

**Resolution  
Township of South Orange Village  
Planning Board  
In the Matter of Orange Lawn Tennis Club  
Application #264A  
Decided on June 3, 2019  
Memorialized on July 9, 2019  
Modification of Approval Condition**

**WHEREAS**, Orange Lawn Tennis Club (hereinafter the "Applicant") has made an application to amend a condition imposed by the Township of South Orange Village Planning Board ("the Board") in a Resolution adopted June 4, 2018, granting minor site plan approval to install two temporary tennis court enclosure structures, to extend the dates that the structures are permitted to be in place, at 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 June 3 2019; and

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

**WHEREAS**, the Applicant provided testimony by Stephen Wolsky, the Chief Operating Officer of the applicant; and

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

**WHEREAS** the Board also considered the input of its professional planner, Greer Patras, of Topology, in a report dated May 29, 2019.

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

1. By Resolution adopted June 4, 2018, the Board granted the applicant minor site plan approval to install two 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. Condition 1 in that Resolution provides that "the structures will be in place only from October 15<sup>th</sup> in any given year to the following April 15<sup>th</sup>." The applicant offered testimony that the length of time provided for in this condition is shorter than the season for other nearby indoor tennis clubs, providing a disadvantage to this facility in terms of attracting use by tennis clubs.
2. On April 22, 2019, the Board of Trustees of the Township of South Orange Village amended the Orange Lawn Redevelopment Plan to extend the period in which the enclosures can be in place, from September 15<sup>th</sup> of any given year to April 30<sup>th</sup> of the

following year, whereas previously the courts were permitted to be open from October 15<sup>th</sup> in any given year to April 15<sup>th</sup> in the following year.

3. There will be no need for additional equipment as a result of the extension of these periods of operation. All other aspects of the use will remain the same.
4. The applicant will continue to comply with all other conditions in the June 4, 2018 Resolution.

**NOW THEREFORE**, the Board makes the following conclusions of law, based upon the foregoing findings of fact. Based upon the application, and testimony placed before the Board, the Board finds that the prior condition of approval related to the period that the enclosure structures may remain in place can be extended, consistent with the recent amendment to the applicable redevelopment plan, without substantial detriment to the public good or substantial interference with the intent and purpose of the Zoning Ordinance or Redevelopment Plan. More specifically, the Redevelopment Plan has been amended to permit this extension of use and thus the relief requested by the Applicant is consistent with the Redevelopment Plan.

**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. Condition 1 of the decision memorialized by Resolution on June 4, 2018 is hereby modified to provide as follows: "the structures will be in place only from September 15<sup>th</sup> in any given year to the following April 30<sup>th</sup>."

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

1. The applicant will comply with all other conditions of approval set forth in the June 4, 2018 Resolution.

IN WITNESS WHEREOF, the Board has caused this Resolution to be executed by its Secretary on the 9 day of July, 2019.

  
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Ojetta Davis, Secretary

Vote on Action Taken by the Board:

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

Vote on Memorializing Board:

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