

FOR OFFICIAL USE ONLY

Planning Board

Zoning Board of Adjustment

Name of Application: Hamilton Street Holdings LLC

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 proposing to construct a 5 story mixed use building and related parking at 752 Hamilton St. in the HSBD Zone.

The building will have 7,311 sq ft of commercial space to be used as a day care center and 120 residential units consisting of 8 studios, 96 one bedroom units and 16 two bedroom units.

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>
§112- Schedule 2	20' rear yard	5.48 SF
§112- Schedule 4	required 243 less EVSE credit 24 = 219	168
Schedule 3		
§112- building height	50'/existing 1 story	52.11 SF/5 stories
§112- Schedule 3	50%	Lot 8.01 - 82.24%
§112 102(J)	20' rear	5.48 SF
§112		
§112-		

PART B

APPLICANT: Individual Partnership Corporation

APPLICANT: Owner Applicant Other _____

Name Hamilton Street Holdings LLC

Street Address 510 Hamilton Street Apt./Ste/Unit # Apt. 415

City Somerset State NJ Zip Code 08873

Phone 609.216.9552 Fax _____

Email johnpark181@googlemail.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 154 Lot/s 8 Zone HSBD

Street Address 752 Hamilton St.

City Somerset State NJ Zip Code 08873

Approximate Site Size * _____ Acres/ 50,874 Sq. ft.

Present use of the property, specify: retail shops

Proposed use of the property, specify: mixed use building

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 * None

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: There was a previous approval for the existing strip center.

How long has the present owner had title to this property? * 2023

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.

_____ 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:

Applicant is seeking a rear yard variance for the area where the stair tower is located.

Applicant is seeking a parking variance where 218 spaces are required and 177 are proposed.

Applicant is seeking to construct a five-story building where only four stories are permitted.

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.

For the parking variance see the parking report supplied with this application.

For the rear yard - the rear yard is in compliance except for the portion where the stair tower is located.

The deviation will have a minimal effect on the property to the rear which is undeveloped.

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.

PART F

LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:

<u>Quantity:</u>	<u>Description of Item:</u>
<u>4</u>	<u>Preliminary and Final Major Site plan prepared by Bowman Consulting Group Ltd, dated January 25, 2024</u>
<u>4</u>	<u>Architectural drawings prepared by Kurt J. Ludwig, AIA dated May 4, 2023, revised through January 24, 2024</u>
<u>3</u>	<u>Survey prepared by Control Point Associates, Inc. dated April 7, 2022</u>
<u>15</u>	<u>Parking Needs Analysis (Final) prepared by THA Consulting dated January 19, 2024</u>
<u>15</u>	<u>Traffic Impact Analysis prepared by Dolan & Dean Consulting Engineers, LLC dated April 14, 2022</u>
<u>15</u>	<u>Environmental Impact Statement prepared by Bowman Consulting Group, Inc. dated January 25, 2024</u>
<u>3</u>	<u>Stormwater Management Report prepared by Bowman Consulting Group, Inc. dated January 25, 2024</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 / erln@borrus.com

PART H

APPLICANT'S CERTIFICATION

I, John Park, of full age, being duly sworn according to law and upon my oath, depose that: I reside at 510 Hamilton St 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 30th day of January, 2024

Donna L. Belliveau
NOTARY PUBLIC

DONNA L. BELLIVEAU
A NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES MARCH 5, 2026

[Signature]
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.)

I, John Park, of full age, being duly sworn according to law and upon my oath depose that: I reside at 510 Hamilton St 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 30th day of January, 2024

Donna L. Belliveau
NOTARY PUBLIC

DONNA L. BELLIVEAU
A NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES MARCH 5, 2026

[Signature]
OWNER'S SIGNATURE