

# Franklin Township

Somerset County, New Jersey



## DEPARTMENT OF PLANNING AND ZONING

Planning – Zoning – Affordable Housing  
Planning Board – Zoning Board of Adjustment

## MEMORANDUM

Municipal Building  
475 DeMott Lane  
Somerset, NJ 08873  
732.873.2500  
Fax: 732.873.0844  
[www.franklintwpnj.org](http://www.franklintwpnj.org)

TO: Planning Board

FROM: Mark Healey, PP/ AICP  
Director of Planning/ Senior Zoning Officer

DATE: December 6, 2021

RE: *Macedonia Church of God in Christ Site Plan with "C" Variances  
133 Fuller Street (Block 123, Lots 13-22)*

---

As requested, I have reviewed the application materials listed below and issue the following report for the Board's consideration:

- 9-sheet set of site plan drawings prepared by Ronald K. Sadowski, PE dated 10/20/20
- 10-sheet set of architectural plans prepared by Larry C. Johnson Architecture revised 11/3/21
- Traffic Impact Analysis Fisk Associates, PA dated dated 10/14/17

### Site Description

The subject site is 25,000 square foot (0.57 acre) site located in the Renaissance Infill (R-F) zoning district of the Renaissance Redevelopment Area. The site is located at the northeast corner of Booker Street/ Fuller Street. The site is occupied by a one-story church, a residential structure and associated parking.

### Project Description

The application consists of the following:

- Demolition of existing church
- Construction of a 2-story church
  - *Basement:* 1,586 square foot fellowship (90 seat table seating reflected on plan); offices; bathrooms
  - *First Floor:* Sanctuary (210 seats); choir/pulpit (33 seats); nurses room; offices
  - *Second Floor:* Balcony (60 seats)
  - *Total Seats:* 303 seats
- 38-space parking lot with two-way access drive from Fuller Street

- Associated site modifications including grading, drainage, landscaping, lighting, sidewalk along the site’s Booker and Fuller Street frontages, etc.

The proposal requires the following approvals:

- Site Plan
- “C” Variances and design waivers required – See “Zoning Compliance” analysis below

## Variances - Overview

### ‘C’ Variances

With respect to the ‘c’ variances, the applicant needs to demonstrate whether each would satisfy the c-1 (hardship) and/or c-2 (advancement of the MLUL) criteria.

With respect to the c-2 criteria, the applicant would need to demonstrate that the proposed variances would represent a better zoning alternative than compliant development such that the purposes of the MLUL would be advanced. Alternatively, the applicant would need to prove that a hardship (C-1) exists such that the application cannot be made to comply.

With respect to the negative criteria, the applicant must demonstrate that the variances would not result in substantial detriment to the public good (“1st prong” of negative criteria) and will not substantially impair the intent and purpose of the zone plan and zoning ordinance (“2nd prong of negative criteria).

Finally, the applicant must prove that benefits of granting the variances would substantially outweigh any detriments resulting from grant of the variances.

While the applicant must address the above with respect to each of the “c” variances requested, I offer input with respect to certain of these variances below.

## Review Comments

1. Zoning Compliance.<sup>1</sup>
  - a. *Minimum Lot Area* - Section 112-280.D(3)(l)[1] – Min. 1 acre required – 0.57 acre proposed. **Variance required.**
  - b. *Minimum Building Setback (Front)* - Section 112-280.D(3)(l)[2] - Min. 50 feet required – 7 feet proposed. **Variance required.**

---

<sup>1</sup> The zoning analysis on Sheet 1 of the site plan contains numerous errors (e.g., incorrect citing of requirements, required variances no identified, identification of design waivers as variances, etc.). Sheet 1 must be revised to be consistent with the zoning analysis below.

- c. *Minimum Building Setback (Side/ Rear)*<sup>2</sup> - Section 112-280.D(3)(l)[2] - Min. 25 feet required – 5 feet (north) and 6 feet (west) proposed. **Variance required.**
- d. *Maximum Building Height*<sup>3</sup> - Section 112-280.D(3)(l)[3] – Max. 35 feet permitted – 38’-6” proposed. **Variance required.**
- e. *Maximum Lot (Building) Coverage* - Section 112-280.D(3)(l)[4] – Max. 30% permitted – 19.52% proposed. **Complies.**
- f. *Maximum Impervious Coverage*<sup>4</sup> - Section 112-280.D(3)(l)[5] - Max. 60% permitted – 72.6% proposed. **Variance required.**
- g. *Off-Street Parking* - Section 112-280.D(3)(l)[6] – At least 131<sup>5</sup> spaces required – 38<sup>6</sup> spaces proposed. **Variance required**
- h. *Parking Location* - Section 112-280.D(3)(l)[7][a] – Majority of parking required to be located behind building – parking located between building and Booker Street. **Design waiver required.**
- i. *Parking Lot Setback* - Section 112-280.D(3)(l)[7][b] – 15 front setback required – 1 foot (Fuller Street), 7.5 feet (Booker Street) and 5 feet (residential buffer) proposed. **Design waiver required.**
- j. *Perimeter Buffering* - Section 112-280.D(3)(l)[7][c] – Buffer 15-25 feet/ 6-foot evergreen/ fencing – proposed buffering does comply in width (at 5 feet<sup>7</sup>) or design. **Design waiver required.**
- k. *Lighting* - Section 112-280.D(3)(l)[7][d] – Max. 15 feet permitted/ Max. 0.0 footcandle at property line/ light source shall be concealed. **Complies with height limitation/ design waiver for footcandle limitation/ plan needs to demonstrate compliance with requirement that light source be concealed**
- l. *Drive Aisle Width*: 26 feet required – 24 feet proposed **Design waiver required.**

---

<sup>2</sup> Per Section 112-280.D(3)(l)[2] the required side and rear setback is 25 feet (not 10 and 30 feet for side and rear setbacks respectively as cited in the table on Sheet 1 of the site plan).

<sup>3</sup> The zoning table on the site plan incorrectly cites the permitted building height as “35 feet +10%”. There is no such requirement. Per Section 112-280.D(3)(l)[3] the maximum permitted building height is 35 feet. At 38.5 feet, the proposal requires a variance.

<sup>4</sup> The zoning table does not reference the need for this variance.

<sup>5</sup> Calculated as follows: 303 seats in sanctuary + 90 seats in fellowship hall (393/3) = 131 spaces. As indicated in my “completeness” review the Applicant needs to clarify if any or all of the seats are permanent. If not, the parking requirements shall be calculated based on 1 space per 15 square feet of the sanctuary, balcony and fellowship hall.

<sup>6</sup> While the applicant might testify to this at the hearing, off-site spaces cannot be counted towards meeting the site’s parking requirement as part of this zoning compliance analysis.

2. Parking Variance/ Traffic Impact Analysis.

- a. As indicated above the parking requirement for the site is at least 131 spaces (see footnote 3) based on 303 seats in the worship area (sanctuary, balcony, choir, pulpit) and 90 seats in the fellowship hall. However, the Traffic Impact Analysis indicates the following expected activity at the site:
- Weekday service: 50 attendees
  - Sunday service: 120 attendees
  - Current total members: 175 members
  - Anticipated total: 200 members

The numbers provided in the Traffic Impact Analysis don't appear to correspond to the proposed capacity of the church. The proposed 303 seat capacity is 2.5 times the number of members expected at Sunday service and 1.5 more than the anticipated total members of the congregation. The applicant needs to explain. The difference in these figures raises questions about the accuracy of the parking and traffic analysis.

- b. The application references an agreement for 25 off-site spaces. The applicant needs to explain the location of these spaces and nature/ type of agreement involved.
- c. The Traffic Impact Analysis concludes that the application will result in a "significant improvement over current conditions." However, there is no real analysis to support this conclusion. There should be some form of before/ after analysis with respect to both traffic and parking - e.g., how many congregants park off-site now versus how many congregants would park off-site under the proposal and how does that number relate to the availability of off-site spaces. This analysis should address comment 2.a above.

3. Other Review Comments.

- a. The applicant should provide testimony anticipated activities other than the weekday and Sunday service mentioned in the Traffic Impact Analysis (e.g., special events, festivals, weddings or other such events, holiday celebrations, renting of any spaces, etc.).
- b. The applicant should explore changes to the plan to meet (or more nearly meet) the design-related requirements of Section 112-280.D(3)(l)[7][c] related to perimeter buffering.
- c. The applicant should explore changes in the site plan layout to increase the proposed 1- foot parking setback along Fuller Street (preferably wide enough to

---

<sup>7</sup> The site plan cites 16 feet proposed which is inconsistent with the site plan drawing.

allow the street trees and hedge to be planted on the site rather than in the Township right-of-way).

- d. The proposed landscape plan complies with Chapter 222, Tree Preservation, which requires 15 replacement trees.
- e. Would any building-mounted lights be proposed on the building? Residences are located to the south, west and north of the site so any such lights should be designed (shielded) to prevent impact to these residences.
- f. As a place of worship, the application is exempt from collection of Non-Residential Development ("COAH") Fees.