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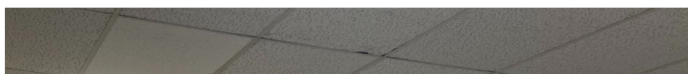
## Were Montclair's Gray Street Residents Hit with Scarlet Letter of Sidewalk 'Retaliation'?

Liz George September 30, 2022

Montclair, NJ – Walk almost any block in Montclair and you will find anything but smooth sidewalks. Cracks, lifted sidewalks and uneven surfaces are often the norm, not the exception.



So how did it happen that one street in Montclair — Gray Street — was singled out, with 25 notices of sidewalk violations going to homes on the street? All along Gray Street, the letter "R," spray-painted in red, indicates where a portion of the sidewalk needs to be replaced; more red lines indicate where the sidewalk is considered uneven or defective. There are more than 100 sidewalk violation marks in total from Grove Street to where the street enters Glen Ridge. A group of Gray Street residents, who spoke before the Montclair Council Wednesday night, say they have been unfairly targeted.







Gray Street residents asks how they are the only street in Montclair to get 25 sidewalk violations.

The red marks from Montclair's code enforcement were made on the street shortly after residents had complained to the Township about a production company operating from a rental property on Gray Street with film crews. Gray Street residents say that soon after the business vacated the residence, a Montclair code enforcement officer came to their street, walking up and down the block, writing up violations.

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The residents wondered why neighboring streets — with sidewalks in the same condition or worse — did not receive any violations.



"How could an anonymous complaint warrant this type of action so quickly. In the world of government, things turn slow," Gray Street resident Marlon Brown told the Montclair council, adding that the group was looking for these violations to be waived. "I guess I could file an anonymous complaint. What if I picked Grove Street?"

Gray Street resident Fern Seaman questioned how code enforcement would just go up and down both sides of Gray Street and not ask why or what the complaint stemmed from?



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Residents who received these violations, many of whom are senior citizens, are being asked to repair sidewalks in 30 days time or a summons would be issued.

Montclair Mayor Sean Spiller said he was sympathetic to the Gray Street residents' plight and the hardship they were facing.

"Code enforcement does work by response. It sounds like clearly it was weaponized here. And clearly you probably have a good idea who did it," said Spiller, who added that the town can't waive a violation, despite Councilor Bob Russo saying he would support a waiver.

"Once we've observed an unsafe sidewalk, we can't just ignore it," said Spiller.

**Defective Sidewalk**

Township Ordinance requires a property owner to maintain sidewalks in good repair even if it appears as if a slab was lifted or damaged to a sidewalk by a shade tree along the line of work.

You have received this notice due to ordinance number 297-12.1 which requires property owners to maintain the sidewalk in front of their property. In order to avoid further enforcement of this ordinance, you must correct this condition within 30 days or provide your written response as to why you cannot comply.

Township Manager Timothy Stafford said if the residents need an extension, they can communicate that to code enforcement.

Second Ward Councilor Robin Schlager said she spoke with the township's attorney regarding what had happened on Gray Street and pledged to work with residents. Residents also asked about bringing their case before a judge since Spiller said that would be the only way to have a violation waived.

Baristanet asked Township Manager Timothy Stafford if there has ever been a complaint that resulted in this many violations on one street in Montclair; we are waiting to hear back.

It's not the first time Gray Street residents have come together over an issue on their street. Residents banded together to fight PSE&G's installation of high tension utility lines on their block. They also spoke out against the placement of cell phone antenna poles on their street by Verizon.

What do you think? And are you worried about your sidewalks or anyone who might have a bone to pick with you?

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## 2 COMMENTS



**Frank Rubacky** October 1, 2022 At 8:09 am

That's it, the moment is gone. I've lost interest in pyrotechnics.

But, I did watch other parts of this Council mtg, including the introduction of the ordinance limiting the amount of development residential property owners can undertake going forward.

I like the concept of this ordinance and I think the property owning class – especially the large parcel owners, R-0(a) & R-0 – have a particular responsibility not to exacerbate the overdevelopment they, or past property owners have done. Property owners on streets like Gray also must share responsibility. I fear the new owners are all revved up to build out.

This ordinance tackles head-on the hidden development of our backyards – the overwhelming culprit in water & chemical run-offs.

The merits of the ordinance aside, there is a lot of math and geometry involved. The reclassification of driveways to aisles is a scene-stealer. I hope it passes.

Like any of the ordinances passed by this Council, we can make improvements any time.



**Frank Rubacky** October 2, 2022 At 8:37 am

Oh, yeah, the ordinance stipulates pervious surface driveway installations require filing a Deed Notice with the County or the driveway must be included in the impervious surfaces calculation. This is an institutional control that ensures Montclair inspects the driveway on a regular schedule.

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5:45 66R line back to gate 12 (05:31 PM) (sent Tue 10/11/22)

Bridge & Tunnel Alert The Exclusive Bus Lane (XBL) to NY is planned to close at 9:00 am due to the low volume of traffic. (08:51 AM) (sent Mon 10/10/22)

DeCamp Bus Lines will operate on a regular weekday schedule today (Columbus Day). (06:41 AM) (sent Mon 10/10/22)

MBT Fire Emergency Due to Fire Department Activity 40th Street is Closed. Updates will go out shortly. Please follow instructions of uniformed personal. Update will follow. (12:29 PM) (sent Fri 10/07/22)

