



*Janice Talley, PP/AICP
Director
Department of Planning & Community Development
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MEMORANDUM

TO: Planning Board
FROM: Janice Talley, PP/AICP
DATE: February 7, 2023
RE: **App. 2833 – 509 Park Street (509 Park Street LLC) Block 2710, Lot 29**
APPLICATION STATUS: Incomplete

This application has been filed to the Planning Board for major subdivision approval to subdivide the subject property to create three lots containing single-family homes. This report reviews the following items submitted for this application:

- Application for Development dated December 29, 2022
- Nine-page plan set prepared by Petry Engineering dated 12/14/22.

Site Description

The subject property is located on the east side of Park Street between Buckingham Road and Overlook Road. The property is 1.54 acres in size and contains a 2-1/2 story single-family detached house with a two-car attached garage. A detached garage and swimming pool are located in the rear yard. A stone wall with a gate is located along the front property line.

The property is heavily landscaped with many mature trees. The property slopes down about 30 feet from the southwest corner to the northeast corner. The property is surrounded by single-family detached lots.

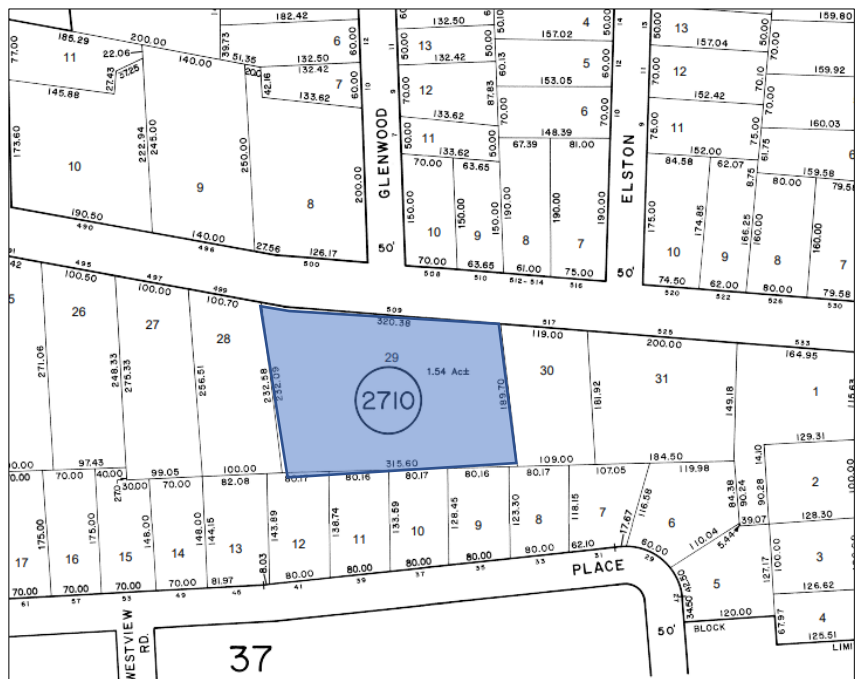


Figure 1: Tax Map of the subject property.

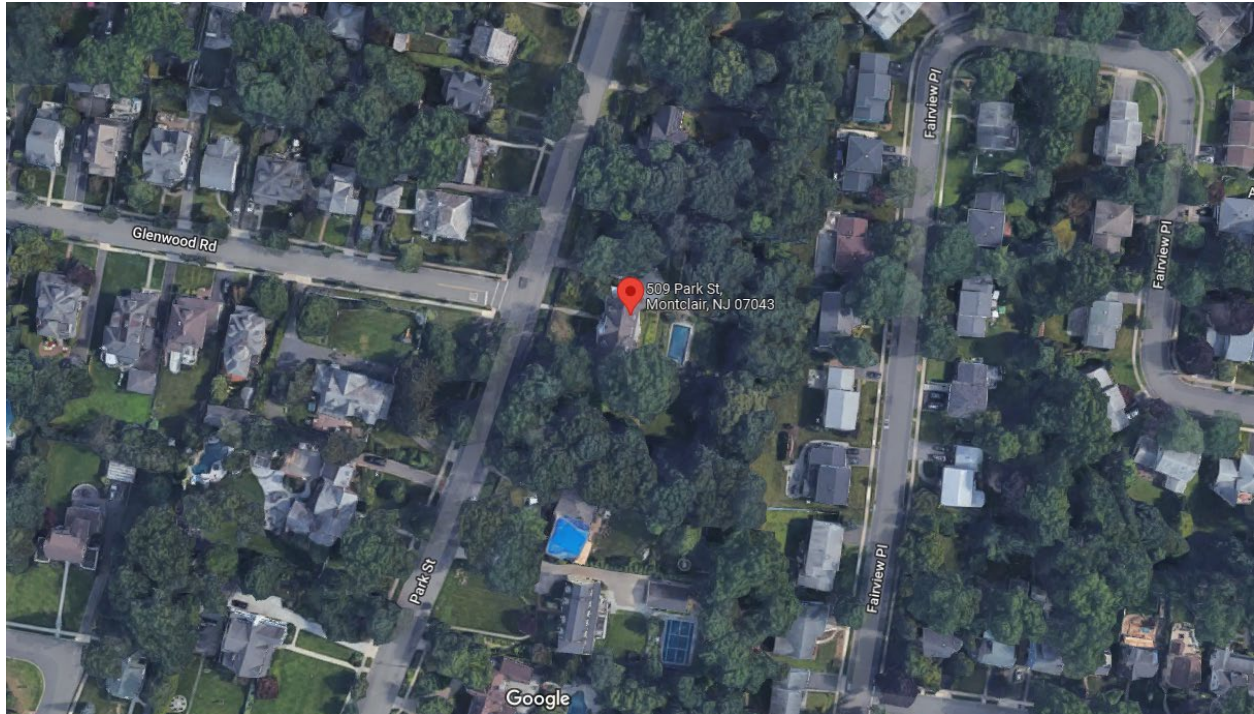


Figure 2: Aerial view of subject property. Source: Google maps.



Figure 3: A view of the house from Park Street. Google Streetview.

Project Description

The applicant proposes to create a total of three lots on the property, one of which will contain the existing house, all with frontage on Park Street. A conceptual grading and drainage plan has been submitted for the two lots where new houses are proposed. Architectural plans for the two new houses have also been provided.

Master Plan

The house was built in 1900 and is identified as a potential historic site in the Historic Preservation Plan element of the Master Plan. The historic site survey states that the home is sited centrally close to the street on a large 315' by 212' lot and includes an early stone wall across front of property with two stone piers at driveway entrance. The house has been heavily altered. Many of the alterations were carried out in 1941 and the architect was Alfonso Alvarez, Jr. From 1900 to 1940, the house was the residence of Julian Tinkham, a partner in the New York brokerage firm of DeCoppet-Doremus. In 1905 he purchased the Old Sigler farm on Grove Street and when he retired in 1913, he opened the Applegate Farm Dairy. Tinkham developed extensive gardens around his home and from 1924-26, he opened them to the public as a "Tea Garden." The residence has been owned by prominent Montclair residents including Paul Volcker, Chairman of the Federal Reserve Board in the early 1980's.

The application has been referred to the Historic Preservation Commission for comment. The subdivision proposes to demolish the detached garage which requires approval from the Historic Preservation Commission.

Zoning

The subject property is in the R-1(80) Single Family Residential Zone which has a minimum lot width requirement of 80 feet. The following variances are required:

- Variances from **Montclair Code §347-18E(1)** are required for proposed lots 29.01 and 29.02 which have a lot depth of 195.1 feet and 210.9 feet, respectively, which is less than the average lot depth of 215.46.
- A variance from **Montclair Code §347-C(4)** is required because the existing house on proposed lot 29.02 exceeds the maximum permitted width of a principal structure compared to the lot width. The maximum percentage is 65% and 67.9% is proposed.
- A variance from **Montclair Code §347-45B** is required because the existing house on lot 29.02 has a front yard setback of only 47 feet which is less than the required front yard setback of 52 feet. This is an existing condition.

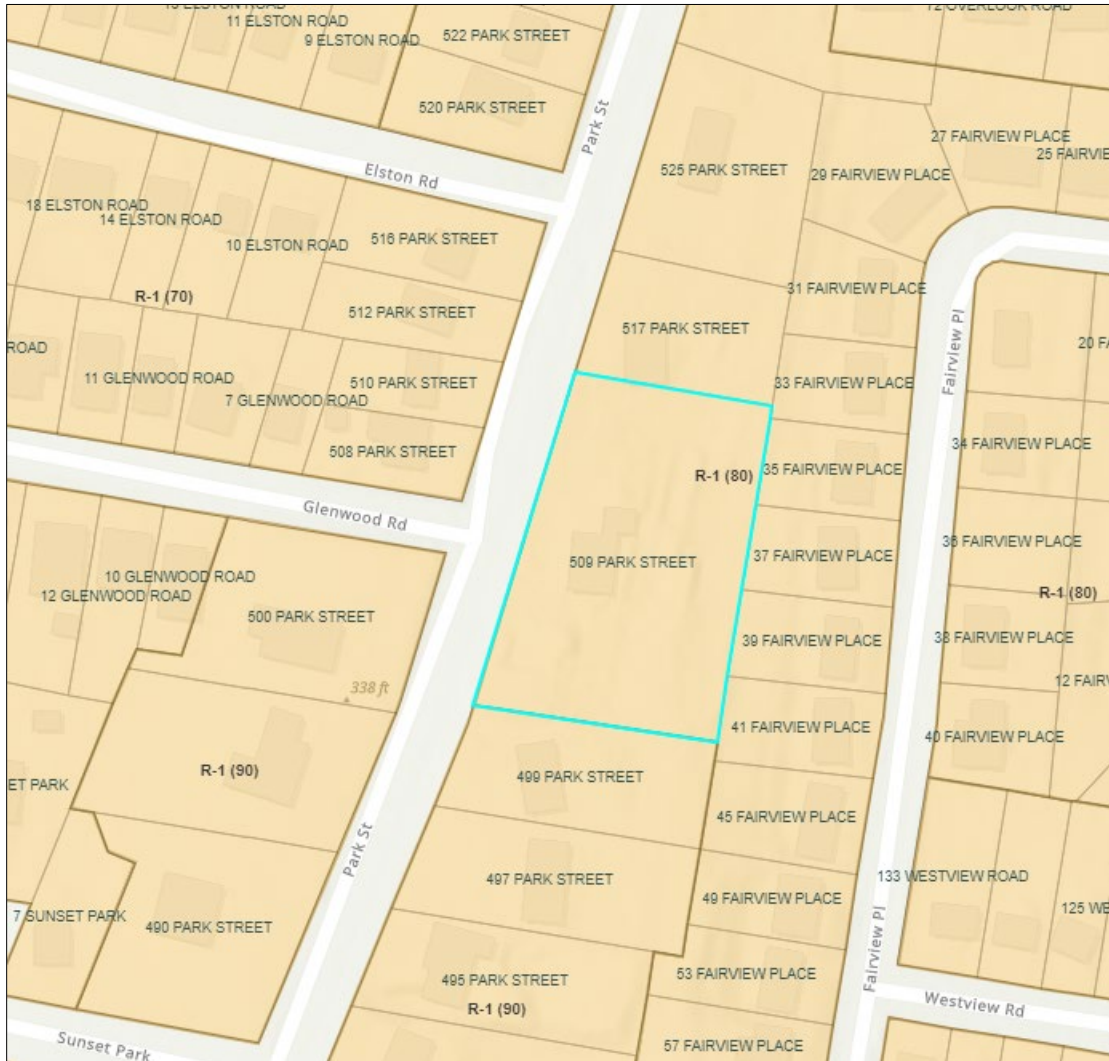


Figure 4: Zoning Map of the subject property

Planning Considerations

1. The application is incomplete the following information must be provided:
 - A. Pursuant to **Montclair Code §202-29.1G**, the application must include an ALTA/ACSM survey.
 - B. Pursuant to **Montclair Code §202-29.1H**, the application must include photos of the building and property.
 - C. Pursuant to **Montclair Code §202-29.2D(24)**, the application must show the name, quantity, location, size as to caliper and height of existing and proposed trees, shrubs, and all plant materials.
 - D. Pursuant to **Montclair Code §202-29.2E**, the following additional information must be provided since the application requires demolition of the detached garage:
 - a) Complete photographic record of all exterior elevations, interior spaces, and details of all existing structures and any adjacent properties pertinent to the history of the structure or surrounding neighborhood.
 - b) Statement of the need/purposes for the proposed total demolition.
 - c) In any instance where there is a claim of no other alternative to total demolition, the applicant shall provide written documentation of good faith attempts to sell the building at a reasonable and comparable amount or to offer it without charge to purchasers willing to move the building to another location and preserve, rehabilitate, relocate, or restore the building. A reasonable and comparable sales price shall be indicated by providing evidence such as recent appraisals, comparable values of properties similar to the building proposed to be totally demolished or other evidence the Historic Preservation Commission deems acceptable.
 - d) Written and pictorial record of the building's history and architectural features for archival purposes, including, without limitation, the dates of original construction of the building or structure to be totally demolished; original documents, maps, drawings, and photographs; the square footage or dimensions of the building or structure to be totally demolished; a brief description of the materials, configuration and use of the existing building or structure; significant events and occupants associated with the history of the building or property; architectural features; and a description of the building through photographs, plans, and maps.
 - e) Archaeological study of the property before and/or during total demolition if the property falls within the area demonstrated to have a medium or high probability to contain archaeological resources.
 - f) Preservation or salvage of architectural elements and photographic documentation. The Department of Planning and Community Development will provide applicants with local service directories of centers.

2. **Montclair Code §301-17A** requires that sidewalks be provided in all subdivisions. The Planning Board may determine that there should be sidewalks on only one side of the street if there are other subdivisions in the neighborhood where there are sidewalks on only one side of the street, or no sidewalks and it would be unreasonable to require a sidewalk on more than one side of the street or any sidewalk.
3. The applicant should include an inventory of all existing trees on the property and identify all trees which are to be removed with the subdivision. If approved, the applicant must receive a tree removal permit pursuant to **Montclair Code §324-3** prior to removing any trees.
4. If approved, the applicant must pay a development fee equal to 1.5% of the equalized assessed value of the new residential homes pursuant to **Montclair Code §202-42**.