

**Resolution**  
**Township of South Orange Village**  
**Planning Board**  
**In the Matter of Orange Lawn Tennis Club**  
**Application #264**  
**Decided on May 31, 2018**  
**Memorialized on June 4, 2018**  
**Minor Site Plan Approval**

**WHEREAS**, Orange Lawn Tennis Club (hereinafter the “Applicant”) has made an application for minor site plan approval to install two temporary tennis court enclosure structures on property located at 305 Ridgewood Road North, also known as Block 1304 Lots 6 and 6.01 in the Private Recreation Facilities District of the Orange Lawn Redevelopment Area; and

**WHEREAS**, a public hearing was conducted on May 7, 2018, resulting in a finding of completeness of the application, followed by a public hearing on the application held on May 31, 2018; and

**WHEREAS**, the Applicant was represented by Emily J. Weiner, Esq.; and

**WHEREAS**, the Applicant provided testimony by Stephen Santola, representative of the Applicant, Michael Lanzafama, a professional engineer whose expertise was recognized by the Board, and Jan Ligas, Jr., President of Arizon Structures, the manufacturer of the proposed enclosure structures; and

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

1. A-1 Colorized site plan, sheet A-5;
2. A-2 Photo rendering from the West side of the site looking toward the proposed structures;
3. A-3 Photo rendering of the site from the South through the existing tennis courts;
4. A-4 Photo rendering from the North looking toward the proposed structures; and
5. A-5 Lighting Plan Tennis Club dated December 14, 2016

**WHEREAS**, the Board reviewed and considered the application and documents submitted therewith; and

**WHEREAS** the Board also considered the input of its professionals at the hearings and in written reports, including the report of Philip Abramson, professional planner, and Chris Kok, professional planner, of Topology, the Board’s planning consultants dated May 29, 2018.

**NOW THEREFORE**, the 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 seeks minor site plan approval to install two temporary tennis court enclosure structures, covering four courts at the Orange Lawn Tennis Club. The use is permitted under the Orange Lawn Redevelopment Plan in the Private Recreation Facilities District in which this property is located. The property is surrounded by single family homes in the A-100 zone.
2. The structures meet all applicable bulk requirements and conditions related to the project in this District. The structures and mechanical equipment are located at least 50 feet from the property line, complying with the setback requirement. The combined area of the two domes is less than 30,000 ft.<sup>2</sup> and the height of the structures is less than 40 feet, also in compliance with the applicable zoning requirements.
3. The two structures are for seasonal use, from October 15th of each year to April 15th of the next spring. The structures are dismantled at the end of the season, except for the mechanicals, which are screened. The structures, once dismantled, can be stored on-site in a small area or can be removed from the site, at the discretion of the Club. The structures are opaque. No natural light transmits from them except from a skylight in the roof. The set up and tear down takes less than two days.
4. Arizon Structures, the manufacturer of the structures, has completed installations of this type in many locations, including several in New Jersey. Jan Ligas, the President of the Company, was not aware of any history of noise violations at any other sites. The noise studies conducted to address potential noise impact from this project were conservative, in that they assumed that the noise-generating mechanical equipment here was not below grade and that it was not screened by a wall or fence. Even under those circumstances, without any attenuation from grade differential or a wall or fence, noise levels were within acceptable limits at the closest receptor point on Wyoming Avenue.
5. In fact, noise levels will be attenuated by the grade change from the rear to the location of the proposed structures and by the Applicant installing a masonry wall topped by a solid fence, which will also provide visual screening.
6. The structures are made of durable, fire-rated fabric warranted to last more than 20 years.
7. Areas of the property in proximity to residences to the rear will be landscaped pursuant to a landscaping plan approved by this Board in connection with a prior proposal to construct townhouses on the site. At the hearing, nearby residents requested that the implementation of the landscaping plan be delayed for some period of time and that the decision whether it would be installed would be made by agreement between the Applicant and the residents. The Board did not accept that proposal because it concluded that the Board could not make such a contingent or indefinite decision. Therefore, the above-referenced landscaping plan will be implemented in connection with this project. However, the Board encourages ongoing

dialogue between the residents and the Applicant and encourages efforts by the Applicant to address these and other concerns of neighbors.

8. The Applicant will provide lighting by way of bollards with LED lighting, depicted on Exhibit A-5, on the walkway to the #2 dome to and from the parking lot. That lighting will provide a minimum of 0.3 foot-candles along that walkway.
9. Traffic circulation will not be changed. The 53 existing, paved, striped space parking spaces will not be changed.
10. The clay courts to be covered are semi-pervious. Therefore, the Applicant is proposing additional drainage improvements including a gravel trench with a perforated pipe with a tie-in to the existing system on the property.
11. The Applicant agreed that the new structures would be open from October 15th of any year to April 15th of the following year. The facility's hours of operation will be 7 AM to 10 PM. The interior lights will be on activated only when there is active use in the structures. Tennis will be the only activity permitted in the structures.
12. The public was afforded an opportunity to question witnesses and provide testimony in regard to the application, and Ann Wessel Dwyer, Patrick Dwyer, Alyssa Aronson and Steve Tillim questioned witnesses and/or offered testimony.

**NOW THEREFORE**, the 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 Planning Board shall grant site plan approval if the submissions by the Applicant conform to the zoning standards established by the zoning ordinance and the site plan-related requirements of that Ordinance. N.J.S.A. 40:55D-46, 46.1 and 50.
2. The Board hereby finds, based upon the foregoing findings of fact, that the application is in conformance with the Ordinance and therefore the application satisfies the statutory criteria for the relief requested.

**NOW THEREFORE** be it resolved by the Planning Board of the Township of South Orange Village that the application of Orange Lawn Tennis Club for property located at 305 Ridgewood Road North in the Private Recreation Facilities District of the Orange Lawn Redevelopment Area is determined as follows:


1. Minor site plan approval is granted pursuant to N.J.S.A. 40:55D-46, 46.1, and 50.

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

1. The structures will be in place only from October 15<sup>th</sup> in any given year to the following April 15th.

2. The hours of operation will be 7 AM to 10 PM.
3. The interior lights in the structures will be activated only when the building is being actively used
4. Only tennis will be permitted inside the proposed structures.
5. The lighting plan will be revised to provide for Bollard LED lighting on the walkway from the parking lot to dome number two, with a maximum light level of 0.3 foot-candles.
6. There will be no charge for valet parking
7. The Applicant will continue to comply with all conditions of prior Resolutions for approvals on this property and as relevant to this project, including but not limited to Resolutions dated April 7, 2004, November 5, 2007, July 17, 2008, and January 5, 2017.

IN WITNESS WHEREOF, the Board has caused this Resolution to be executed by its Secretary on the 4th day of June, 2018.



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Ojetti Davis, Secretary

Vote on Action Taken by the Board

BOARD MEMBER	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
BUSCH-VOGEL						
COLTON-MAX (Ch.)	X		X			
HARRIS (1 <sup>ST</sup> Alt)			X			
LERMAN (V.Ch)						
LOEHNER			X			
MILLER						
ROSNER		X	X			
KRAIKER			X			
FREEMAN			X			

Vote on Memorializing Board:

BOARD MEMBER	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
BUSCH-VOGEL						
COLTON-MAX (Ch.)			X			
HARRIS (1 <sup>ST</sup> Alt)						
LERMAN (V.Ch)						
LOEHNER						
MILLER						
ROSNER	X		X			
KRAIKER						
FREEMAN		X	X			