

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 with c(2) variance approval to construct a 90,000 square foot warehouse facility with driveways, parking areas, utilities, lighting, and accommodating site improvements. The proposed warehouse contains 87,500 square of warehouse space and 2,500 square feet of office space, 12 loading spaces, 2 drive-in doors and 33 parking spaces. It is proposed to reconstruct the existing driveway and construct an additional driveway, totaling two (2) full movement driveways along Schoolhouse Road.

Stormwater runoff from the majority of the proposed development is routed by the on-site stormwater collection and conveyance system to the two (2) proposed aboveground bioretention basins with underdrains and underground infiltration 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)

Identify requested variances from the requirements of the Franklin Township Land Development Ordinance:

See attached Exhibit "A".

<u>Ordinance Section</u>	<u>Requirement</u>	<u>Proposed Deviation</u>
§112-		
§112-		
§112-		
§112-		
§112		
§112		
§112-		

PART B

APPLICANT: Individual Partnership Corporation Limited Liability Company

APPLICANT: Owner Applicant Other _____

Name BH 31 Schoolhouse Road LLC

Street Address c/o Duck River Textile c/o Nori Alhakim, Member
55 Talmadge Road Apt./Ste/Unit # _____

City Edison State NJ Zip Code 08817

Phone 718-644-7964 Fax _____

Email sales@duckrivertextile.com

OWNER (if different from Applicant):

Name Balogh Associates V, LLC

Street Address 31 Schoolhouse Road Apt./Ste/Unit # _____

City Somerset State NJ Zip Code 08873

Phone (732) 805-9800 Fax (732) 805-9800

Email Paulmeb@baloghassociates.com

PART C

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

SUBJECT PROPERTY:

Block/s 517.04 Lot/s 21.03 Zone B-I

Street Address 31 Schoolhouse Road

City Somerset State NJ Zip Code 08873

Approximate Site Size * 5.231 Acres/ 227,862.4 Sq. ft.

Present use of the property, specify: Office and Warehouse.

Proposed use of the property, specify: 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 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: _____

Original approvals for the buildings currently on the site. Date/Docket # unknown.

How long has the present owner had title to this property? * Since September 25, 2018.

Is the property under contract to be sold? Yes No

If yes, state the date of contract and name of the contract purchaser: 09-01-2021. Flash Commerce Corp.

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:

- Impervious Coverage—in order to provide adequate sit circulation for trucks and emergency vehicles and because the loading docks are located to the rear of the building and screened by the building the impervious coverage variance is requested. Stormwater management can handle the increase in impervious coverage.
- Parking stalls- based on industry standards there is adequate parking for this type of warehouse operation.
- Loading Berth—the loading berth is of sufficient size and length for the safe maneuvering of tractor trailers.

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 and Final Major Site Plan</u>
<u>25</u>	<u>Architectural Drawings</u>
<u>3</u>	<u>ALTA/NSPS Land Title Survey</u>
<u>15</u>	<u>Traffic Impact Study</u>
<u>15</u>	<u>Environmental Impact Statement Report</u>
<u>3</u>	<u>Stormwater Management Analysis</u>
<u>3</u>	<u>Stormwater Management Measures Maintenance Plan & Field Manuals</u>
<u>3</u>	<u>Water and Sanitary Sewer Engineer's Report</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 New Jersey Zip Code 08902

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

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

PART H

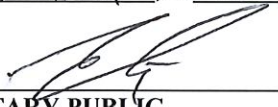
APPLICANT'S CERTIFICATION

Nori Alhakim, Member of

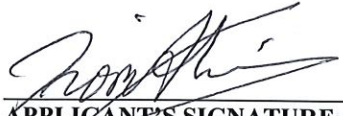
I, BH 31 Schoolhouse Road LLC, of full age, being duly sworn according to law and upon my oath, depose that: I reside at 55 Talmadge Road, Edison in the County of Middlesex and State of New Jersey, and that the above statements contained in this application and in the papers appended thereto are true. 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.

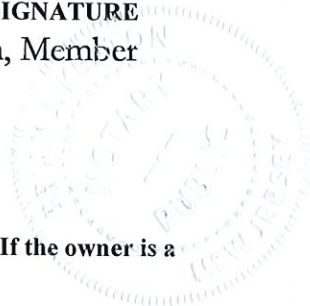
BH 31 Schoolhouse Road LLC

Sworn to and subscribed before me this 19 day of March, 20 22


NOTARY PUBLIC

BRIAN J. KEATON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 6/13/2026


APPLICANT'S SIGNATURE
Nori Alhakim, Member

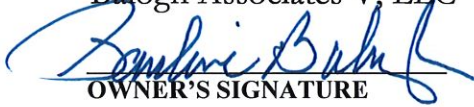


OWNER'S CERTIFICATION

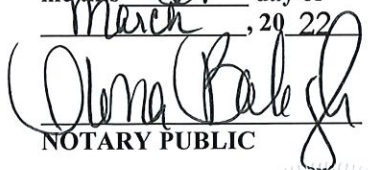
(If the owner is a corporation, this section must be signed by an authorized corporate officer. If the owner is a partnership, this section must be signed by a general partner.)

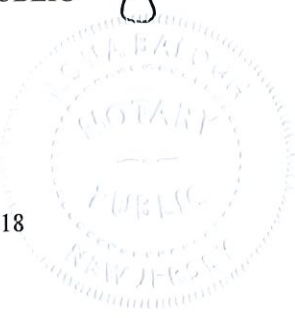
I, Balogh Associates V, LLC, of full age, being duly sworn according to law and upon my oath depose that: I reside at 31 Schoolhouse Road, Somerset in the County of Somerset and State of New Jersey, and that the above statements contained in this application and in the papers appended thereto are true. 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.

Balogh Associates V, LLC


OWNER'S SIGNATURE

Sworn to and subscribed before me this 19th day of March, 20 22


NOTARY PUBLIC



ILONA BALOGH
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50062141
My Commission Expires 6/14/2022

Exhibit "A"

BH 31 Schoolhouse Road LLC

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 3 - Schedule 3 - Height, Coverage and Building Requirements - Maximum Percent of Impervious Coverage	60%	70.1%
§112 Attachment 4 - Schedule 4 - Parking Requirements	48	33
§112-104A	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	130 feet