

PLANNING/ZONING APPLICATION

DATE RECEIVED: <i>Sept. 27, 2021</i>	APPLICATION NO: <i>423-21</i>
RECEIVED BY: <i>A. Russo</i>	<i>PB #</i>

(Items above to be filled out by the Planning Board Secretary)

INDICATE TYPE(s) of APPLICATION *(please check all that apply)*

- | | |
|--|--|
| <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Preliminary Major Site Plan |
| <input type="checkbox"/> Preliminary Major Subdivision | <input checked="" type="checkbox"/> Final Major Site Plan (Phase II) |
| <input type="checkbox"/> Final Major Subdivision | <input type="checkbox"/> Bulk Variance ("C" Variance) |
| <input type="checkbox"/> Conditional Use Approval | <input type="checkbox"/> Use Variance ("D" Variance) |
| <input type="checkbox"/> Amended Board Approval | <input type="checkbox"/> Amended Preliminary, Final or Minor Site Plan |

APPLICANT

Name	Samboy Partners Urban Renewal, LLC	
Address	16 Microlab Road	
City, State, Zip	Livingston, NJ 07039	
Phone/Email	973-992-2443	

OWNER

Property owner if different from Applicant

Name	Manhattan Beach Club Street, LLC	
Address	200 Meeting Street, Suite 206	
City, State, Zip	Charleston, SC 29401	
Phone/Email	843-266-1717	

ATTORNEY

Name/ Firm	John S. Wisniewski, Esq. Wisniewski & Associates, LLC	
Address	17 Main Street	
City, State, Zip	Sayreville, NJ 08872	
Phone/Email	732-651-0040	jwisniewski@wisniewskilaw.com

PLANNER

Name/ Firm		
Address		
City, State, Zip		
Phone/Email		

ENGINEER

Name/Preparer Firm	Geoffrey R. Lanza, P.E. Bowman Consulting Group, LTD.	
Address	303 W. Main Street Fourth Floor	
City, State, Zip	Freehold, NJ 07728	
Phone/Email	732-665-5500	nj@bowmanconsulting.com

ARCHITECT

Name/Preparer Firm	Jack L. Raker, AIA Minno & Wasko Architects and Planners	
Address	80 Lambert Lane Suite 105	
City, State, Zip	Lambertville, NJ 08530	
Phone/Email	609-397-9009	

PROPERTY INFORMATION

Address	Radford Ferry Road		
Block(s)	161.02	Lot(s)	6.06
Zone	Beach Club District Redevelopment (BCD)	Tax Sheet#	16
Total Site Area	Acreage 2.98	Sq. Ft.	129,808.80
Date property acquired by present owner	August 18, 2017		
List any business or commercial activities at the property	Phase I is currently under construction - 291 unit apartment building		
List any prior appeals, variances and developmental approvals involving this property	Phase I is currently under construction. This Application is for final approval of Phase II for the construction of a 205 unit apartment building with amenities including a pool, fire pit, lounges, fitness equipment, social space and grilling stations.		
List and describe all existing structures on the property	Phase I is currently under construction - 291 unit apartment building. This Application is for final approval of Phase II for the construction of a 205 unit apartment building. The land upon which Phases I and II are to be constructed is vacant with no pre-existing structures.		

VARIANCE(s) REQUESTED (NJSA MLUL 40:55D) *(please check all that apply)*

"C" VARIANCE

Bulk (c) Variance

the applicant must prove hardship as outlined in the MLUL 40:55D-70c (1) where:

"C-1"

- (a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or;
- (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or;
- (c) by reason of an extraordinary situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation pursuant to article 8 of this act (C40:55D-62 et seq.) would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property, grant, upon an application or an appeal relating to, such property, a variance from such strict application of such regulation so as to relieve such difficulties or hardship.

"C-2"

40:55D-70c (2), proof of hardship is not necessary.

Two things must be proven to receive approval for a C-2 variance:

- (1) An applicant must show that the purposes of the MLUL (40:55D-2) would be advanced by a deviation from the zoning ordinance requirement and
- (2) that the variance can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the zone plan and zoning ordinance (negative criteria).

"D" VARIANCE

Use (d) Variance

Six instances for granting a "D" variance in the MLUL (40:55-70d):

- (1) a use or principal structure in a district restricted against such a use or principal structure;
- (2) an expansion of a nonconforming use;
- (3) deviation from a specification or standard pursuant to section 54 of P.L. 1975, c. 291 (C.40:55D-67) pertaining solely to a conditional use;
- (4) an increase in the permitted floor area ratio as defined in section 3.1 of P.L. 1975, C.291 (C.40:55D-4);
- (5) an increase in the permitted density as defined in section 3.1 of P.L. 1975, c.291 (C.40:55D-4) except as applied to the required lot area for a lot or lots for detached one or two dwelling unit buildings, which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision;
- (6) an increase of height which exceeds either 10 feet or 10% of the max building height permitted in the district of the principal use.

PLEASE COMPLETE ALL THAT APPLY	Required	Existing	Proposed	Variance <i>(Check if yes)</i>
Minimum Lot Requirements				
Lot Area (sq. ft.)	1 Ac.		2.9883 Ac.	
Lot Depth (ft.)	N/A			
Minimum Setback Requirements				
Front Yard (ft.)	5 FT.		5 FT.	
One Side Yard (ft.)	5 FT.		5 FT.	
Total Two Side Yards (ft.)	5 FT.		5 FT.	
Rear Yard (ft.)	5 FT.		5 FT.	
Maximum Percentage of Lot Occupied				
Lot Coverage (%)	40%		7.97%	
Impervious Land Coverage (%)	70%		11.95%	
Maximum Height Requirement				
Building Height (ft.)	100 FT.		46 FT.	
Stories	8		4	
Parking				
Number of Parking Spaces	303		317	
Parking Stall width/length	9' / 18'	/	9' / 18'	/
Accessory Uses				
Garage Area (sq. ft.)	N/A			
Garage Height (ft.)	N/A			
Fence Height (ft.)	N/A			
Shed Area (sq. ft.)	N/A			
Shed Height (ft.)	N/A			
Deck Area (sq. ft.)	N/A			
Minimum Distance of Accessory Use				
Side Yard Setback (ft.)	N/A			
Rear Yard Setback (ft.)	N/A			
Maximum Area (sq. ft.)	N/A			
Maximum Height (ft.)	N/A			
Density				
Maximum dwelling units per acre	12		9.0	
Maximum dwelling units per building	N/A			
Other				
Minimum floor areas per dwelling unit (sq. ft.)	N/A			
Distance Between Buildings	N/A			
Signage - Type	N/A			
Landscaped Buffers	N/A			

DETAILED DESCRIPTION OF EXISTING AND PROPOSED USE:

Phase I currently under construction. Phase II -205 unit apartment building. Both properties were previously vacant land.

Existing Building Area/Sq. Ft:
Existing Building Height in Ft:

Proposed Building Area/Sq. Ft:
Proposed Building Height in Ft:

PLEASE DESCRIBE REASON AND JUSTIFICATION FOR REQUESTING VARIANCES

PLEASE DESCRIBE REASON AND JUSTIFICATION FOR REQUESTING WAIVER

PLEASE LIST ANY POTENTIAL AREAS OF ARCHITECTURAL OR HISTORICAL SIGNIFICANCE. Year Structure(s) Built:

➤ **If additional space is needed for any of the above areas, please attach a rider**
Application