

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 Planning Board for Preliminary and Final Major Site Plan and c(2) variance approval to construct a one-story 182,720 square foot warehouse facility (warehouse area: ± 173,074 sq. ft., office area level 1: ±4,400 sq. ft., office area mezzanine: ±4,400 sq. ft. & utility room area: 846,720 sq. ft.) and supportive improvements inclusive of landscaping, utilities, site lighting, and stormwater management measures. Access to the site will be provided via one full-movement driveway along Elizabeth Avenue. There will be 130 parking spaces inclusive of 6 ADA spaces, 26 loading bays and 16 tractor trailer parking spaces. Stormwater management will be addressed by seven (7) underground detention basins and four (4) bio-retention basins.

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>
§112- 103	Truck loading dimensions: The distance from building to the limiting boundary of the loading area shall be twice the length of the longest deliver vehicle (73.5 ft.)(2) = 147.0 ft.	130 ft.
§112-		
§112-		
§112-		
§112		
§112		
§112-		

PART B

APPLICANT: Individual Partnership Corporation Limited Liability Company

APPLICANT: Owner Applicant Other _____

Name Orion IV Elizabeth Logistics Center LLC

c/o Justin Drysdale, Senior Vice President, Brookfield Properties
 Street Address Brookfield Place New York, 250 Vesey Street, 15th Floor Apt./Ste/Unit # _____

City New York State NY Zip Code 10281

Phone 212-417-7173 Fax _____

Email Justin.Drysdale@brookfield.com

OWNER (if different from Applicant):

Name Same as Applicant.

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 502.01 Lot/s 2 & 4 Zone B-I

Street Address 425 & 429 Elizabeth Avenue

City Somerset State NJ Zip Code 08873

Approximate Site Size * 15.29 Acres/ 666,042 Sq. ft.

Present use of the property, specify: Vacant 1-story wood frame dwelling.

Proposed use of the property, specify: Warehouse facility.

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 improvement 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: _____

How long has the present owner had title to this property? * May 6, 2021 (Lot 4) & May 7, 2021 (Lot 2)

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:

The proposed width is consistent with industry standards and is sufficient for the necessary turning radius for vehicles. The variance also reduces impervious coverage.

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.

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.

See above.

PART F

LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:

<u>Quantity:</u>	<u>Description of Item:</u>
<u>25</u>	<u>Preliminary & Final Major Site Plan</u>
<u>25</u>	<u>Architectural drawings</u>
<u>15</u>	<u>Traffic Impact Study</u>
<u>15</u>	<u>Environmental Impact Statement</u>
<u>3</u>	<u>Stormwater Management Report</u>
<u>3</u>	<u>Geotechnical Report</u>
<u>3</u>	<u>Boundary & Topographic Survey</u>

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 NJ Zip Code 08902

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

Email peter@borrus.com & erin@borrus.com

PART H

APPLICANT'S CERTIFICATION

Orion IV Elizabeth Logistics Center LLC
c/o Justin Drysdale, Senior Vice President,
I, Brookfield Properties, of full age, being duly sworn according to law and upon my oath,
depose that: I reside at Brookfield Place New York, 250 Vesey Street, 15th Floor, New York in the County of
New York and State of New York, 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 24th day of
June, 20 21

[Signature]
NOTARY PUBLIC

Samuel Tyler Hart
Notary Public, State of New York
Reg. No. 01HA6389394
Qualified in New York County
My Commission Expires 03/25/2023

Orion IV Elizabeth Logistics Center
LLC

[Signature]
APPLICANT'S SIGNATURE

Name: Andy Smith
Title: Senior Vice President

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.)

Orion IV Elizabeth Logistics Center LLC
c/o Justin Drysdale, Senior Vice President,
I, Brookfield Properties, of full age, being duly sworn according to law and upon my oath
depose that: I reside at Brookfield Place New York, 250 Vesey Street, 15th Floor, New York in the County of
New York and State of New York, 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 24th day of
June, 20 21

[Signature]
NOTARY PUBLIC

Samuel Tyler Hart
Notary Public, State of New York
Reg. No. 01HA6389394
Qualified in New York County
My Commission Expires 03/25/2023

Orion IV Elizabeth Logistics Center
LLC

[Signature]
OWNER'S SIGNATURE

Name: Andy Smith
Title: Senior Vice President