

**FOR OFFICIAL USE ONLY**

**Planning Board**

**Zoning Board of Adjustment**

Name of Application: Milon Builders LLC

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 site is located at 16 Heller Park Lane in Franklin Township, Somerset County, New Jersey in the Light Manufacturing (M-1) Zone. The primarily vacant 2.00 acre subject property currently consists of an abandoned paved drive and utility line. The proposed project consists of a warehouse and office building with associated loading zones and parking to be occupied by a construction company. The development is compact and located on the western portion of the lot so as not to disturb NJDEP regulated areas located on the eastern portion. The increase in runoff due to proposed improvements shall be managed by two infiltration basins and one detention basin on site.

**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:**

<b>Ordinance Section</b>	<b>Requirement</b>	<b>Proposed Deviation</b>
<u>§112- 10, Schedule 2</u>	<u>minimum lot area 5 acres</u>	<u>2 acres</u>
<u>§112- 10, Schedule 2</u>	<u>minimum lot frontage 300 ft</u>	<u>177.5 feet</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

**APPLICANT:**    Owner            Applicant            Other LLC

**Name** Milon Builders LLC

**Street Address** PO Box 6030 **Apt./Ste/Unit #** \_\_\_\_\_

**City** Somerset **State** NJ **Zip Code** 08875

**Phone** \_\_\_\_\_ **Fax** \_\_\_\_\_

**Email** \_\_\_\_\_

**OWNER (if different from Applicant):**

**Name** Dominic DeSantis

**Street Address** 24 Woodsville Road **Apt./Ste/Unit #** \_\_\_\_\_

**City** Hopewell **State** NJ **Zip Code** 08525

**Phone** \_\_\_\_\_ **Fax** \_\_\_\_\_

**Email** \_\_\_\_\_

**PART C**

Note: “\*\*” indicates not required in association with signage variances

**SUBJECT PROPERTY:**

Block/s 514 Lot/s 15 Zone M-1

Street Address 16 Heller Park Lane

City Somerset State NJ Zip Code 08873

Approximate Site Size \* 2 acres Acres/ 87,120 Sq. ft.

Present use of the property, specify: vacant

Proposed use of the property, specify: warehouse/office

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\* None

**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 Boards involving this property?  Yes  No based on applicant's OPRA search

If, yes, state type, docket number, the nature and date of such appeal: Unknown

How long has the present owner had title to this property? \* 2 years

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 existing site has deficient lot area and lot frontage in accordance with the Light Manufacturing (M-1) Zone regulations. These conditions are pre-existing nonconforming conditions and a variance from the strict applicant of the zoning regulations is necessary to relieve difficulties or hardship inherent in the property based upon its exceptional narrowness, shallowness or shape of this specific piece of property C1a and C1c) and the property presents an extraordinary and exceptional situation uniquely affecting this specific piece of property, which conditions would exist for any permitted 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 proposed use is in alignment with the zoning regulations of the Light Manufacturing (M-1) Zone. The intent of the zone is to have similar industrial uses, this site meets that intent. The only detriment is that the existing site has deficient lot area and lot frontage in accordance with the Light Manufacturing (M-1) Zone regulations. In this case the benefits would substantially outweigh any detriment of a deviation to the zoning ordinance.

**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:

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**C and D Variance(s):**

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

Relief can be granted without substantial detriment to the public good as the lot currently exists and has had a deficient lot area and lot frontage in accordance with the Light Manufacturing (M-1) Zone regulations, the use is in alignment with the zone intent.

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**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.**

The proposed development fits in with the surrounding site uses and is in line with the intent of the zoning ordinance as it pertains to the Light Manufacturing (M-1) Zone.

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**PART G**

**APPLICANT'S CERTIFICATION**

I, Dominic DeSantis, of full age, being duly sworn according to law and upon my oath, depose that: I reside at 24 Woodsville Rd Hopewell in the County of Hunterdon 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 28 day of May, 2020

Milon Builders LLC

By 

**APPLICANT'S SIGNATURE**

Charlotte Marie Mause  
**NOTARY PUBLIC**

**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, Dominic DeSantis, of full age, being duly sworn according to law and upon my oath depose that: I reside at 24 Woodsville Rd, Hopewell in the County of Hunterdon 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 28 day of May, 2020

  
**OWNER'S SIGNATURE**

Charlotte Marie Mause  
**NOTARY PUBLIC**