

FOR OFFICIAL USE ONLY

Planning Board

Zoning Board of Adjustment

Name of Application: _____

Docket Number : _____

PART A

APPLICANT REQUESTS THE FOLLOWING:

Explain, in detail sufficient for the Board to understand the nature of the proposal, the exact nature of the proposed application and proposed physical modifications to be made to the site, building(s) and/or signage including the proposed use of the premises.

The applicant proposes to perform interior renovations to an existing hotel to eliminate the pool and two conference/meeting rooms in favor of a banquet center. The property can accommodate this change of use because (a) there is more than ample parking at present; (b) the improvements will be an attractive improvement to the hotel; (c) the same patrons will be occupying the rooms as are using the ballroom; (d) the smaller ballrooms will be used in concert with the main ballroom; and (e) the meeting rooms will not be used at the same time as the main ballroom.

Identify the type of variance(s) requested. Check all that apply.

"C" Variance(s)

The strict application of the provisions of the Development Ordinance would result in peculiar and exceptional practical difficulties or exceptional and undue hardship - N.J.S.A.. 40:55D-70.C(1)

The purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment - N.J.S.A.. 40:55D-70.C(2)

"D" Variance(s):

Use or principal structure in a district restricted against such use or principal structure - N.J.S.A.. 40:55D-70.D(1)

Expansion of a nonconforming use - N.J.S.A.. 40:55D-70D(2)

Deviation from a specification or standard pertaining solely to a conditional use - N.J.S.A.. 40:55D-70. D(3)

Increase in the permitted floor area ratio - N.J.S.A.. 40:55D-70.D(4)

Increase in the permitted density - N.J.S.A.. 40:55D-70.D(5)

Height of a principal structure exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure - N.J.S.A.. 40:55D-70.D(6)

Identify requested variances from the requirements of the Franklin Township Land Development Ordinance:

<u>Ordinance Section</u>	<u>Requirement</u>	<u>Proposed Deviation</u>
<u>§112- Attachment 4</u>	<u>Parking 329</u>	<u>398</u>
<u>§112-</u>	<u>(217 existing)</u>	<u></u>
<u>§112-</u>	<u></u>	<u></u>
<u>§112-</u>	<u></u>	<u></u>
<u>§112</u>	<u></u>	<u></u>
<u>§112</u>	<u></u>	<u></u>
<u>§112-</u>	<u></u>	<u></u>

PART B

APPLICANT: Individual Partnership Corporation LLC

APPLICANT: Owner Applicant Other _____

Name Somerset Group Hospitality, LLC

Street Address 60 Cottontail Lane Apt./Ste/Unit # _____

City Franklin State NJ Zip Code 08873

Phone 908-322-2333 (Attorney) Fax 732-205-1868

Email bschwartz@SHOattorneys.com

OWNER (if different from Applicant):

Name _____

Street Address _____ Apt./Ste/Unit # _____

City _____ State _____ Zip Code _____

Phone _____ Fax _____

Email _____

PART C

Note: "*" indicates not required in association with signage variances

SUBJECT PROPERTY:

Block/s 530.04 Lot/s 1.01 Zone C-B

Street Address 60 Cottontail Lane

City Franklin (Somerset) State NJ Zip Code 08873

Approximate Site Size * 3.0 Acres/ 129,000 Sq. ft.

Present use of the property, specify: Hotel

Proposed use of the property, specify: Hotel

Public water available: * Yes No If not, proposed? Yes No

Public sanitary sewer available: * Yes No If not, proposed? Yes No

Describe any off tract improvement required or proposed* N/A

Deed restrictions, covenants, easements, association by-laws:

Yes (Provide a copy) No Proposed (Must be submitted for review)

Does the applicant own any contiguous property?* Yes No

If yes, state the address, block and lot of such property: *

Has there been any previous appeal, request, or application to this or any other Township Board involving this property? Yes No

If, yes, state type, docket number, the nature and date of such appeal: Original site plan approval, date unknown

How long has the present owner had title to this property? * 2008

Is the property under contract to be sold? Yes No

If yes, state the date of contract and name of the contract purchaser:

PART D

Identify if the application is proposed to be bifurcated (i.e., variances identified herein sought at this time with approval for other development approvals, such as subdivision and/or site plan approval, to be sought at a later date): Yes No

If not bifurcated, identify the associated development approvals sought at this time (check all that apply):

- Waiver of Site Plan
- Minor Site Plan
- Preliminary Site Plan
- Final Site Plan
- Minor Subdivision
- Preliminary Major Subdivision
- Final Major Subdivision
- Conditional Use Approval
- Other(s) (Specify: _____)

Note: Applicant must consult the respective Instruction Sheet(s) and Submission Checklist(s) for the associated development approvals being sought at this time. The submission will not be deemed an Application for Development unless all required submissions are provided for all requested development approvals.

If bifurcated, identify the nature of subsequent development approvals to be sought: _____

For signage variances indicate the following:

- Single Tenant Building
- Multiple Tenant Building

PART E

C Variance(s):

The strict application of the provisions of the Development Ordinance would result in peculiar and exceptional practical difficulties or exceptional and undue hardship under N.J.S.A.. 40:55D-70.C(1)

List in detail wherein this case conforms to this requirement, including, if applicable, reference to exceptional narrowness, shallowness or shape of the property, or exceptional topographic conditions or physical features uniquely affecting the property, or extraordinary and exceptional situation uniquely affecting the property or the structures lawfully existing thereon.

The size and shape of the property as well as the existing structure on the property prevent creation of additional parking spaces. The property does accommodate sufficient number of spaces for the proposed use.

_____ and/or

The purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment under N.J.S.A.. 40:55D-70.C(2).

List in detail wherein this case conforms to this requirement:

The use of the property as a banquet facility is compatible with the existing hotel use and is a better zoning alternative than the existing pool. The property can accommodate the parking required for the banquet room because the banquet room will be used by hotel room guests and will not conflict with use of the meeting rooms.

D Variance(s):

State why the property is particularly suitable for the proposed use, including any inherently beneficial conditions and/or any undue hardship, if any, showing that the property cannot reasonably be adapted to a conforming use:

C and D Variance(s):

Supply a statement of facts why relief can be granted without substantial detriment to the public good.

A banquet facility will enhance the use of the property. It will provide a use that will serve the public and residents of Franklin Township.

Supply a statement of facts why relief can be granted without substantial detriment to the intent and purpose of the zone plan and zoning ordinance.

It is a permitted use that is compatible with the hotel use and there is adequate parking on site.

PART F

LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:

<u>Quantity:</u>	<u>Description of Item:</u>
1	Existing floor plan/interior renovation 9/30/19 Toma Architects
1	Existing Motel & Restaurant/Site Plan pool enclosure 11/11/83 Eisenstein and Kanta Architects

PART G

CONTACT PERSON INFORMATION/ CERTIFICATION

The person indicated below shall serve as the point-of-contact with the Township Department of Planning and Zoning and shall be the sole recipient of official correspondence from the Department. By signing this form, in Part H below, the Applicant and Owner certify that that the party listed below is authorized to act on their behalf as the designated contact person with the Department.

Owner
 Applicant
 Attorney
 Engineer
 Architect
 Other

Name Brian D. Schwartz, Esq.

Street Address 3 Amboy Avenue Apt./Ste/Unit # _____

City Metuchen State NJ Zip Code 08840

Phone 908-322-2333 Fax 732-205-1868

Email bschwartz@SHOattorneys.com

Schedule 8

Variance Submission Checklist

TOWNSHIP OF FRANKLIN,
SOMERSET COUNTY, NJ



SOMERSET GROUP HOSPITALITY, LLC 60 Cottontail Lane Franklin Township, NJ 08873		D Variance	C Variance	Applicant Use ⁽¹⁾	Official Use		
					Accepted	Not Applicable	Waived (Initials)
SUBMITTAL REQUIREMENTS FOR ALL VARIANCES OTHER THAN SIGNAGE VARIANCES (ITEMS #1-38)							
SUBMISSION REQUIREMENTS							
1	Twenty-five (25) sets (1 original and 24 copies) of the Variance Application Form, fully completed, signed and notarized	X	X	X			
2	Two (2) copies of the Variance Submission Checklist fully completed	X	X	X			
3	Twenty-five (25) sets of a clear, legible site layout plan, prepared by an appropriately licensed or certified professional (e.g., surveyor, engineer, architect, landscape architect, planner). See requirements #17-46, below for applicable requirements.	X	X ⁽²⁾				
4	Twenty-five (25) sets of a dimensioned renderings or elevations of the existing and proposed buildings, and dimensioned floor plans, that include the use and square footage of each area with change of use areas clearly defined, where applicable.	X	X	W			
5	Fifteen (15) sets of a traffic impact report	X		W			
6	Fifteen (15) sets of an environmental assessment per §112-199	X		W			
7	Proof of submittal to the D&R Canal Commission	X	X	W			
8	Proof of submittal to the Somerset County Planning Board	X	X	X			
9	Proof of submittal to the State Department of Transportation, if applicable	X		N/A			
10	Proof of submittal to the Franklin Township Sewerage Authority, if applicable	X		N/A			
11	Proof of submittal to the State Department of Environmental Protection, if applicable	X		N/A			
12	Fees in accordance with §112-327 of the Land Development Ordinance and §112-213.B as applicable	X	X	X			
13	Escrow deposit in accordance with §112-213.A of the Land Development Ordinance as applicable. Applications requiring an escrow deposit shall be accompanied by a W-9 form.	X	X	X			
14	Submittal of digital copies of application materials pursuant to §112-320.1 ⁽⁴⁾	X	X	X			
15	Certification that no taxes or assessments on the property are delinquent	X	X	X			
16	Disclosure of ownership as required pursuant to N.J.S.A. 40:55D-48.1 and 2.	X	X	X			

		D Variance	C Variance	Applicant Use ⁽¹⁾	Official Use		
					Accepted	Not Applicable	Waived (Initials)
PLAN REQUIREMENTS							
17	Plan no greater than 24 inch by 36 inch in size	X	X ⁽³⁾	X			
18	Plan at a scale of no less than 1 inch equals 50 feet	X	X	X			
19	Each page numbered and titled	X	X	X			
PLAN INFORMATION REQUIREMENTS							
20	The name of the applicant and owner, the correct block and lot numbers, the legal title box, including the name, address and seal of the person preparing the plan, a North point, scale and date of plan	X	X	X			
21	All property lines of the site plotted from deed descriptions	X	X	W			
22	All adjacent lots with block and lot numbers, names of owners and approximate location of structures on such adjacent lots	X	X	W			
23	All required setbacks and proposed setbacks	X	X	W			
24	All existing and proposed street right-of-way lines, pavement widths and improvements on site	X	X	W			
25	Key map, scale, North arrow and legend	X	X ⁽³⁾	W			
26	All street intersections within 500 feet of any property line of the subject premises and the distance to such intersections	X		W			
27	All zone boundary lines	X	X ⁽³⁾	W			
28	All proposed methods of vehicular ingress and egress from the site to public streets, showing proposed widths and radii and distances from the nearest residential street in both directions	X	X	W			
29	The location and design of proposed off-street parking	X	X	X			
30	Analysis required by Chapter 222, Trees, including location of existing trees with indication of those proposed to remain or be removed, and tree replacement calculations	X	X	W			
31	General topographic data of sufficient detail to determine the general slope and natural drainage of the land.	X	X	W			
32	A lot data table that identifies compliance/ non-compliance with applicable zoning requirements that addresses, at a minimum, the zoning requirements identified in the Lot Data Table below.	X	X	X			
33	The method of providing utility services to the site including location of sanitary sewer, water, electric and telephone lines (and associated sizing and design, as applicable), indicating points of connection to existing utilities	X	X ⁽³⁾	W			
34	Deed restrictions, covenants, easements and/or rights-of-way pertaining to the subject lot	X	X	W			
35	The location and dimensions of all existing and proposed structures	X	X	W			
36	The location of any wells and/or septic systems on site and within 100 feet of property lines	X	X	W			
37	Proposed means of stormwater management including location and design of existing and proposed drainage lines and facilities and supporting data/ reports sufficient to provide conformance with applicable rules	X	X ⁽³⁾	W			

expansion of an existing single-family or two-family dwelling, or an accessory structure on the existing residential lot improved with a single-family or two-family dwelling.

- (4) Per Section §112-320.1 this requirement shall not apply to single- or two-family homeowners preparing submittals on their own behalf and shall not include submittal of the W-9 form (which shall be provided in hard copy only).
- (5) Twenty-five (25) sets shall be provided for each of the following.

LOT DATA TABLE

Zoning District: C-B All Existing

Applicable Special Zoning Requirements (e.g., conditional use standards): _____

Category	Required	Existing	Proposed
Lot Area (sf or acres)			
Lot Frontage (ft)			
<u>Setbacks for Principal Structure</u>			
Front Yard (ft)			
One Side Yard (ft)			
Total Side Yard (ft)			
Rear Yard (ft)			
<u>Setback for Accessory Structure over 200 sf</u>			
Front Yard (ft)			
Side Yard (ft)			
Rear Yard (ft)			
<u>Setback for Accessory Structure 200 sf and under</u>			
Front Yard (ft)			
Side Yard (ft)			
Rear Yard (ft)			
<u>Height, Coverage and Building Requirements</u>			
Building Height (Stories)			
Building Height (ft)			
Lot (Building) Coverage (%)			
Impervious Coverage (%)			
FAR (floor area ratio)			
Off-Street Parking (# spaces)			

		D Variance	C Variance	Applicant Use ⁽¹⁾	Official Use		
					Accepted	Not Applicable	Waived (Initials)
38	Applicable environmental constraints (and regulated buffers) on the site including wetlands and streams as may be regulated by the NJDEP, DRCC and the Township	X	X ⁽³⁾	X			
SUBMITTAL REQUIREMENTS FOR SIGNAGE VARIANCES (ITEMS #39-46)							
Submission Requirements							
39	All signage variances: Items #1, 2, 12 and 14 indicated above		X	W			
Variations for Freestanding Signs⁽⁵⁾							
40	A clear, legible site layout plan, prepared by an appropriately licensed or certified professional (e.g., surveyor, engineer, architect, landscape architect, planner) that clearly identifies the location of all existing and proposed freestanding sign(s) including accurate depiction of existing and/or proposed setback from property lines		X				
41	Detail(s) of proposed signs, drawn to scale, reflecting their proposed design and indicating their total height from the ground, dimensions (length, width, square footage), materials, colors, lighting, lettering/ logos, support structure(s), etc.		X				
42	Detail(s) or photographs of existing freestanding sign(s) with indication of whether each is proposed to remain or be removed in association with the application		X				
Variations for Building-Mounted Signs⁽⁵⁾							
43	A clear, legible site layout plan, prepared by an appropriately licensed or certified professional (e.g., surveyor, engineer, architect, landscape architect, planner) that identifies the location of all existing and proposed building-mounted sign(s)		X				
44	Dimensioned rendering or elevations of the existing and proposed buildings with depiction of proposed signage depicted to scale		X				
45	Detail(s) of proposed signs, drawn to scale, reflecting their proposed design and indicating their height, dimensions (length, width, square footage), materials, colors, lighting, lettering/ logos, support structure(s), etc		X				
46	Detail(s) or photographs of existing building-mounted sign(s) with indication of same are proposed to remain or be removed in association with the application		X				

Print name of person that prepared checklist _____ Signature _____ Date _____

- (1) In this column, the applicant shall indicate: ("X" for items that are provided; "N/A" for items that the applicant believes are not applicable; or "W" for items for which a waiver is requested.
- (2) For the purposes of an application pursuant to the provisions of N.J.S.A. 40:55D-70.C, wherein the applicant is not required to submit an application for subdivision, site plan or conditional use approval, and where the application is for an accessory structure associated within, or for an addition to or expansion of, an existing single-family or two-family dwelling, the applicant may provide 25 sets of a legible plot plan, to scale and in accordance with an accurate boundary line survey, amended by the applicant.
- (3) Not required for applications pursuant to the provisions of N.J.S.A. 40:55D-70.C, wherein the applicant is not required to submit an application for subdivision, site plan or conditional use approval, and where the application is for an addition to or

PART H

APPLICANT'S CERTIFICATION

I, AMGAD AZIR, of full age, being duly sworn according to law and upon my oath, depose that: I reside at 60 COTTONTAIL LANE SOMERSET NJ in the County of SOMERSET and State of NEW JERSEY, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the individual applicant, or a general partner of the partnership applicant, or an officer of the corporate applicant and I am authorized to sign the application for the partnership or corporation.

Sworn to and subscribed before me this 15th day of February 2020

[Signature]
NOTARY PUBLIC

AMIN MOAWAD
NEW JERSEY STATE NOTARY PUBLIC
COMMISSION EXPIRES
10/22/2021
2351076

[Signature]
APPLICANT'S SIGNATURE

OWNER'S CERTIFICATION

(If the owner is a corporation, this section must be signed by an authorized corporate officer. If the owner is a partnership, this section must be signed by a general partner.)

I, Amgad Azir, of full age, being duly sworn according to law and upon my oath depose that: I reside at 60 Cotton tail Lane Somerset NJ in the County of Somerset and State of New Jersey, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the owner of the property which is the subject of this application, and I am the applicant or I have authorized the applicant to make this application, and I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

Sworn to and subscribed before me this 15th day of February 2020

[Signature]
NOTARY PUBLIC

AMIN MOAWAD
NEW JERSEY STATE NOTARY PUBLIC
COMMISSION EXPIRES
10/22/2021
2351076

[Signature]
OWNER'S SIGNATURE
Amgad Azir, Member
Somerset Group
Hospitality, LLC
Owner



PART H

APPLICANT'S CERTIFICATION

I, _____, of full age, being duly sworn according to law and upon my oath, depose that: I reside at _____ in the County of _____ and State of _____, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the individual applicant, or a general partner of the partnership applicant, or an officer of the corporate applicant and I am authorized to sign the application for the partnership or corporation.

Sworn to and subscribed before me this 15th day of February 2020

[Signature]
NOTARY PUBLIC

AMIN MOAWAD
NEW JERSEY STATE NOTARY PUBLIC
COMMISSION EXPIRES
10/22/2021
2351476

[Signature]
APPLICANT'S SIGNATURE

OWNER'S CERTIFICATION

(If the owner is a corporation, this section must be signed by an authorized corporate officer. If the owner is a partnership, this section must be signed by a general partner.)

I, Angela Azar, of full age, being duly sworn according to law and upon my oath depose that: I reside at 60 Columbia Lane Somerset NJ in the County of Somerset and State of New Jersey, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the owner of the property which is the subject of this application, and I am the applicant or I have authorized the applicant to make this application, and I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

Sworn to and subscribed before me this 15th day of February 2020

[Signature]
NOTARY PUBLIC

AMIN MOAWAD
NEW JERSEY STATE NOTARY PUBLIC
COMMISSION EXPIRES
10/22/2021
2351476

[Signature]
OWNER'S SIGNATURE
Angela Azar, Member
Somerset Group
Hospitality, LLC
Owner

