

**PLANNING/ZONING APPLICATION**

DATE RECEIVED: March 1, 2022	APPLICATION NO:
RECEIVED BY: Amy Russo	PB # 431-22

*(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 checked="" type="checkbox"/> Preliminary Major Site Plan        |
| <input type="checkbox"/> Preliminary Major Subdivision | <input checked="" type="checkbox"/> Final Major Site Plan              |
| <input type="checkbox"/> Final Major Subdivision       | <input checked="" 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	SA 101 Main Street Urban Renewal, LLC	
Address	32 Mount Kemble Avenue	
City, State, Zip	Morristown, New Jersey 07960	
Phone/Email	(201) 883-1010 (attorney)	jason@primelaw.com (attorney)

**OWNER**

*Property owner if different from Applicant*

Name	South Amboy Land Development LLC	
Address	21 W. Main Street, PO Box 72	
City, State, Zip	Brookside, New Jersey 07926	
Phone/Email	(973) 543-0213	fasanotrees@yahoo.com

**ATTORNEY**

Name/ Firm	Jason R. Tuvel, Esq. - Prime & Tuvel	
Address	1 University Plaza Drive, Suite 500	
City, State, Zip	Hackensack, New Jersey 07601	
Phone/Email	(201) 883-1010	jason@primelaw.com

**PLANNER**

Name/ Firm	Keenan Hughes, PP - Phillips Preiss Grygiel Leheny Hughes LLC	
Address	33-41 Newark Street, 3rd Floor, Suite D	
City, State, Zip	Hoboken, New Jersey 07030	
Phone/Email	(201) 420-6262	khughes@phillipspreiss.com

**ENGINEER**

Name/Preparer Firm	Thomas Muller, PE - Dynamic Engineering	
Address	1904 Main Street	
City, State, Zip	Lake Como, New Jersey 07719	
Phone/Email	(732) 974-0198	tmuller@dynamicec.com

**ARCHITECT**

Name/Preparer Firm	Antonia Diaz Laurean, RA - Cornerstone Architects Ltd.	
Address	1152 Spring Lake Drive	
City, State, Zip	Itasca, Illinois 60143	
Phone/Email	(630) 773-8363	adl@cstonearchitects.com

**PROPERTY  
INFORMATION**

Address	Main Street (a/k/a 101 Main Street)		
Block(s)	160	Lot(s)	1
Zone	Northern Waterfront Redevelopment Area M-1 Zone	Tax Sheet#	17
Total Site Area	Acreage	21.484 acres	Sq. Ft. 935,854 sq.ft.
Date property acquired by present owner	January 3, 2000		
List any business or commercial activities at the property	Commercial vehicle driving school		
List any prior appeals, variances and developmental approvals involving this property	February 12, 1990 - Planning Board approval to develop the site with three (3) warehouse buildings, along with design waivers for number of parking spaces and scale of site plan. See attached resolution of approval.		
List and describe all existing structures on the property	N/A		

**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
<b>Minimum Lot Requirements</b>					
<i>(Check if yes)</i>					
Lot Area (sq. ft.)		40,000 sq.ft.	935,854 sq.ft.	935,854 sq.ft.	
Lot Depth (ft.)		250 ft.	630 ft.	630 ft.	
<b>Minimum Setback Requirements</b>					
Front Yard (ft.)		50 ft.	113 ft.	61.1 ft.	
One Side Yard (ft.)		25 ft.	197.6 ft.	35.2 ft.	
Total Two Side Yards (ft.)		50 ft.	1,039.1 ft.	76.3 ft.	
Rear Yard (ft.)		25 ft.	110.7 ft.	100.8 ft.	
<b>Maximum Percentage of Lot Occupied</b>					
Lot Coverage (%)		45%	0.16%	30.5%	
Impervious Land Coverage (%)		N/A	73.1%	73.4%	
<b>Maximum Height Requirement</b>					
Building Height (ft.)		50 ft.	<50 ft.	46.83 ft.	
Stories		3 stories	1 story	1 story	
<b>Parking</b>					
Number of Parking Spaces		187	N/A	188	
Parking Stall width/length		9 ft. / 18 ft.	N/A /	9 ft. / 18 ft.	/
<b>Accessory Uses</b>					
Garage Area (sq. ft.)					
Garage Height (ft.)					
Fence Height (ft.)					
Shed Area (sq. ft.)					
Shed Height (ft.)					
Deck Area (sq. ft.)					
<b>Minimum Distance of Accessory Use</b>					
Side Yard Setback (ft.)					
Rear Yard Setback (ft.)					
Maximum Area (sq. ft.)					
Maximum Height (ft.)					
<b>Density</b>					
Maximum dwelling units per acre					
Maximum dwelling units per building					
<b>Other</b>					
Minimum floor areas per dwelling unit (sq. ft.)		N/A	N/A	N/A	
Distance Between Buildings		50 ft.	N/A	N/A	
Signage - Type		Bldg-mounted	N/A	Bldg-mounted	
Landscaped Buffers		N/A	N/A	N/A	

N/A

N/A

N/A

**DETAILED DESCRIPTION OF EXISTING AND PROPOSED USE:**

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

Proposed Building Area/Sq. Ft: 285,742 sq. ft.  
Proposed Building Height in Ft: 46.83 ft.

**PLEASE DESCRIBE REASON AND JUSTIFICATION FOR REQUESTING VARIANCES**

Variations sought relate to parking distance from the proposed building, as well as signage area. Testimony to be provided at public hearing.

**PLEASE DESCRIBE REASON AND JUSTIFICATION FOR REQUESTING WAIVER**

Waivers sought relate to lighting, landscaping, drive aisle width and curb radius. Testimony to be provided at public hearing.

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

N/A

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

**SUBMISSION OF APPLICATION MUST INCLUDE:**

- One (1) USB device (thumb drive/flash drive) with true digital copies in pdf format of all plans and application package documents
- Eighteen (18) copies of fully executed Application with originally signed application to the Planning Board Secretary
- Eighteen (18) originals of current signed and sealed topographic survey of existing conditions
- Eighteen (18) originals of all signed and sealed engineering/planning plans
- Eighteen (18) originals of all signed and sealed architectural plans
- Eighteen (18) copies of fully executed checklist forms
- N/A  If amended approval, eighteen (18) copies of originally approved site plans, originally approved architectural plans, and the original resolution of approval. Plans do not need to be sealed by professionals.
- Certification that taxes, assessments, municipal liens, etc. are current
- Certified list of property owners obtained from Tax Assessor's office
- Two (2) tax maps of the area
- Two (2) copies of the fully executed W-9 Taxpayer Identification form
- Two (2) copies of the Statement of Corporate or Other Ownership
- To be provided prior to public hearing  One (1) copy of Notice of Hearing on Appeal or Application (if applicable)

Does the applicant request the Board to publish notices of decisions:     YES     NO

**NO APPLICATION WILL BE ACCEPTED WITHOUT full compliance with items listed above, an initial payment of \$500 application fee, and an initial payment of \$1,000 escrow fee (actual fees will be calculated during completeness review).**

In order to provide Planning Board Professionals adequate time for review and consideration of application documents, initial and revised documents must be submitted to the Board Secretary a **minimum of twenty calendar days (20) prior** to the scheduled date of the application hearing. Late submission of documents, received less than twenty days prior to the scheduled meeting, will **not** be considered during the scheduled Planning Board monthly meeting.

If an Application Review Report has been issued on original submission, Additional Escrow in the amount of **one-third (1/3) of the Original Escrow Fee** must be provided for Additional Review of the Revised Plans.

The Planning Board Calendar can be found on **The City of South Amboy's** website.

SIGNATURE(s)

SIGNATURE OF PROPERTY OWNER	
<i>As owner of the premises in the within the application, I hereby authorize the applicant or agent listed below to submit the above application. I also agree to accept reasonable review costs by Board's professionals.</i>	
SWORN & SUBSCRIBED to before me this <u>7</u> day of <u>February</u> , 20 <u>22</u> <u>Kristy L Borst</u> (notary)	<u>Kathryn Fasano 2/7/22</u> Signature of Owner/Date
<b>KRISTY L BORST</b> NOTARY PUBLIC STATE OF NEW JERSEY ID # 2325194 MY COMMISSION EXPIRES FEB. 15, 2025	<u>Kathryn Fasano</u> Print Name

SIGNATURE OF APPLICANT	
SWORN & SUBSCRIBED to before me this _____ day of _____, 20____ _____ (notary)	_____ Signature of Applicant/Date
	_____ Print Name
	_____ Applicant's Tax ID Number



**SIGNATURE(s)**

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<p><i>As owner of the premises in the within the application, I hereby authorize the applicant or agent listed below to submit the above application. I also agree to accept reasonable review costs by Board's professionals.</i></p>	
<p><b>SWORN &amp; SUBSCRIBED</b> to before me this _____ day of _____, 20____</p> <p>----- (notary)</p>	<p>Signature of Owner/Date</p> <hr/> <p>Print Name</p>

<b>SIGNATURE OF APPLICANT</b>	
<p><b>SWORN &amp; SUBSCRIBED</b> to before me this <u>7th</u> day of <u>February</u>, 20<u>22</u></p> <p><u>Laura a. Hill</u> (notary)</p> <p><b>LAURA A. HILL</b>  <b>NOTARY PUBLIC OF NEW JERSEY</b>                      My Commission No.: 2024116                      My Commission Expires                      from Jan 15, 2022 - Jan 15, 2027</p>	<p><u>[Signature]</u> <u>02/7/22</u></p> <p>Signature of Applicant/Date</p> <hr/> <p><u>Stephen R. Sciarretta</u></p> <p>Print Name</p> <hr/> <p><u>88-0535288</u></p> <p>Applicant's Tax ID Number</p>