAS, the Board also considered the input of its professionals, both at the hearings and in written reports including the following:

1. Memoranda prepared by Phillip Abramson, P.P. and Chris Kok, P.P. of Topology dated May, 26, 2017, August 11, 2017, August 31, 2017, September 29, 2017, November 28, 2017, and April 2, 2018; and
2. Memoranda prepared by Eric L. Keller, P.E., P.P. of Bowman Consulting dated August 31, 2017, September 29, 2017, and November 26, 2017.

NOW THEREFORE, the Planning Board makes the following findings of fact, based upon the evidence presented at its public hearings, at which a record was made.

1. The Applicant proposes to construct a mixed-use building in the B-1 Business Zone, where mixed-use structures are permitted uses. The structure would include ground floor retail space totaling 706 square feet and residential units on the second, third and fourth floors including four two-bedroom units and four three-bedroom units. Four two-bedroom units would be located on the second floor and have areas of approximately 1069 to 1429 square feet each. The third and fourth floors include the four three-bedroom units which are two-level units. Parking will be provided in a ground floor garage that will include twelve parking spaces, including one ADA-accessible space.
2. The property in question is currently a vacant lot with a garage in the rear. The home that was formerly on the site was demolished. The garage that is still standing will be demolished as a part of this project.

3. The proposed structure will have a footprint of approximately 7300 square feet. The garage will be accessed by a driveway off of Second Street that is twenty-four feet wide at the entrance but narrows inside the garage. The garage door will be a solid overhead door with transparency, thereby reducing light and glare from the garage. There will be a manual backup for the garage door opener, which will be activated by remote and keypad access.
4. The aisle width in the garage will be 22 feet except a small area where it will be 19 feet wide. All regular parking spaces will be 9 feet wide. The ADA-complaint space will be 8 feet wide with an 8-foot striped aisle adjacent to it, which satisfies the applicable code. The Applicant presented turning templates that showed that all movements can be accomplished successfully without "K" turns. Even with a roll-up door attached to the garage ceiling, there will be sufficient clearance for an ADA-compatible van to drive in and out of the garage and park.
5. The garage door is set back 25 feet off of the curb to allow a car to pull off the street while waiting for the garage door to open.
6. The pavement pattern in the sidewalk between the garage door and the curb will be altered by providing for brick pavers, a stop bar, a sign and a flashing light so as to provide safe access to and from the garage and to provide for pedestrian safety.
7. Each of the eight residential units will be assigned one space in the garage. The four additional spaces in the garage will be leased to tenants. Parking spaces in the garage will be limited to use by the residential tenants. A bike rack will be provided for at least eight bicycles.
8. Traffic volumes on Second Street in the morning and afternoon peak periods are relatively low and the traffic generated by the proposed small retail use and eight apartments will not significantly contribute to any traffic delay or loss in Levels of Service in the immediate vicinity.
9. Approximately 90% of the site will be occupied by the building. There is some limited landscaping provided by the Applicant, consisting of a new street tree in the front and a low-maintenance ground cover around the rest of the building. Three to four trees will need to be removed in the rear although those trees appear to be in poor condition.
10. With respect to storm water, the project will increase impervious coverage and therefore the Applicant proposes a small detention structure below ground, under the garage, to be connected to drainage structures in the street. All roof drains will be routed through the building internally and connect to the detention system below the parking area.
11. A loading zone is not required on-site for a project of this size. Delivery vehicles will park on the street. Deliveries from large trucks are not expected for either the residents or the small retail use.

12. The enclosure used to store trash and recycling for collection will not be visible from the street. The garage door will need to be opened for the trash to be collected by the hauler.
13. The entrance to the building, other than the retail entrance, will be secured such that visitors will need to use a telecom system and be buzzed in. There will be a walkway on the east side for emergency access to the street. A gate will be provided at the entrance to that walkway because it is intended for egress only. Utility meters will be located in the parking area, screened from public view.
14. Building-mounted lighting will be installed only on the east side of the building, not on the west side. All fixtures will be installed at a height of 10 feet to provide proper illumination without off-site spillage, while also being located below the first floor windows on the house to the east. Lighting will be provided on the east side walkway only enough for safe emergency egress. All lighting will comply with the applicable ordinance provisions.
15. The building facade will consist of veneer brick, Hardie plank, black shingle roofing, and storefront paneling with cast water stone base. The stair tower facade will consist primarily of Hardie plank. The facades include large windows. Grill work around the parking area will enclose it. Balconies are provided along the south or rear facade which protrude to some extent. Juliet balconies are provided along the north or front facade. A whole brick facade is provided on the retail portion of the structure. The Hardie plank siding will be deep blue. The building will have a mansard roof and the structure includes a tower element. It is that tower element that triggers the need for the height variance because the structure, at four stories, complies with the Ordinance but, with the tower element, a height of 51.8 feet is proposed, in excess of the 48 feet maximum permitted by the Ordinance. The mansard roof will hide the rooftop mechanicals. The shingles on the roof will be dark black and made of asphalt.
16. The Applicant has addressed its affordable housing obligation by designating one of the two-bedroom units as an affordable unit, specifically, the approximately 1069 square foot unit in the location shown on the final plans. The Applicant has taken this action consistent with the approval of the Village Trustees pursuant to Resolution No. 2018-041.
17. To address an issue raised by the Board, the Applicant moved the rear balconies out of the rear yard setback while retaining a column-supported canopy over the two parking spaces at the rear of the property. The Applicant still requires a rear yard setback for the canopy, but granting that relief would protect two parking spaces from the elements and improve drainage site-wide. The retaining wall in the rear is eleven feet from the property line. The building wall and the balconies are not located in the setback. A six-foot fence will be installed in the rear around the parking spaces. It will be an aluminum fence with pickets and it will be opaque, preventing headlights from the parked cars from spilling over onto adjacent property.
18. To address another issue that concerned the Board, the Applicant agreed that on the east side of the property, all windows will be located in an alcove such that none of those windows will be within ten feet of the property line. To avoid the appearance of a blank

wall on the east side, the Applicant will wrap around the front facade materials and carry them sixteen to eighteen feet along the east side. The building setback on that side will be five feet, parallel to the property line.

NOW THEREFORE, the Planning Board makes the following conclusions of law, based upon the foregoing findings of fact. Based upon the application, plans, reports and testimony placed before the Board, the Board finds that the Applicant has met the requirements of the Municipal Land Use Law, case law and Village ordinances so as to grant the relief requested.

1. The Municipal Land Use Law, at N.J.S.A. 40:55D-70(c) provides Boards with the power to grant variances from bulk and other Ordinance requirements when the Applicant satisfies certain specific proofs which are enunciated in the Statute.
2. Under the (c)(1) criteria, the applicant must demonstrate that by reason of exceptional dimensions or topographic conditions or other extraordinary and exceptional situation uniquely affecting the subject property, the strict application of the Ordinance would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the Applicant.
3. Under the (c)(2) criteria, the Applicant must demonstrate that in a particular instance relating to a specific piece of property, the purposes of the Act would be advanced by allowing a deviation from the Zoning Ordinance requirements and that the benefits of any deviation will substantially outweigh any detriment.
4. These tests specifically enumerated above constitute the affirmative proofs necessary in order to obtain "bulk" or (c) variance relief.
5. Also, an applicant for these variances must show that the proposed relief sought will not cause a substantial detriment to the public good and, further, will not substantially impair the intent and purpose of the zone plan and zoning ordinance. The burden of proof is upon the applicant to establish that these criteria have been met.
6. The property in question is in a transitional area between the Village downtown and the new transit-oriented development to the south. The property is located 150 feet from the train station entrance, an ideal location for transit-oriented development. The property is on the edge of the B-1 zone. The Wells Fargo Bank and properties to the south are in the CBD Redevelopment area. The project conforms with the density requirements and is a permitted use.
7. This application requires the following variances and waivers:
 - a) Minimum side yard setback: 10 feet required when doors or windows are present on the side wall, whereas Applicant proposes a setback of 0.25 feet at the narrowest point, where the covered walkway exists;
 - b) Minimum rear yard variance, in that the Ordinance provides for a minimum of 10 feet whereas the Applicant proposes a setback of 3.5 feet to the canopy over the parking;
 - c) Maximum building height, in that the Ordinance provides for a maximum of four stories and 48 feet whereas the Applicant proposes four stories and 51.8 feet;
 - d) Parking, in that the Ordinance requires 18 spaces whereas the Applicant proposes 12 spaces.
 - e) Design waiver to permit use of PVC pipe for sanitary sewer instead of iron.

8. With respect to the side yard setback variance, although the proposed setback is 0.25 feet at the narrowest point, for the covered walkway, most of the building is set back further. The plan calls for a five-foot continuous wall parallel to the property line. The variance is triggered in part by the shape of the lot. Furthermore, the Applicant has demonstrated that it is not possible to provide ten feet of side yard setback on both sides and the back and provide adequate parking for a quality building with the amenities proposed here. The ten-foot setbacks are required because the Applicant wants to provide windows in this residential building. The Applicant has made a concerted effort to address both the need for windows and the need for an adequate setback by locating the windows in an alcove on the east side so that windows can be provided to the residents without having the windows at close proximity to the residential building to the east. The Board finds that the current proposal is a reasonable attempt to mitigate the impact of the building being located closer than ten feet to the property line. The proposal provides sufficient width for access for fire suppression. It is not unusual in downtown areas to have access for fire personnel only in the front and rear. In this instance, at least three sides of the building and perhaps four sides will be accessible in the event of emergencies. Therefore, the side yard setback variance satisfies the criteria of both (c)(2) and (c)(1) in that the benefits of this transit-oriented development in close proximity to the train station outweigh any potential negative impacts, particularly as mitigated by the Applicant; and the need for the variance is triggered in part by the shape of the lot.
9. With respect to the rear yard variance, the Board finds that enclosing the parking is a better alternative than providing no roof, which would avoid a rear yard setback variance, but having no cover over the parking area. The Board finds there will be no impact to properties to the rear, which consist of only parking and drive-through lanes for the banks. The Board finds there will still be adequate light and air even with the canopy intruding into the setback.
10. With respect to the height variance, the Board notes that the building complies with respect to the requirement for stories. The variance is required by the tower element. The Board finds that this is a minimal deviation and will provide a more attractive building.
11. With respect to parking, the Ordinance requires two spaces per unit, more than the number of spaces needed in this transit-oriented location. The Board notes that two recent redevelopment plans adopted by the Village provide significantly less stringent parking requirements. At the Third and Valley project, 1.2 spaces per unit were required and at Fourth and Valley, one space per unit was required. The Board takes note of the fact that overnight residential parking (for tenants) can be provided in nearby lots including the firehouse lot directly across the street and at the Third Street garage. Daytime parking permits are also available in the Third Street garage. Visitors can use metered spaces in the firehouse lot and the Third Street lot. Two-hour on-street parking may be available on Second Street. Overnight parking can be accomplished through permits from the Parking Authority for parking in the firehouse lot.
12. Therefore, based upon these findings of fact and conclusions of law, the Board finds that the application satisfies the statutory criteria for the variances requested.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Township of South Orange Village that the application of the Y Group LLC for property located at 14 Second Street, in the B-1 Business Zone, is determined as follows:

1. Height variance is approved pursuant to N.J.S.A. 40:55D-70(c);
2. Rear yard setback variance is approved pursuant to N.J.S.A. 40:55D-70(c);
3. Side yard setback variance is approved pursuant to N.J.S.A. 40:55D-70(c);
4. Parking variance is approved pursuant to N.J.S.A. 40:55D-70(c);
5. Preliminary and final site plan approval is granted pursuant to N.J.S.A. 40:55D-46 and 50.

IT IS FURTHER RESOLVED that the above approval is subject to the following terms and conditions:

1. The development of this parcel shall be implemented in accordance with the plans submitted and approved.
2. The Applicant shall comply with all requirements set forth in the reports of Topology (the most recent report being dated April 2, 2018) and Bowman Consulting (the most recent report being dated November 26, 2017).
3. Lease agreements with the retail tenant will include a requirement that the retail tenant purchase parking permits for employees;
4. Lease agreements with residential tenants will provide that barbeques will not be allowed on balconies;
5. Residential lease agreements will provide that tenants will ensure that visitors park in legal spaces;
6. Bicycle racks for a minimum of eight bicycles will be provided;
7. A visual strobe warning system will be included along with the other precautions included in the plans with respect to the entrance and exit from the driveway for the garage;
8. The Applicant will provide a fence detail showing that the fence in the rear of the property will be opaque to avoid light from cars parking in the rear affecting adjacent properties;
9. The Applicant will provide a form of deed restriction to the Board Counsel with respect to the affordable unit for a term of a minimum of thirty years, to be recorded prior to issuance of a temporary certificate of occupancy;
10. The Applicant will work with the Board Engineer to identify and install the appropriate low-maintenance ground cover;
11. The Applicant will retain an administrative agent to address its affordable housing compliance with respect to the one designated affordable unit;
12. The Applicant will pay all fees, costs and escrows due or to become due within twenty days of request by the Board Secretary;
13. The Applicant will obtain all approvals required by all other governmental agencies having jurisdiction.

IN WITNESS WHEREOF, the Board has caused this Resolution to be executed by its Secretary on the 7th day of May, 2018.


Ojetta Davis, Secretary

Vote on Action Taken by the Board

BOARD MEMBER	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
BUSCH-VOGEL	X		X			
COLTON-MAX (Ch.)						
FREEMAN						
HARRIS						
KRAIKER						
LERMAN (V.Ch)			X			
LOEHNER		X	X			
MILLER			X			
RICHARDSON (2 nd Alt.)						
ROSNER			X			
SLEVIN (1 ST Alt.)						

Vote on Memorializing Board

BOARD MEMBER	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
BUSCH-VOGEL	X		X			
COLTON-MAX (Ch.)						
FREEMAN						
HARRIS						
KRAIKER						
LERMAN (V.Ch)			X			
LOEHNER			X			
MILLER				X		
RICHARDSON (2 nd Alt.)						
ROSNER		X	X			
SLEVIN (1 st Alt.)						