

Franklin Township

Somerset County, New Jersey



Technical Review Committee

MEMORANDUM

Municipal Building
475 DeMott Lane
Somerset, NJ 08873
732.873.2500
Fax: 732.873.0844
www.franklintwpnj.org

To: Planning Board

From: Technical Review Committee

Date: April 15, 2020

Re: S-4 Estates LLC – Amended Preliminary and Final Site Plan with “C” Variance
3509 Route 27 (Block 34.01, Lot 32.02)

As requested, we have reviewed the submitted application materials listed below and issue the following report for the Board’s consideration:

- 10-sheet set of site plans prepared by Stires Associates, PA dated 1/30/20
- 2-sheet set of architectural plans prepared by VP Architectural Design, LLC last revised 3/4/20

Site/ Project History and Description

The applicant seeks amended Preliminary and Final Site Plan Approval with “C” variance approval. Under Docket #PLN-16-00009, the subject site received site plan approval for construction of a one-story 15,039 square foot retail building with 75 parking spaces with associated site improvements including stormwater management facilities, landscaping, lighting, etc..

The site is currently under construction.

The applicant proposed to amend the previous approval to construct a 1,454 square foot second-floor mezzanine over the easterly tenant space for storage.

The additional space will require one (1) additional parking space bringing the total parking requirement for the site to 76 spaces. Since 75 spaces are existing/proposed, the proposed new mezzanine space triggers the need for the following “c” variances:

- *Off-street parking*: 76 spaces required – 75 spaces are existing/proposed

The application form indicates that no *exterior* changes to the previously approved site plan are proposed.

Variances - Overview

'C' Variances

With respect to the 'c' variances, the applicant needs to demonstrate whether each would satisfy the c-1 (hardship) and/or c-2 (advancement of the MLUL) criteria.

With respect to the c-2 criteria, the applicant would need to demonstrate that the proposed variances would represent a better zoning alternative than compliant development such that the purposes of the MLUL would be advanced. Alternatively, the applicant would need to prove that a hardship (C-1) exists such that the application cannot be made to comply.

With respect to the negative criteria, the applicant must demonstrate that the variances would not result in substantial detriment to the public good ("1st prong" of negative criteria) and will not substantially impair the intent and purpose of the zone plan and zoning ordinance ("2nd prong of negative criteria). Finally, the applicant must prove that benefits of granting the variances would substantially outweigh any detriments resulting from grant of the variances.

Review Comments

1. The applicant has submitted revised site and architectural plans. The application form indicates that no *exterior* changes to the previously approved site plan are proposed. Thus, it is assumed that the revised plans solely reflect the proposed *interior* change (i.e., addition of the mezzanine) – e.g., revised parking calculations on site plan and revised floor plans in architectural plans. The applicant should confirm.
2. The Applicant needs to justify the variance (see above) to the satisfaction of the Planning Board.

