

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 for the construction of a 70,340 square foot warehouse. The first floor will consist of a 53,507 square foot open space warehouse area, a 894 square feet reception area, 1,229 square feet of office space, a 5,592 shipping & receiving area, a 364 square foot lounge and a 894 square foot bathroom. The second floor will contain a 7,594 square foot mezzanine area and a 645 square foot bathroom. Proposed are 52 parking spaces, 5 loading stalls and 1 drive-in ramp. Access to the site is proposed via a full movement driveway along Weston Canal Road (CR 623). Additional site improvements include constructing driveways, parking areas, grass swales, stormwater management basins, landscaping, lighting and other associated site improvements. The stormwater management basins include two (2) aboveground bioretention basins with underdrains, one (1) underground infiltration basin, two (2) green infrastructure manufactured treatment devices and one (1) structural manufactured treatment device.

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-70.D(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-	See Exhibit "A" attached.	
§112-		
§112-		
§112-		
§112		
§112		
§112-		

PART B

APPLICANT: Individual Partnership Corporation Limited Liability Company

APPLICANT: Owner Applicant Other _____

Name Baldwas Realty LLC

Street Address 606 West Union Avenue Apt./Ste/Unit # _____

City Bound Brook State NJ Zip Code 08805

Phone _____ Fax _____

Email _____

OWNER (if different from Applicant):

Name Kenneth Selody, Sr. & Kenneth Selody, Jr.

Street Address 549 Weston Canal Road Apt./Ste/Unit # _____

City Somerset State NJ Zip Code 08873

Phone _____ Fax _____

Email _____

PART C

Note: “*” indicates not required in association with signage variances

SUBJECT PROPERTY:

Block/s 516.01 Lot/s 4.03 & 5 Zone B-I

Street Address 545 & 549 Weston Canal Road

City Somerset State NJ Zip Code 08873

Approximate Site Size * 8.85 Acres/ 298,285 Sq. ft.

Present use of the property, specify: Nursery/Greenhouse and residential dwelling.

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:

How long has the present owner had title to this property? * Since 1995 & 2008.

Is the property under contract to be sold? Yes No

If yes, state the date of contract and name of the contract purchaser: February 24, 2020 & September 8, 2020. Baldwas Realty, 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:

The driveway variance is required to allow for the safe entry/exit of tractor trailers.
This application involves the merger of two (2) lots. The applicant is unable to
comply with the buffer requirements since the lot would be unbuildable for the
permitted use. Variances are necessary in order to develop the site as allowed for by
Ordinance.

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>15</u>	<u>Traffic Impact Study</u>
<u>15</u>	<u>Environmental Impact Statement</u>
<u>3</u>	<u>Stormwater Management, Groundwater Recharge and Water Quality Analysis</u>
<u>3</u>	<u>ALTA/NSPS Land Survey</u>
<u>3</u>	<u>Stormwater Management Measures Maintenance Plan & Field Manuals</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

Exhibit "A"
Baldwas Realty 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>
§112-102.G	No parking area shall be located in the required fifty-foot-wide front yard area nor closer than five feet from a side or rear property line. Ingress and egress shall be provided by not more than two driveways, each not less than 20 feet nor more than 36 feet in width.	Proposed driveway is 45 feet in width.
§112-90.A	A driveway, exclusive of curb return radii, shall be not less than 12 feet in width. The maximum width of a driveway, exclusive of curb return radii, shall not exceed 36 feet except for unusual circumstances.	Proposed driveway is 45 feet in width.
§ 112 Attachment 6 -Schedule 6 - Landscaping and Buffer Requirements	Buffer zone area not less than 50 feet in width and consisting of mass evergreen plantings and a solid 6-foot high fence shall be required along and abutting all residential zone boundaries, including the PAC, SCV, CMMR and C-R zones, except that no buffer shall be required with an arterial street or highway as shown on the adopted Master Plan of the Township of Franklin located between the B-I zone and such residential zone. Such buffer area shall increase to 75 feet for sites containing a building taller than 50 feet in building height. Refer to Schedule 2, Lot and Yard Requirements, for applicable building setbacks. With the exception of necessary access drive(s) and fencing or other screening approved as part of development application, no improvements (e.g., stormwater basin, parking lots, etc.) may be permitted within such buffer areas.	No buffering proposed.