

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) use variance approval to park fifteen (15) school buses on the property. Bus parking is not a permitted use in the GB zoning district.

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>
Attachment 1 Schedule 1 <u>§112- Permitted Uses</u>	<ul style="list-style-type: none"> •Retail goods and service stores, including but not limited to: body art establishments, food, drugs, drink, household supplies, home appliance stores, barber and beauty shops, shoe repair and tailor shops, dry cleaning shops, professional offices, banks, restaurants •Eating and drinking establishments •Funeral homes •Quasi-public or private club or fraternity •Indoor theaters •Laundromat and dry cleaning •Printing and publishing shops •Proprietary schools •Nonprofit schools accredited by the New Jersey Department of Education •Plumbing supply and hardware stores •Professional and general offices •Bowling alleys •Telephone, telegraph and radio communications offices and services •Automobile sales and showroom •Administrative and dispatch services, excluding the idling, parking, storage, service, fueling or repair of vehicles used in such service or site •Child-care centers 	
<u>§112-</u>		
<u>§112-</u>		
<u>§112-</u>		
<u>§112</u>		
<u>§112</u>		

PART B

APPLICANT: Individual Partnership Corporation

APPLICANT: Owner Applicant Other _____

Name Saharose, Inc.

Street Address c/o Merghani Ali, 227 Crowells Road Apt./Ste/Unit # _____

City Edison State NJ Zip Code 08816

Phone 732-433-2145 Fax _____

Email Saharoseinc@gmail.com

OWNER (if different from Applicant):

Name Two JFK Blvd., L.L.C.

Street Address c/o David Rubin, 665 Hamilton Street Apt./Ste/Unit # _____

City Somerset State NJ Zip Code 08873

Phone 732-247-2232 / 732-213-3535 (cell) Fax 732-247-9518

Email davidrubin665@comcast.net

PART C

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

SUBJECT PROPERTY:

Block/s 386.17 Lot/s 138 Zone GB

Street Address 2 JFK Boulevard

City Somerset State NJ Zip Code 08873

Approximate Site Size * 3.72 Acres/ 162,043.2 Sq. ft.

Present use of the property, specify: Retail Plaza.

Proposed use of the property, specify: Retail Plaza and parking of 15 school buses.

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 required or 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: Original approval in 1980's.

Preliminary and final site plan approval to to construct a 12-foot by 73-foot monument to honor the late president John F. Kennedy, Docket No. PLN-19-00010. Memorialized by resolution on May 6, 2020.

How long has the present owner had title to this property? * Since 2002.

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.

_____ 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:

Parking of school buses is inherently beneficial. The buses will not be visible from any of the adjacent properties or roadways.

C and D Variance(s):

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

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.

PART F

LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:

<u>Quantity:</u>	<u>Description of Item:</u>
25	Survey showing parking location

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, Saharose, Inc., of full age, being duly sworn according to law and upon my oath, depose that: I reside at c/o Merghani Ali, 227 Crowells Road, Edison in the County of Middlesex 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 16 day of November, 20 20


APPLICANT'S SIGNATURE


NOTARY PUBLIC

EILEEN McMENAMIN
NOTARY PUBLIC OF NEW JERSEY
Commission # 2333804
My Commission Expires 9/7/2025

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, Two JFK Blvd., L.L.C., of full age, being duly sworn according to law and upon my oath depose that: I reside at 665 Hamilton Street, Somerset 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 16 day of November, 20 20 20


OWNER'S SIGNATURE


NOTARY PUBLIC

EILEEN McMENAMIN
NOTARY PUBLIC OF NEW JERSEY
Commission # 2333804
My Commission Expires 9/7/2025