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Application #

PB20-02

Date Filed

BY J. Staats

Fee Paid

8/12/20

BOARD OF ADJUSTMENT/PLANNING BOARD
Borough of Dunellen New Jersey 08812

APPLICATION

To vary or modify certain provisions of the Zoning Ordinance.
To the Zoning Board of Adjustment: Application is hereby made for permission to

☒ Erect

☐ Convert

☐ Use

☐ Alter

contrary to the requirements of Section (s) * see attached Statement of Principal Points of the Zoning Ordinance of the Borough of Dunellen upon the premises known as

150 North Avenue

In the Borough of Dunellen, in accordance with the plans hereto attached.

The proposed building and/or use of the premises is contrary to the Zoning Ordinance of the Borough of Dunellen in the following particulars:

***See attached Statement of Principal Points**

The following is a description of the premises and proposed building:

Name of owner Communipaw Associates, LLC

Telephone # 908-688-3500

Address of owner c/o Villani Builders, 1879 Morris Avenue, Union, NJ 07083

Location of premises 150 North Avenue

Size of Lot 9,980 sf.

Zone

Dunellen Downtown

Redevelopment Area - Remainder

Use of premises and/or proposed building

Present Use former auto repair

Proposed Use mixed (commercial/residential)

Has the Zoning Official examined the plans for the proposed building and/or use of the premises?

☐ YES

☒ NO

Has there been any previous application involving these premises?

☐ Yes

☒ No

If the answer is "Yes" give status of such application and date of filing

Not to Applicant's knowledge

Name of lessee. (if "none", so state) None

(Continued on page 2)

The following arguments are advanced in support of this application:

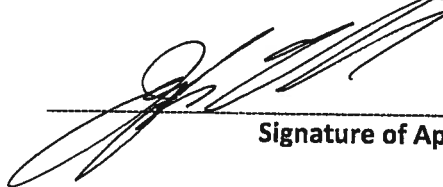
***See attached Statement of Principal Points**

Attached hereto and made a part of this application are the following papers:

☒ A set of drawings, drawn to scale, and indicating all necessary measurements and other features involved in this application.

☐ A letter of Authority, or Power of Attorney if this application is made by a person other than the owner of the property. N/A

I hereby depose and say that all the above statements and the information contained in the papers submitted herewith are true and correct.



Signature of Applicant

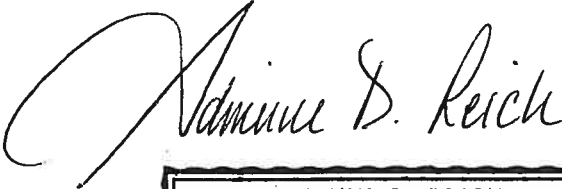
Joseph Villani

Name of Applicant

1879 Morris Ave Union, NJ 07083

Address

Sworn to before me on this 13TH day of July 20 20



ADRIENNE D. REICH
Notary Public, State of New Jersey
My Commission Expires
July 01, 2021

APPLICANT: COMMUNIPAW ASSOCIATES, LLC

STATEMENT OF PRINCIPAL POINTS

The within Application involves a request for preliminary and final site plan approval, deviations and design waivers in connection with the property located at 150 North Avenue, Block 1, Lot 14 on the Tax Map of the Borough of Dunellen. The Applicant is proposing to demolish the existing former auto repair building and construct a three-story, mixed-use building on the site. The first floor of the new mixed-use building will consist of approximately 1,578 square feet of commercial/retail space with a lobby area for the residential units above. The second and third floors will provide a total of 14 units consisting of 10, 2-bedroom units and four, 1-bedroom units. The site in question is located within the Dunellen Downtown Redevelopment Area Remainder and according to Section 7.4.4 of the Redevelopment Plan, the proposed mixed-use is permitted.

The redeveloped site will include a new parking area providing a total of 19 parking spaces. The site in question is 9,980 square feet in area and because the site is less than 20,000 square feet, the proposed development is exempt from providing on-site parking according to Section 8.13(1) of the Redevelopment Plan. This site is located within the Borough's Transit Village District and within walking distance to the Dunellen train station.

As a point of reference, if the State's Residential Site Improvement Standards were applied to the residential component of the proposed project and the Borough's parking requirements applied to the commercial, this development would require a total of 33 spaces. As will be discussed in greater detail at the hearing, the parking provided on the property will be more than adequate for the residents of the apartment units with additional spaces available for the commercial use. The Applicant's position is supported by the fact that the peak parking

demands of the commercial and residential uses generally do not coincide which is why a shared parking approach is especially appropriate for mixed-use projects in redevelopment areas. This shared parking approach is, in fact, encouraged in the Redevelopment Plan (see Section 8.6 (5)(d)).

The Applicant is seeking a few deviations from the Redevelopment Plan regarding density and street trees. According to Section 7.4.4 of the Redevelopment Plan, a maximum of 20 dwelling units per acre is permitted and the proposal equates to a density of 61 units per acre. As will be discussed in greater detail at the hearing, the proposed density is consistent with the development pattern of new multi-family in the Borough, including other successful mixed-use projects constructed by this developer. As further support of the requested density deviation, the Applicant points to the fact that every residential unit will be afforded at least one parking space onsite despite the fact that the Redevelopment Plan exempts this project from providing any onsite parking. The Board has the authority, pursuant to Section 7.2 of the Redevelopment Plan, as amended, to grant a deviation from the density provisions of the Redevelopment Plan.

A deviation/design waiver is also being requested from Section 8.3 of the Redevelopment Plan which requires the planting of street trees along the property frontage. As depicted on the plans, the Applicant has included the required streetscape items mandated by the Redevelopment Plan which include decorative sidewalk, brick pavers, planters and benches, along both frontages. These streetscape amenities consume a substantial portion of the street frontages and leave no opportunity to also include the require size and quantity of street trees recommended in the Redevelopment Plan.

This Application will continue the redevelopment of the North Avenue corridor with a new, mixed-use building that furthers the goals and objectives of the Redevelopment Plan by

providing new business and housing opportunities; both of which will increase pedestrian activity in the area. As the Board is well aware, pedestrian activity is critical to the success of any downtown and the proximity of this site to the Dunellen train station presents an excellent opportunity to attract commuters who will frequent local businesses and contribute to the Dunellen community. The deviations from the Redevelopment Plan and design waivers required for this project are minor in nature and can be granted without substantial detriment to the public good and without substantial impairment to the intent or purpose of the zone plan or zone ordinance. For these reasons, the Applicant respectfully requests that the approvals sought be granted.

COMMUNIPAW ASSOCIATES, LLC

Corporate Ownership Disclosure Statement

This Corporate Ownership Disclosure statement is provided in compliance with the requirements of N.J.S.A. 40:55D-48.1 et seq.

Owners holding 10% or more of any stock/interest in Communipaw Associates, LLC:

- | | | |
|----|---------------------|-----|
| 1. | Joseph Villani, Sr. | 50% |
| 2. | Joseph Villani, Jr. | 50% |

COMMUNIPAW ASSOCIATES, LLC

Anticipated Witness List

1. Joseph A. Paparo, Esq. *Attorney for Applicant*
2. Joseph Villani, Jr. *Owner/Applicant Representative*
3. Alan Feld, R.A. *Architect*
4. Matthew Seckler, P.E., P.P. *Civil Engineer, Professional Planner*