

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 minor subdivision, preliminary and final major site plan and c(2) variance approval.

The subdivision is a lot line adjustment between Lots 19.31 and 19.32 which will reconfigure the two existing lots. The size of the lots is as follows: Proposed Lot 19.31 - 218,748 sq. ft./5.02 acres and proposed Lot 19.32 - 341,409 sq. ft./7.84 acres. The existing one (1) story 50,262 sq. ft. office building located on Lot 19.31 will remain and all other improvements will be removed. The applicant proposes to construct a 153,010 sq. ft. warehouse building with 31 loading spaces and 98 parking spaces on the site on reconfigured Lot 19.32 and a new parking lot for the reconfigured Lot 19.31. Access to proposed Lot 19.31 is via the existing westerly driveway and a new driveway to the new parking lot on the west side of the building. Access to proposed Lot 19.32 is via one (1) driveway on Belmont Drive. There will be no Stormwater management for the project as there is no net change in the impervious coverage, but the stormwater piping will be reconfigured. Utilities are in Belmont Drive.

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>
<u>§112-</u>	See attached Exhibit "A".	
<u>§112-</u>		
<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 The Harbor Group

Street Address 4301B New Brunswick Avenue Apt./Ste/Unit # _____

City South Plainfield State NJ Zip Code 07080

Phone _____ Fax _____

Email _____

OWNER (if different from Applicant):

Name See attached Exhibit "B".

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 528.04 Lot/s 19.31 & 19.32 Zone B-I

Street Address 110-120 & 130 Belmont Drive

City Somerset State NJ Zip Code 08873

Approximate Site Size * 12.86 Acres/ 560,157 Sq. ft.

Present use of the property, specify: Offices

Proposed use of the property, specify: Lot 19.31 - Offices / Lot 19.32 - Warehouse

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 approvals for both sites. Date of original approvals unknown.

How long has the present owner had title to this property? * Lot 19.31 - Since 06/08/18 & Lot 19.32 - Since 04/05/05

Is the property under contract to be sold? Yes No

If yes, state the date of contract and name of the contract purchaser: 4/5/2021 - Belmont Property, LLC.

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:

See attached Exhibit "C".

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 attached Exhibit "C".

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 attached Exhibit "C".

PART F

LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:

Quantity:	Description of Item:
25	Preliminary and Final Site Plan
25	Architectural Drawings
3	ALTA/NSPS Land Title Survey
15	Traffic Impact Study
15	Environmental Impact Assessment Report
3	Stormwater Management Analysis
3	Water and Sanitary Sewer Engineer's Report

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

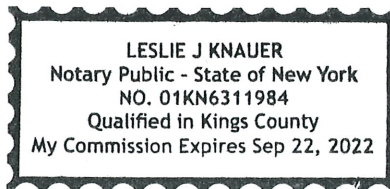
APPLICANT'S CERTIFICATION

Teddy Braha,
I, The Harbor Group, of full age, being duly sworn according to law and upon my oath,
depose that: I reside at 4301B New Brunswick Avenue, South Plainfield 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.

The Harbor Group

APPLICANT'S SIGNATURE

Sworn to and subscribed before
me this 7th day of
October, 20 21

NOTARY PUBLIC

OWNER'S CERTIFICATION

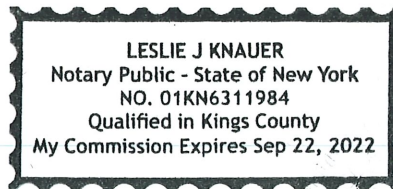
(If the owner is a corporation, this section must be signed by an authorized corporate officer. If the owner is a
partnership, this section must be signed by a general partner.)

Teddy Braha,
I, The Harbor Group, of full age, being duly sworn according to law and upon my oath
depose that: I reside at 4301B New Brunswick Avenue, South Plainfield 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 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.

The Harbor Group

OWNER'S SIGNATURE

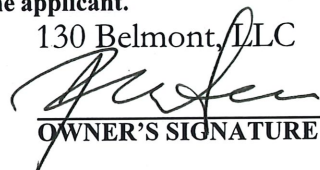
Sworn to and subscribed before
me this 7th day of
October, 20 21

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.)

Brian Semcer, Manager
I, 130 Belmont, LLC, of full age, being duly sworn according to law and upon my oath
depose that: I reside at 140 Belmont Drive, 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.

130 Belmont, LLC

OWNER'S SIGNATURE

Sworn to and subscribed before
me this 12th day of
October, 20 21


NOTARY PUBLIC

**DIANE YDOATE
NOTARY PUBLIC OF NEW JERSEY
Comm. # 2364934
My Commission Expires 10/5/2022**



Exhibit “A”

The Harbor Group

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 Attachment 2 - Schedule 2 - Lot and Yard Requirements – Minimum Lot Frontage	150 feet	50 feet – Proposed Lot 19.32
§112 Attachment 3 - Schedule 3 - Height, Coverage and Building Requirements – Maximum Percent of Impervious Coverage	60%	<ul style="list-style-type: none"> • 66.4% - Proposed Lot 19.31 • 87.9% - Proposed Lot 19.32
§112-104.A	A loading berth shall be at least 12 feet wide with at least 15 feet overhead clearance. The length of the loading berth shall be at least 48 feet or shall be a length such that the horizontal distance from the front of a dock for back-in parking to the limiting boundary of the loading and unloading area shall not be less than twice the overall length of the longest vehicle expected to use the facility. – 147 feet	Proposed is 130 feet
§112-88	Interior driveways shall be at least 26 feet wide where used with ninety-degree angle parking and at least 18 feet wide where used with sixty-degree or forty-five-degree parking. Where there is no parking, interior driveways shall be at least fifteen feet wide for one-way traffic movement and at least 22 feet wide for two-way traffic movement.	Proposed is 25 feet

Exhibit “B”
The Harbor Group

OWNER (if different from Applicant):

❖ Block 528.04, Lot 19.31

The Harbor Group
c/o Teddy Braha
4301B New Brunswick Avenue
South Plainfield, NJ 07080

❖ Block 528.04, Lot 19.32

130 Belmont, LLC
c/o Brian Semcer, Manager
140 Belmont Drive
Somerset, NJ 08873

Exhibit “C”

The Harbor Group

List in detail wherein this case conforms to this requirement / Supply a statement of facts why relief can be granted without substantial detriment to the public good / 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.:

❖ Minimum Lot Frontage:

Applicant is reconfiguring two (2) lots to eliminate a building that is obsolete and replacing same with a new building from which the driveway frontage is provided, this allowing the remaining use and the new use to function compatibly.

❖ Maximum Percent of Impervious Coverage:

The net impervious coverage proposed by this application is less than what is existing.

❖ Loading Berth:

The loading berth meets industry standards and is more than sufficient to provide an appropriate turning radius for tractor trailers.

❖ Interior Driveway:

The proposed driveway width is more than sufficient for car parking and creates less impervious coverage.