

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.

Applicant is applying to the Zoning Board of Adjustment for D(1) variance, amended preliminary and final site plan and to expand the existing parking lot, add a second floor building addition for the school and also a new parking lot which will be located under the building addition. The project will include new stormwater facilities to convey the runoff to their respective detention basins which will keep the proposed runoff boundaries consistent with the original design parameters of each basin.

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)

PART C

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

SUBJECT PROPERTY:

Block/s 468.08 Lot/s 2.02 Zone M-2

Street Address 150 Pierce Street

City Somerset State NJ Zip Code 08873

Approximate Site Size * 16.924 Acres/ 737,199 Sq. ft.

Present use of the property, specify: Manufacturing / Educational Institution.

Proposed use of the property, specify: Manufacturing / Educational Institution.

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* No off tract improvements proposed.

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

If, yes, state type, docket number, the nature and date of such appeal: Yes. D-1 Variance with Site

Plan approval to convert a portion of a building into a Charter School, Docket # ZBA-15-00011. Applicant also received Administrative Approval for expansion of parking lot in 2016.

How long has the present owner had title to this property? * Since April 7, 2014.

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
- Amended Preliminary Site Plan
- Amended 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.

_____ 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:

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:

The Board under Docket # ZBA-15-00011 determined that the Charter School is inherently beneficial and that the site is particularly suited. This expansion will allow the school to grow at its present location.

C and D Variance(s):

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

The site already operates as a school and has done so for three (3) years without any issues and without any detrimental impact. The expansion is still within all of the bulk requirements of the zone.

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 site can handle the proposed expansion consistent with the zoning bulk requirements and the traffic study also supports the expansion.

PART F

LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:

<u>Quantity:</u>	<u>Description of Item:</u>
25	Preliminary/Final Site Plan
25	Architectural drawings
3	Stormwater Management Report
15	Traffic Impact Statement
15	Environmental Assessment

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 Peter U. Lanfrit, Esq., Borrus, Goldin, Foley, Vignuolo, Hyman and Stahl, P.C.

Street Address 2875 US Route One Apt./Ste/Unit # _____

City North Brunswick State New Jersey Zip Code 08902

Phone 732-422-1000 Fax 732-422-1016

Email peter@borrus.com / erin@borrus.com

PART H

APPLICANT'S CERTIFICATION

I, 150 Pierce Street, LLC, of full age, being duly sworn according to law and upon my oath, depose that: I reside at c/o Zev Spira, 1179 Lakewood Farmingdale Road, Howell in the County of Monmouth 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 _____ day of _____, 20__20__

July, 20__20

Kimberly Foster
NOTARY PUBLIC

KIMBERLY A. FOSTER
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50078619
My Commission Expires 3/12/2023

Zev Spira
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, 150 Pierce Street, LLC, of full age, being duly sworn according to law and upon my oath depose that: I reside at c/o Zev Spira, 1179 Lakewood Farmingdale Road, Howell in the County of Monmouth 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 _____ day of _____, 20__20__

July, 20__20

Kimberly Foster
NOTARY PUBLIC

KIMBERLY A. FOSTER
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50078619
My Commission Expires 3/12/2023

Zev Spira
OWNER'S SIGNATURE

Exhibit “A”

150 Pierce Street, LLC

Permitted uses is the M-2 Zone:

- ❖ Manufacturing, fabrication and assembly of light machinery; wood and paper products; metal furniture; toys; bags; book binding; boxes and packaging materials; office supplies; bottling of food and beverages; food and cereal mixing and milling; food processing; food sundry manufacturing; ice cream manufacturing; manufacturing of spirituous liquors; other uses of the same nature and type.
- ❖ Biological, chemical, dental, electronic, pharmaceutical and general laboratories
- ❖ Industrial parks
- ❖ Warehouses provided no goods are sold at the premises
- ❖ General office buildings
- ❖ Administrative and dispatch services for taxi and limousine service excluding the idling, parking, storage, service, fueling or repair of vehicles used in such service or site.
- ❖ Indoor recreational uses
- ❖ Hotels, extended stay
- ❖ Child-care centers
- ❖ Personal storage/miniwarehouses