THE MONTCALIR HISTORICAL SOCIETY, owner of premises known as 110 Orange Road, Montclair, N. J. and designated on the 1966 Tax Maps of said Town as Map 46, Block A, Lot 32, on the 14th day of March, 1967 filed an application with the Board of Adjustment for permission to operate on said premises the three-story frame building known as the Crane House for a semi-public museum, and to build an addition to the Crane House to be used for the residence of a caretaker of the premises. The subject premises are situated in an R-1 (one-family) zone. The main building on the premises, known as the Crane House, is presently under repair and has no established use, but the intended use is that of a historical museum for the Town of Montclair. The proposed addition to the Crane House is a two-story frame wing, having dimensions of 20 ft. 5 in. x 32 ft. 3 in., located at the southwest corner of the house. The Superintendent of Building Inspections declined to issue a building permit because of non-compliance with Sect. 7 of the Zoning Ordinance, to wit, a semi-public museum is not a permitted use in an R-1 zone. Applicant having filed the required proof of service and the application having come on to be heard on May 3, 1967, applicant being represented by Paul B. Thompson, Esq., Montclair attorney, there having appeared Dr. Martin C. Sampson and his attorney in opposition thereto, and the Board having heard and considered the testimony and exhibits presented at the hearing, including the favorable testimony of several property owners in the vicinity, and the Board having reserved decision,

It is, on this 7th day of June, 1967

DECIDED and DETERMINED

1. That the subject premises are situated in an R-1 (one-family) zone which zone permits Libraries and Museums, semi-public, operated by the Town of Montclair, but does not permit a Museum as proposed by this application.

2. That the Montclair Historical Society, Inc., a non-profit organization, was established on August 16, 1965 for the purpose of preserving the Crane House, a structure built in 1796 by one of Montclair's founders, Israel "King" Crane and acclaimed by an official of the Historic American Buildings Survey as one of the few examples of a North Jersey Federal mansion remaining in the State.

3. That the Montclair Historical Society proposes to restore the Crane House to its original design and to furnish each room and that portion of the proposed addition open to the public with antique furniture of the period and time of its original construction and occupancy by the Crane family.

4. That the purpose and proposed function of the Historical Society is to make available to the citizens of Montclair and the public in general a semi-public historical museum for educational and cultural benefits and to perpetuate for posterity a building that represents the architectural and historical heritage of the community, which links its past with the present, and is deemed to be of general benefit to the community because of the verified historical and architectural significance of the building, the preservation of which will be a major contribution to the beauty and welfare of the community.

5. That it is deemed necessary for public safety and the well being of the neighborhood in which the property is located to have on the premises at all times a caretaker to protect the property from vandalism, and fire, also to maintain the premises in a manner that will be of credit to the neighborhood and to the Historical Society.

6. That the premises has the appearance of a residential property and the plans for the restoration of the building and the landscaping of the site will be in keeping with adjoining properties. The building is of a size that is not out of character with existing homes in the same block.

7. It is not anticipated that the number of people or the automobile
traffic that will be generated to the area will be of such a magnitude as to result in a nuisance or a deterrent to the continued maintenance of residential properties adjacent to or in the vicinity of the subject property.

8. That the use of the subject premises for the preservation of the Crane House as a Historical Monument and its restoration, including the proposed addition of a kitchen and caretaker's quarters can be granted subject to the conditions as hereinafter set forth without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone plan and Zoning Ordinance of the Town of Montclair.

BE IT, THEREFORE, RESOLVED that the Board of Adjustment of the Town of Montclair, in the County of Essex RECOMMEND to the Board of Commissioners of said Town that the application of the Montclair Historical Society, Inc. as proposed by this application and subject to the following conditions be granted:

1. That the rear yard (which would include that portion of the yard from the rear of the main building, including the kitchen and caretaker addition, and extending the full width of the lot, to the rear lot line) be screened from adjoining lots by trees, shrubs, and other planting or by means of a fence or other garden features in combination with plant material to effectively screen the rear yard of the subject premises from adjoining properties.

2. That facilities for off-street parking of not more than four (4) automotive vehicles shall be provided on the premises at a location and of design in compliance with the requirement of the Town's Zoning Ordinance and the use of said parking facilities shall be limited to staff, personnel, or employees of the Montclair Historical Society.

3. That work be commenced on the restoration of applicant's property and the construction of the proposed addition within a period of not less than ninety (90) days from the approval of this decision by the Board of Commissioners, provided such approval is granted.

ROBERT F. EDWARDS, Secretary

BOARD OF ADJUSTMENT OF THE TOWN OF MONTCALIR, IN THE COUNTY OF ESSEX

ARTHUR T. SCHMIDT, Chairman

WALTER B. ROWLAND

DANIEL B. GILBRETH

WALTER J. HUETKIR

HENRY W. SOMMER, JR.

FILED and PUBLISHED this ______ day of __________, 1967.
The Montclair Historical Society hereby petitions the Board of Adjustment of the Town of Montclair to grant an exception or to recommend a variance, as the case may be, to the terms of the Zoning Ordinance of said Town as follows:

To operate the three story building, known as the Crane House as

State the Nature of the Application

A semi-public museum, and to build an addition to house a caretaker.

110 Orange Road

1. Premises are known as........................................ Montclair, N. J., and designated on the 18........ Tax Street Address

Maps of said Town as Map........................................ 46........ Block........... A........ Lots........... 32

2. Premises owned by........................................ The Montclair Historical Society and/or under

Contract of Purchase by........................................ R-l

3. Premises are located in the........................................ Zone (if situated in more than one zone explain)

4. Date of denial by Inspector of Buildings........................ March 30, 1967

5. Number of buildings to be erected........................................ Altered one

6. The present use of each building on premises

No use. Main building is under repair.

7. The intended use of each building if appeal is granted........................................ A historical museum for the Town of Montclair.

8. Description of building to be erected or altered (Type of construction and complete dimensions)........................................ A two story frame wing 20'-5" x 22'-5" to house the antique kitchen and a caretaker's apartment, added to the southwest corner of the main house.

9. Has there been any previous appeal involving these premises........................................

If so, state nature of appeal and date of disposition

The Montclair Historical Society

Care of J. L. Burwell, President

(Name)

6 South Fullerton Ave, Montclair N.J.

(Address)

Dated: ........................................ March 14.............. 1967

Business Telephone Number: FI 6 - 0926

NOTE: The following must be submitted with this application:
(a) A copy of the plans for which the Inspector of Buildings denied a building permit, and a site plan, showing location of building or buildings on the lot.
(b) If no new building is to be erected, then submit a plan or survey of the property showing all existing structures, together with the dimensions and location of the property and all other pertinent information relative to development of the land.
Town as Map 13, Block 1309, Lot 12, on the 29th day of August 1974 filed an
intention of Building Inspections for permission to move a garage building onto
and to use said building for the display of antiques. The subject property is lo-
clined to issue permission because of non-compliance with Section 31, para. (a)
is not permitted without approval of the Board of Adjustment. Applicant having
Paul B. Thompson, Esq., and there having appeared no objectors to the application,
the Board of Adjustment having heard and considered the testimony and exhibits
presented at the public hearing,

It is, on this 18th day of September, 1974
DECRED AND DETERMINED

1. That the subject property is located in an R-1 (One Family) Zone
which does not permit semi-public museums not operated by the Town of Montclair.

2. That on June 7, 1967, the Board of Adjustment recommended
approval of a semi-public museum on the subject premises and that approval was
granted by the Board of Commissioners on June 20, 1967.

3. That the garage building to be moved onto the subject premises
is currently situated on property located immediately to the north, and that
said building is intended to be renovated and used for the display of antiques.

4. That the proposed location of the garage building is on lands
currently owned by the applicant and lands to be acquired from Dr. Martin C.
Sampson, the subdivision of which is to be submitted for approval by the Planning
Board.

5. That the proposed location of the garage building will not
violate any of the setback requirements for accessory buildings.

6. That the purpose and function of the Montclair Historical
Society is to make available to the citizens of Montclair and the public in general
a semi-public historical museum for educational and cultural benefits and to per-
petuate for posterity architecturally and historically significant buildings.

7. That the Board of Adjustment finds that the subject application
to use a garage building for the display of antiques can be granted subject to
conditions hereinafter set forth without substantial impairment to the Zone Plan
and Zoning Ordinance of the Town of Montclair and without substantial detriment
to the public good.

THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Town of Montclair, in
the County of Essex, that the application of the Montclair Historical
Society for permission to use an accessory building for the display
of antiques be RECOMMENDED for approval to the Board of Commissioners
of said Town, subject to the following condition:

1. That subdivision approval be granted by the Planning Board to
Dr. Martin C. Sampson for a parcel of land having dimensions of approximately 16'
by 17' shown on plans submitted by the Montclair Historical Society for this
Board of Adjustment application.

BOARD OF ADJUSTMENT OF THE TOWN OF
MONTCLAIR, IN THE COUNTY OF ESSEX:

Walter J. Hunziker, Chairman

Delbert K. Banks, Vice Chairman

William T. Knowles

Peter G. Steck
Assist. Secretary

(Aye)

(Aye)

(Aye)
The Montclair Historical Society hereby petitions the Board of Adjustment of the Town of Montclair to grant an exception or to recommend a variance, as the case may be, to the terms of the Zoning Ordinance of said Town, as follows:

State the Nature of the Application

To move a building now owned by Martin Sampson to the Montclair Historical Society property.

1. Premises are known as 110 Orange Road, Montclair, N. J., and designated on the 1974 Tax Map as 13 130G Lots 12.

2. Premises owned by Montclair Historical Society and/or under Contract of Purchase by

3. Premises are located in the Zone (if situated in more than one zone explain)

4. Date of denial by Inspector of Buildings

5. Number of buildings to be moved and Altered

6. The present use of each building on premises

7. The intended use of each building if appeal is granted

8. Description of building to be erected or altered (Type of construction and complete dimensions)

9. Has there been any previous appeal involving these premises

If so, state nature of appeal and date of disposition

Dated: August 29, 1974

NOTE: The following must be submitted with this application
(a) A copy of the plans for which the Inspector of Buildings denied a building permit, and a site plan, showing location of building or buildings on the lot.
(b) If no new building is to be erected, then submit a plan or survey of the property showing all existing structures, together with the dimensions and location of the property and all other pertinent information relative to development of the land.
It is on this 30th day of May, 1984

DETERMINED AS FACTS:

1. That on June 7, 1967, the Montclair Board of Adjustment granted a variance to the Montclair Historical Society to operate a semi-public museum in the Crane House at 110 Orange Road and to construct an addition for use as caretaker's quarters, and that on September 18, 1974, the Montclair Board of Adjustment granted a variance to relocate to 110 Orange Road a structure, the country store, to be used for the display of antiques associated with the museum use.

2. That in 1981 the Montclair Code was amended to permit museums in the R-1 Zone as conditional uses with the conditions stipulated in Section 224-25C.

3. That the applicant proposes to acquire the Sampson property at 108 Orange Road and incorporate it with the Crane House property at 110 Orange Road for expansion of the museum facilities. The Sampson House is proposed to be used for storage, administrative offices, craft classes, library, and related non-assembly museum uses.

4. That in addition to the acquisition and use of the Sampson House, the applicant proposes to construct a free-standing multi-purpose building in the rear of the Sampson House, an addition to the free-standing garage in the rear of the Crane House and an accessory parking area for 38 cars. The multi-purpose building is proposed to be used as an assembly area with moveable seats for up to 110 persons as well as for exhibits and other museum related purposes. The addition to the garage is to be used for the display of carriages and expansion of the craft activities.

5. That on April 18, 1984, the applicant amended its application by attaching the proposed multi-purpose building to the Sampson House thereby eliminating the need for a rear yard setback variance from Section 224-40D of the Montclair Code.
1. That the applicant complies with all of the conditions of Section 224-25C of the Montclair Code except for Condition (2) which requires a minimum off-street parking supply for assembly areas of one space per three seats with fixed seating and one space per 20 square feet of net floor area without fixed seating.

2. That with respect to this application, the Board of Adjustment interprets Section 224-25C(2) of the Montclair Code as applying only to the proposed assembly area in the multi-purpose building and concludes that the net floor area is to be measured from the interior of the walls of the assembly room without deducting space for aisles, podiums, etc. In this instance the 1,133 square feet of net floor area in the amended plan requires 57 off-street parking spaces. The area of the Sampson House proposed for use as craft classes, administrative offices, library exhibits and related uses shall not be considered an assembly area for the purposes of Section 224-25C(2) of the Montclair Code nor shall the carriage barn addition be considered an assembly area.

3. That by not meeting the standard of 57 off-street parking spaces, the application is considered a use variance under N.J.S.A. 40:55D-70d., and the applicant must demonstrate, with respect to all of the elements of the applicant's proposal, both special reasons and the absence of (i) substantial impairment to the intent and purpose of the Zone Plan and Ordinance and (ii) substantial detriment to the public good.

4. That the applicant provided insufficient evidence to support the conclusions that substantial detriment would not result to the public good by virtue of the traffic impact on the neighboring streets resulting from the museum expansion without sufficient off-street parking. The proposed exit from the parking area is on Orange Road which is a heavily travelled county highway with a lighted intersection just to the south of the subject property, and the expansion as proposed would be likely to result in additional on-street parking which would be detrimental to the area.

5. That the Board of Adjustment further finds that the construction of the proposed multi-purpose building with its assembly area and the parking lot would adversely affect the residential character of the neighborhood because of their scale and placement and because of their potential for use during weekends and evenings.

THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Township of Montclair, that the application of the Montclair Historical Society be denied for the reasons stated above.

BE IT FURTHER RESOLVED that, in accordance with its powers of interpretation (N.J.S.A. 40:55D-70b), the Board of Adjustment determines that the applicant can use the Sampson House for non-assembly museum related purposes without the need for a variance and can construct the carriage barn addition without the need for a variance. The carriage barn construction, however, is subject to site plan approval by the Montclair Planning Board.

MONTCLAIR BOARD OF ADJUSTMENT
COUNTY OF ESSEX:

Donald L. Drakeman, Chairman
(Aye)

Virginia Weiss
(Aye)

George J. Kenny
(Aye)

Peter G. Stark P.F.
Secretary
RESOLUTION
MONTCLAIR PLANNING BOARD

Montclair Historical Society
108-110 Orange Road

November 10, 1997

WHEREAS, Montclair Historical Society, owner of property located at 108-110 Orange Road, filed an application with the Planning Board of the Township of Montclair for site plan approval to construct an addition to the northerly side of the existing building on the subject property; and

WHEREAS, the applicant submitted a site plan, floor plans and elevation prepared by C.E. John Way, Architect, dated August 6, 1997; and

WHEREAS, the Planning Board conducted a public hearing on this application at its regular meeting on October 6, 1997, at which time it was established that notice of this application had been published and that property owners within 200 feet of the subject property had been served with notice; and

WHEREAS, the Planning Board carefully reviewed and considered the applicant's plans and the testimony and other evidence presented by the applicant, and made the following findings of fact:

1. The property consists of two tax lots (Lots 11 and 12) located in the R-1 One-Family Residential Zone. Lot 12 contains the historic "Crane House" which is used as a museum and as the headquarters for the Montclair Historical Society.

2. The applicant proposes to construct an addition to the northerly side of the Crane House, measuring 12 1/2 feet by 18 feet, which will contain a stairway and lift to provide handicapped access to the lower level meeting room in compliance with the requirements of Americans with Disabilities Act.

3. Museums are permitted as conditional uses in the R-1 Zone, pursuant to Montclair Code Section 224-25C. The applicant's proposal does not contemplate an increase in
assembly space or museum floor area. The Crane House Museum, as expanded, will continue to satisfy all conditions of the Zoning Ordinance.

4. The proposed addition complies with the minimum lot size, minimum setback requirements and all other applicable requirements of the Zoning Ordinance and the Site Plan Ordinance, and no variances or waivers are required.

WHEREAS, the Board, based on the aforementioned findings, concluded that the applicant demonstrated compliance with all conditions of Montclair Code Section 224-25C and all requirements of the Site Plan Ordinance, Montclair Code Section 184-1 et seq.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Township of Montclair that the within application of Montclair Historical Society for site plan approval to construct an addition to the northerly side of the "Crane House" building at 108-110 Orange Road, be and is hereby approved in strict accordance with the site plan, floor plans and elevations prepared by C.E. John Way, Architect, dated August 6, 1997.

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to the applicant, the Township Manager, the Township Council, the Township Clerk, the Township Engineer, the Township Tax Assessor and the Construction Code Official.