

Franklin Township

Somerset County, New Jersey

Municipal Building
475 DeMott Lane
Somerset, NJ 08873
732.873.2500
Fax: 732.873.0844
www.franklintwpnj.org

Township Technical Review Committee (TRC)

To: Zoning Board of Adjustment

From: Technical Review Committee (TRC)

Date: January 4, 2024

RE: Cedar Hill Prep School (ZBA-23-00019)
152 Cedar Grove Lane – Block 424.12, Lot 6.03¹
D(1) Use Variance

Project History

The site is occupied by a private school of up to 330 students.

2022 Approval

After originally applying for use variance approval to operate a summer day camp at the school site, the applicant ultimately received a **temporary use permit** from the Board for the operation of a summer camp at the site **limited to the summer of 2022** and subject to certain conditions. One of the conditions was that the Applicant and camp operator was required to return to the Board for the Board to consider whether to grant a D(1) use variance for the continued operation of the summer camp. As required, the applicant returned to the Board for consideration of the D(1) Use Variance request.

2023 Approval

At the March 2, 2023 hearing the Board denied the Applicant's D(1) Use Variance by vote of 4-3 (having not received the required 5 affirmative votes). By letter dated 3/31/23 the Applicant's attorney has submitted a request for reconsideration citing his opinion regarding the Board's legal ability to reconsider and offering a number of modifications to the proposal.

¹ Note: Applicants represented by attorneys, engineers and/or architects (or other such professionals) are expected to use the video display system available in Council Chambers to project hearing exhibits. Use of the video display systems greatly improves visibility of these exhibits for the Board, the public and the Township's video broadcast of the hearing. In order to use the video display system, please bring a computing device capable of utilizing a HDMI connection. A cable is provided, however adapters are not so please make sure you have the required adaptors to connect to HDMI if necessary.

On 4/13/23, on the basis of the evidence and testimony presented, the Board granted a **temporary use permit** for the operation of a summer camp at the Site **limited to the summer of 2023** and requiring that the Applicant return to the Board in the fall of 2023 for the Board to consider whether to grant a permanent D(1) use variance approval for the summer camp.

Current Request

Per the condition of the Board's the Applicant has submitted an application for Use Variance approval to allow a summer camp on the property. No site modifications are proposed. In addition to the Variance Application Form the Applicant has submitted a "Use Variance Plan" which depicts the existing site layout, a memorandum dated 8/28/23 addressing traffic matters and a copy of the agreement with Cedar Hill Club addressing use of their parking lot (up to 30 cars) in the summer of 2024. Lastly, the Applicant's attorney has submitted a letter dated December 21, 2023 outlining the following potential conditions that would be acceptable to the Applicant (which conditions had been previously incorporated into the Board's prior approvals for the use):

- The number of children to attend the camp shall not exceed 200.
- The Applicant shall be prohibited from utilizing the Site to bus and/or transport campers from the Site to any of the Applicant's outside of the Township.
- If the Applicant's summer camp is no longer able to use the Cedar Hill Swim club parking lot, the Applicant must apply before the BOARD to propose some other alternative parking.
- Only one (1) overnight event may be held at the summer camp annually.
- The Applicant and camp operator shall be prohibited from utilizing outdoor amplified music, which would include no use of a bullhorn or starter pistol on the Site.
- The Applicant shall provide temporary traffic control devices (cones) to stop vehicles from making left hand turns when exiting the property.
- The Applicant and camp operator shall respond promptly to any inquiries from Township staff and officials, including responding to complaints.
- Compliance with TRC reports, except as specifically waived or modified by the Board.
- Compliance with the Applicant's letter dated 3/31/23, attached, except as specifically waived or modified by the Board. Note: that letter contained the following additional conditions:
 - Total staff count would be reduced by 20
 - The Applicant would be required by January of each year to provide proof of an agreement with the adjoining swim club regarding the use of the swim club parking lot consistent with the agreement in place for 2023

- Applicant will have a “head counselor” or other person of authority available to provide for safety of campus movements with the parking lot during drop off and pick up times. NOTE: the applicant’s 3/31/23 letter further specified that this person would be available to receive any complaints or information from local Franklin Township authorities with respect to operation of the camp”

TRC Comments

1. The Board’s granting of temporary use permit approval for 2023 indicated:

Should the Applicant apply for a permanent “d(1)” use variance in the future, the inclusion of a sidewalk between the school situated on the Site and the Cedar Hill Swim Club must be constructed within a year of any approval.

The submittal doesn’t address this matter.

