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60 Union Street, #1N, Newark NJ 07105

Completeness and Planning Report #1

Date: January 29, 2020
To: South Orange Planning Board
From: Greer Patras, AICP, PP, Board Planner
Applicant: JESPY House c/o Audrey Winkler
102 Prospect Street, South Orange, NJ 07079
Owners: Donaher & Messing
Attorney: Elaine Berkenwald of Lavin Associates, PC
184 Main Street, Chester, NJ 07930
Subject: **Application #272**
301 Academy Street (Block 2201, Lot 8)
Bulk Variance Application

The purpose of this report is to provide the Board with guidance as to the completeness of Application #272 submitted by JESPY House. The property currently consists of a single-family dwelling. The Applicant is under contract to purchase the property and proposes to convert the site into a JESPY Group Home, along with installing an elevator on the side of the dwelling, which requires "c" bulk variances.

The following items were reviewed:

- **Completed Planning Board & Zoning Board Application Form and Submission Checklist**, filed January 17, 2020.
- **Proposed Site Plan**, consisting of (1) one sheet, signed and sealed by Michael J. Roth of Roth Engineering, dated January 14, 2020.
- **Proposed Floor Plans and Elevations**, consisting of (7) seven sheets, signed and sealed by Nancy Dougherty of Studio 1200, LLC, dated January 17, 2020.

I. SITE DESCRIPTION

- A. **Neighborhood Context:** The property is located at 301 Academy Street. The properties on Academy Street within a 200' radius of the site is used for residential purposes. The site is also in close proximity to Our Lady of Sorrows School and Valley Street/County Route 638, which contains a mix of commercial and residential uses.
- B. **The Site:** The property is a 0.149-acre (6,508 SF) corner lot with frontages on Academy Street to the south and Fifth Street to the east. The lot contains a 3-story single-family dwelling. The lot slopes down towards the rear/north property line, so that the basement is a "walk-out" at the rear. The easterly side of the lot is occupied by a paved driveway from Fifth Street with access to the basement entrance, the porch, and rear yard wood deck.

C. **Zoning: RB:** Residential Two-Family

D. **District:** This property lies within the Prospect Street Historic District but is not a "key contributing building."

The site can be seen in the image below, aerial courtesy of Google Earth



II. PROPOSAL

The Applicant proposes to convert the property into a JESPY House, which will provide supportive residences to 6 (six) adults with disabilities.

- A. Applicant proposes a 7.83' by 9.42' elevator on the easterly side of the house facing Fifth Street, which will be accessed from inside the dwelling. To install the elevator, the porch stairs and sidewalk on the side of the house leading to the front porch will be removed, and the porch will be extended to meet the exterior elevator wall.
- B. The interior will be reconfigured to accommodate 6 (six) total bedrooms and 3.5 bathrooms. The second floor will be expanded by approximately 154 SF, for the 74 SF elevator and 80 SF addition at the rear, and contain 4 (four) bedrooms and 1 (one) bathroom. The third floor will be expanded by approximately 74 SF for the elevator addition, and contain 2 (two) bedrooms and 1 (one) bathroom.
- C. Additionally, parts of the driveway and curbing will be reconfigured for the elevator, ramp, and railing, and changes to draining are proposed.

III. COMPLETENESS DISCUSSION

- A. The Applicant has requested, and we recommend, the following waivers be granted:
 - **#10** – Letter(s) signed by a responsible officer of the water company, sewer authority, or other utility company
 - No changes to existing utility connections and a utility list is provided on plans and application.

- **#11** – County Application Form
 - Project is not located on a county road /not impacting county drainage facility.
 - **#13** – Hudson-Essex-Passaic Soil Conservation District Application
 - Project does not require SESC approval.
 - **#14** – New Jersey State Approvals
 - Land use approvals from NJDEP are not required.
 - **#17** – Environmental Impact Assessment
 - Only minor site improvements are proposed.
 - **#36** – Existing Trees
 - No changes to existing on-site landscaping are proposed.
 - **#37** – Wells/Septic
 - Not required if none exist on site.
 - **#38** – Landscaping Plan
 - No changes to existing on-site landscaping are proposed.
 - **#39** – A Developer's Agreement
 - Not applicable.
 - **#46** – Architectural Plans and Elevations
 - Elevations were not provided for the south façade. If no changes are proposed to this side, we recommend the waiver.
 - **#56** – Sign Plans
 - No signage is proposed.
 - **#57** – Soil Erosion and Sediment Control Plan
 - Project does not require SESC approval.
- B. The Applicant has requested the following submission waivers; however, we recommend additional information be provided:
- **#12** – Completed Essex County Health Department Application
 - The Applicant should submit to County Health for review/approval or seek a "letter of no interest".
 - **#19** – Traffic and Parking Impact Assessment
 - While we do not recommend a full parking and traffic impact assessment, the Applicant should be prepared to address the on-site and off-site parking strategy relative to the variance sought.
 - **#31** – Historic Site or District
 - This property is within the Prospect Street Historic District, and therefore is subject to review by the Historic Preservation Commission. The site is not a "key contributing building," so it does not require a "Certificate of Appropriateness," but shall be submitted to the HPC for "non-binding advice".
 - **#32** – Boundary Information Survey
 - Topographic survey was provided. Boundary survey must be provided. If the Topographic serves as both, notes and seal should be updated.

C. Compliance with the bulk requirements of the zone are is as follows:

RB Zone Requirements	Required	Existing	Proposed
Minimum Lot Area	6,000 SF	6,508 SF	No Change
Minimum Width	60'	62.7'	No Change
Minimum Front Setback – Academy St.	25'	23.3	No Change
Minimum Front Setback – Fifth St.	25'	14.50' (E)	14.66' (V)
Minimum Side Yard Setback	4'	14.31'	No Change
Minimum Rear Yard Setback	16'	37.52'	No Change
Maximum Lot Coverage	40%	34%	34.7%
Maximum Building Height	35'	39' (E)	No Change
Maximum Stories	2.5 stories	3 stories (E)	No Change
Maximum Third Floor Area	50% of 2nd floor area	88.6% (E) *	89.4% (V) *
Minimum Parking	2/dwelling unit plus staff	2 spaces	2 spaces (V)

(E) Existing Non-Conforming (V) Variance Required
 * Discrepancies exist regarding the proposed area of the 2nd floor, as sheets V-2 and V-6 suggest that the area increases by 74 SF, but the Applicant proposes a 74 SF elevator addition and an 80 SF bedroom expansion.

V. PLANNING COMMENTS:

- A. The Applicant should provide an overview of the application, including testimony regarding all existing site improvements and proposed changes.
- B. The Applicant should discuss changes to the building architecture, the requested setback variance, and whether any alternate locations or configurations for the elevator were considered. All efforts to minimize any impacts of the variance should be discussed.
- C. The Applicant should confirm that the proposed addition and the colors and materials will be identical to the existing structure, to appear as a seamless part of the building. Any comments from HPC should be addressed.
- D. We note that a window on the third floor will be removed for the elevator. While fire safety will be reviewed under subsequent reviews for building permits, we recommend the Applicant review compliance of windows and egress so revisions to layout and architecture are not required after Planning Board Approval.
- E. Some lights are shown on the architecture elevations, but no information is shown on the engineering plans. We recommend details be provided to confirm that all fixtures will provide adequate lighting for the residents, will not emit off-site glare onto the roadway and adjacent properties, and will be dark-sky compliant. We recommend all lights operate on a motion-sensor to reduce impacts to adjacent properties.
- F. The Applicant should provide testimony regarding the proposed parking strategy. A minimum of 2 (two) parking spaces plus spaces for staff are required, but only 2 (two) on-site spaces are provided. The Applicant should discuss availability of nearby street


parking, which is permitted on sections of Fifth Street and Academy Street. Number of staff, use of vans, and parking for visitors should be discussed.

G. Any revised plans should contain the following revisions/clarifications:

1. On sheet V-6, a bathroom is labeled as a bedroom.
2. On sheet V-6, the hallway dimensions should be updated.
3. On sheets V-2 and V-6, the actual floor areas should be confirmed.
4. The bulk chart should be updated to include all existing and proposed conditions and variances granted.
5. Notes and title block should reflect "Planning Board" instead of "Board of Adjustment".
6. Colors and materials should be noted on the architecture plans.
7. Lighting information should be consistent between the engineering and architecture plans, and details provided.

If you have any questions regarding this application, please feel free to contact our office.

Sincerely,



Greer Patras, AICP, PP
Board Planner