



June 14, 2021

Marlboro Township Zoning Board of Adjustment
1979 Township Drive
Marlboro, NJ 07746

Re: D & R Industries, LLC (ZB21-6743)
Bulk Variance Application – Engineering and Planning Review #1
Block 355, Lot 4
Location: 8 School Road East
Zone: C-2 (Neighborhood Commercial District)
Our File No.: HMRZ0355.06

Dear Zoning Board Members:

Our office received the following information in support of the above-referenced application for Bulk Variance approval:

- Improvements depicted on a plan entitled Site Plan (1 sheet) prepared by Concept Engineering Consultants, P.A., dated November 25, 2008, unrevised;
- A Development Application.

In accordance with your authorization, our office has reviewed the Bulk Variance application package for the above-referenced site and offer the following comments:

1. Project Description

The subject 0.38 acre property is located within a C-2 Zoning District, and contains 159 feet of frontage along School Road East. Currently, the property contains “The Cohen Center,” a 2-story building containing a medical office with a detached garage, deck, and a paved driveway with 5 parking spaces including a handicap parking space.

The Applicant is seeking Bulk Variance approval to construct a generator next to the existing building within the side yard.

2. Surrounding Uses

Properties surrounding the subject site on the south side of School Road East are similarly zoned C-2 (Neighborhood Commercial District) and contain a mix of commercial and residential properties, including the “Sunrise” senior living home, directly to the south. The properties across School Road East to the north are zoned C-1 (Village Commercial District) and contains several medical office uses.



Marlboro Township Zoning Board of Adjustment
 D & R Industries, LLC (ZB21-6743)
 Re: Bulk Variance Application
 Engineering and Planning Review #1

June 14, 2021
 Our File No. HMRZ0355-06
 Page 2

3. Zoning Compliance

The subject property is situated within a C-2 Zone District. The table below summarizes the bulk measures and zone requirements for the property:

DESCRIPTION	REQUIRED	PROPOSED
Minimum Lot Area	3 acres	0.38 acres (EC)
Minimum Lot Frontage	300 feet	159 feet (EC)
Minimum Lot Width	300 feet	113 feet (EC)
Minimum Lot Depth	200 feet	176 feet (EC)
Minimum Front Yard Setback	75 feet	31 feet (EC)
Minimum Side Yard Setback	50 feet	21 feet (EC)
Minimum Rear Yard Setback	50 feet	86 feet
Minimum Accessory Building Side Yard Setback	40 feet	23 feet (Shed) (EC) 17 feet (Generator) (V)
Minimum Accessory Building Rear Yard Setback	40 feet	6 feet (EC)
Maximum Principal Building Height	35 feet	< 35 feet
Maximum Percentage of Lot Coverage by Buildings and Structure	30%	7.4%
Maximum Percentage of Impervious Lot Coverage	60%	25.4%
Maximum Floor Area Ratio (FAR)	0.30	0.074

(EC) – Existing Condition, (V) – Variance Required

The following existing conditions remain pertinent to the property:

- a. **Section 220 – Attachment 9** – The minimum required lot area is 3 acres; whereas the existing lot is 0.38 acres in size.
- b. **Section 220 – Attachment 9** – The minimum required lot frontage is 300 feet; whereas the existing lot provides 159 feet of frontage.



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D & R Industries, LLC (ZB21-6743)
Re: Bulk Variance Application
Engineering and Planning Review #1

June 14, 2021
Our File No. HMRZ0355-06
Page 3

- c. **Section 220 – Attachment 9** – The minimum required lot width is 300 feet; whereas the existing lot is 113 feet in width.
- d. **Section 220 – Attachment 9** – The minimum required lot depth is 200 feet; whereas the existing lot is 176 feet in depth.
- e. **Section 220 – Attachment 9** – The minimum required front yard setback is 50 feet; whereas the existing building is set back 31 feet.
- f. **Section 220 – Attachment 9** – The minimum required side yard setback is 50 feet; whereas the existing building is set back 21 feet.
- g. **Section 220 – Attachment 9** – The minimum required accessory building side yard setback is 40 feet; whereas the existing shed is set back 23 feet.
- h. **Section 220 – Attachment 9** – The minimum required accessory building rear yard setback is 40 feet; whereas the existing shed is set back 6 feet.
- i. **Section 220–85(3)** – Where the property line of a proposed commercial lot abuts a residential zone or use, a buffer area shall be established, which shall include an area of land 30 feet in width as measured from said property line. For the purpose of establishing a building setback line along the buffer area, all side and rear yard lines shall be increased by a depth of 30 feet. No buffer is provided to the residential facility to the south.
- j. **Section 220 – 100A** – Within a buffer area, a solid and continuous landscaping screen shall be planted and maintained. Said landscaping shall consist of lawn, massed evergreen and deciduous trees and shrubs of such species and density as will provide within two growing seasons a solid and continuous screen throughout the full course of the year. The intense density of the buffer screen may be reduced by the Planning Board if it is found that the proposed use is visually attractive and not detrimental to the appearance of the neighboring uses. No buffer is provided.

The Applicant has requested the following variance with this application:

- a. **Section 220 – Attachment 9** – The minimum required accessory building side yard setback is 40 feet; whereas the proposed generator is set back 17 feet from the side property line.

The Applicant has not requested any design waivers with the application; however, the following appear to be necessary:



Marlboro Township Zoning Board of Adjustment
D & R Industries, LLC (ZB21-6743)
Re: Bulk Variance Application
Engineering and Planning Review #1

June 14, 2021
Our File No. HMRZ0355-06
Page 4

- a. **Section 220 – 140(C)** – The minimum distance between an accessory building or structure and any other building on the same lot shall be 10 feet; whereas the proposed generator is 1.5 feet from the existing building.
 4. The Applicant has not requested any waivers from providing required checklist submission items, however, the following Bulk Variance Checklist items should be provided or waivers requested:
 - a. Completed Checklist
 - b. Survey of property
 - c. Written statement describing the variances
 - d. Key Map at scale of 1" = 1,000'
 5. Based upon our review of the subject application, we estimate that the following fees are required:
 - a. **Nonrefundable Application Fees:**

Bulk Variance (Commercial – Generator)	\$500.00
Subtotal Nonrefundable Application Fees:	\$500.00
 - b. **Professional Services Escrow Fees:**

Bulk Variance (Commercial – Generator)	\$1,500.00
Subtotal Professional Services Escrow Fees:	\$1,500.00
- We recommend the Township collect \$500.00 in nonrefundable application fees and \$1,500.00 in professional services escrow fees from the Applicant prior to deeming the application complete. In addition, the Applicant will be required to pay all applicable revision fees as stipulated in the Township Ordinances.
6. The Applicant shall be prepared to discuss the following issues with the Board:
 - a. Compliance with Ordinance Section 220-37, Performance Standards, including but not limited to: noise; glare; pollutants; solid/liquid waste; refuse management; flammable/hazardous materials; etc.



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D & R Industries, LLC (ZB21-6743)
Re: Bulk Variance Application
Engineering and Planning Review #1

June 14, 2021
Our File No. HMRZ0355-06
Page 5

- b. Any approvals/permits required by outside agencies. The Applicant shall address the Board regarding the status of all outside agency approvals and copies of all said approvals shall be forwarded to our office.
7. Based upon our review, we offer the following comment:
- a. Identify the material of the platform that the proposed generator will be placed on.

Based upon the minor nature of the information requested, we recommend that this application be deemed **complete** subject to the Applicant complying with all applicable notification requirements as set forth within the Marlboro Township Land Use Ordinance and the Municipal Land Use Law.

The right is reserved to present additional comments pending the receipt of revised plans and/or the testimony of the Applicant before the Board.

If you have any questions with regard to the above matter, please do not hesitate to call.

Very truly yours,

Laura J. Neumann, PE, PP
Zoning Board of Adjustment Engineer and Planner

LJN/JAR/MDG

cc: Marlboro Township Engineering Department
Ronald Cucchiaro, Esq. – Zoning Board Attorney
D & R Industries - Applicant