

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(1) & c(2) variance relief to construct a 37,460 square foot warehouse. The existing office/Light Manufacturing building to remain. The proposed warehouse will consist of 35,510 square feet of warehouse and 1,950 square feet of office. Parking will be provided via 70 on-site parking spaces. Additionally five (5) loading drive-in ramps are proposed. Access will be provided via a relocated driveway on Davidson Avenue and an emergency access only driveway on Atrium Drive. Stormwater will be handled via (3) three stormwater BMP's consisting of 3 porous pavement systems (2 in the front of the proposed building and one in the rear).

**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>		
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<u>§112</u>		
<u>§112-</u>		

**PART B**

**APPLICANT:**       Individual       Partnership       Corporation       Limited Liability Company

**APPLICANT:**    Owner       Applicant       Other \_\_\_\_\_

**Name** Davidson Properties, LLC

**Street Address** 100 Franklin Square Drive      **Apt./Ste/Unit #** 207

**City** Somerset      **State** NJ      **Zip Code** 08873

**Phone** 732-809-8000      **Fax** \_\_\_\_\_

**Email** am@onyxrlt.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 468.01 Lot/s 20.01 Zone B-I

Street Address 230 Davidson Avenue

City Somerset State NJ Zip Code 08873

Approximate Site Size \* 4.88 Acres/ 212,864 Sq. ft.

Present use of the property, specify: Office building, and light manufacturing.

Proposed use of the property, specify: Office building, light manufacturing, and 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: \_\_\_\_\_  
Previous approval for addition to existing office building.

How long has the present owner had title to this property? \* Since June 28, 2019.

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.

Due to the narrowness of the lot, it is hard to develop without the requested variances which can be granted under the c(1) and c(2) criteria. The buffering is not provided because the adjacent properties are a parking lot and a storage yard which do not need to be buffered.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ 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 above.

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**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:**

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**C and D Variance(s):**

**Supply a statement of facts why relief can be granted without substantial detriment to the public good.**

See above.

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**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.

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**PART F**

**LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:**

<u>Quantity:</u>	<u>Description of Item:</u>
25	Preliminary & Final Major Site Plan
25	Architectural drawings
15	Traffic Impact Statement
15	Environmental Impact Statement
3	Stormwater Management Report
3	Stormwater Management Facilities Operations & Maintenance Manual
3	ALTA / NSPS Land Title Survey

**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**

Chandra Mandalapu, Authorized Signatory

I, Davidson Properties, LLC, of full age, being duly sworn according to law and upon my oath, depose that: I reside at 100 Franklin Square Drive, Suite 207, 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 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 18 day of

JANUARY, 20 23



**JULIUS L. SALDANHA**  
NOTARY PUBLIC OF NEW JERSEY  
Comm. # 2457614  
My Commission Expires 4/5/2023

NOTARY PUBLIC

Davidson Properties, LLC



APPLICANT'S SIGNATURE

**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.)

Chandra Mandalapu, Authorized Signatory

I, Davidson Properties, LLC, of full age, being duly sworn according to law and upon my oath depose that: I reside at 100 Franklin Square Drive, Suite 207, 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.

Sworn to and subscribed before me this 18<sup>th</sup> day of

JANUARY, 20 23



**JULIUS L. SALDANHA**  
NOTARY PUBLIC OF NEW JERSEY  
Comm. # 2457614  
My Commission Expires 4/5/2023

NOTARY PUBLIC

Davidson Properties, LLC



OWNER'S SIGNATURE

# Exhibit “A”

## Davidson Properties 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 2 - Schedule 2 - Lot and Yard Requirements – Minimum Side Yard Setback (Total)	50 feet	44.5 feet
§112-Attachment 3 - Schedule 3 - Height, Coverage and Building Requirements – Maximum Impervious Coverage	60% (127,577 square feet)	±80% (170,196 square feet)
§112-88 – Interior Driveways	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. In the HBD District, interior driveways widths may be reduced to 24 feet wide where used with ninety-degree angle 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.	24 feet
§112-104 – Size of loading berth	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. (73.5 feet x 2 = 147 feet)	130 feet
§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 (i.e., zones in which residential uses are a principal permitted use), including the A, CP, RR, R, PAC, SCV, CMMR and C-R Zones, except that no buffer shall be required where an interstate highway is 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.	Buffer zone area and fence not proposed.