

APPLICANT: VAN LOON LLC C/O DANIEL TARANTINI

APPLICATION #: 20-Z-000004

DESCRIPTION: Convert an existing office building to a two family dwelling

SUBDIVISION: Minor: Preliminary: Final:  
SITE PLAN: Minor: X Major:  
CAPITAL PROJECT REVIEW:  
CONDITIONAL USE:  
VARIANCE: Use: X Bulk: X

SCHEDULED HEARING DATE: 9/3/2020

CONTINUED TO: 1st: 2nd:  
3rd: 4th:  
5th: 6th:

**REVIEW AGENCIES**

**DATE COMMENTS/REVISIONS RECEIVED**

A:	—	Board of Education	
B:	X	Code Enforcement	July 14, 2020
C:	X	Collector of Revenue	June 29, 2020 Taxes Current
D:	X	Construction Official	July 1, 2020
E:	—	Environmental Commission	
F:	X	Fire District	July 25, 2020
G:	—	Fire Inspection	
H:	—	Health/Environment	
I:	—	Middlesex County Planning Board	
J:	—	N.J.D.O.T.	
K:	—	Planning & Engineering	
L:	X	Public Safety	July 1, 2020
M:	X	Public Works	July 9, 2020
N:	X	Recycling & Solid Waste	July 6, 2020
O:	—	Recreation & Parks	
P:	X	Sewerage & Water Resources	July 9, 2020
Q:	—	Turnpike Authority	
R:	—	Other	



**REMINGTON  
& VERNICK  
ENGINEERS**

3 Jocama Boulevard, Suite 300-400  
Old Bridge, NJ 08857  
O: (732) 955-8000  
F: (732) 591-2815

September 3, 2020

East Brunswick Township Zoning Board of Adjustment  
1 Jean Walling Civic Center Drive  
East Brunswick, New Jersey 08816

Attn: Colleen McGurk, Planner

**Re: Application #Z-20-04**  
**Applicant: Van Loon, LLC**  
**Application for: Use Variance, Bulk Variance**  
**Block 96 Lots 11, 14 & 15**  
**Location: 30 Wallace Street, East Brunswick, NJ 08816**  
**Zone: HC-2 (Single-Family Residential) Zone**  
**RVE File #1204-Z-032**

Dear Zoning Board Members:

Our office is in receipt of an application for Use and Bulk Variances on the above referenced property. The applicant and owner of the property is Van Loon, LLC, with mailing address 11010 State Route 18, Suite 1, East Brunswick, NJ 08816.

We offer the following comments and recommendations:

**I. Description of Application**

**A. Applicant's Proposal**

The applicant is proposing to convert the existing one-story 1,223 square foot structure on the property from its previous use as an office building to a two-family duplex dwelling. The application materials indicate they propose lighting, fencing, and paving revisions to the site.

**B. Zoning**

The property is in the HC-2 (General highway Commercial) zone. The applicant requires a D(1) use variance to permit the proposed non-conforming use in a zone which restricts such use. Bulk variances are also required for the proposed development for existing nonconforming conditions.

**C. Master Plan**

The 1990 Master Plan recognizes primarily commercial uses in this area.

**D. Application Completeness**

The application was deemed complete on April 23, 2020.

**E. Property In Question**

The property is known as 30 Wallace Street, Block 96, Lots 11, 14 & 15 in the HC-2 zone. The lot is on the north side of Wallace Street, approximately 50 feet west of Prigmore Street. The property also has a rear driveway egress onto Prigmore Street, which is a secondary frontage. The property contains an existing building which previously operated as office space, as well as parking and driveways. The site is generally surrounded by residential and commercial uses.

**F. History**

The site has been office space for at least 40 years, from approximately 1972. Previously the property served as a Township Police Building prior to 1972.

**G. Existing Conditions**

The existing conditions include a single car driveway on Wallace Street as well as an egress onto Prigmore Street..

**II. Zoning Standards**

The following chart indicates the zoning requirements in the R-3 Single-Family Residential zone as it applies to this property:

	<u>REQUIRED</u>	<u>EXISTING/PROPOSED</u>	<u>TOWN CODE</u>
Lot Size	40,000 square feet	7,500 square feet (n)	228-179 A.
Lot Width	200 ft.	50 ft. (n)	228-179 B.
Front Setback	60 ft.	15.7 ft. (n)	228-179 C
Side Setback	20/50 ft.	4.1/12.2 ft. (n)	228-179 D
Rear Setback	60 ft.	66.1 ft.	228-179 E
Max. Height	35 ft.	18.67 ft.	228-179 G.
Max. Lot. Cov.	75%	7.7%	228-179 H.
Landscape Buffer along lot frontage	20 ft.	0 ft. (n)	228-179 I.

	<u>REQUIRED</u>	<u>EXISTING/PROPOSED</u>	<u>TOWN CODE</u>
Parking/driveway Setback	10 FT.	0 FT. (n)	228-179 J.
Parking area landscaping	1 tree/5 spaces	1 tree	228-179 K.

(n) – existing nonconformity  
 (v) – variance required  
 NS – no standard

### III. Design Standards

The site does not comply with the following design standards, though this list may not be comprehensive.

	<u>REQUIRED</u>	<u>PROVIDED</u>	<u>TOWN CODE</u>
Buffer	25 ft.	5 ft.	192-28
Tree Protection Detail	required	not provided	192-38
Lighting: Foot-candle Lines Building Mounted Lights	.24, .75 not permitted	not provided nonconforming	192-39 192-39
Driveway Width	12 ft.	10.5 ft.	192-43
Curb Radii	5 ft. radius min.	3 ft. radius	192-43

### IV. Testimony

1. Testimony shall be provided for the following:
  - a. Testimony shall be provided justifying the proposed 'D' variance.
  - b. Testimony shall be provided justifying the proposed 'C' variances for the existing nonconformities.
  - c. Testimony shall be provided regarding any needed design standard waiver requests including justification of such.

2. Testimony shall be provided regarding the proposed paving revisions, including milling or reconstruction, striping, pavement markings, and any appropriate details shall be added to the plans.
3. Testimony shall be provided regarding site lighting, including hours and means of operation, as well as the shape of the light pattern, as the listed foot-candle values drop abruptly.
4. Testimony shall be provided regarding traffic generation associated with the change in use.
5. Testimony shall be provided regarding site circulation, including adequacy of emergency and other access.
6. Testimony shall also be provided regarding adequacy of parking, including whether spaces will be assigned.
7. Testimony shall be provided regarding the grading and stormwater management's adequacy in the existing condition, whether there is any ponding or water accumulation.

**V. Review Comments**

**A. Site Plan/Circulation/Parking**

1. Any outstanding conditions from previous approvals shall be incorporated into this application, though it is our understanding that there aren't formal approvals since 1972, though records seem to indicate a number of the pre-existing nonconformities may not have ever been formally granted variances.
2. We also note that the property was previously zoned C-3 prior to the current HC-2 zoning.
3. The proposed fencing along the western property line appears likely to constrain the driveway width that accesses Wallace Street. The driveway width measurement may need revision.
4. The existing roof drain at the rear of the property appears likely to conflict with the circulation of cars from the rear parking through the driveway.
5. Circulation from the rear parking to the exit drive appears problematic if the closest parking space is occupied. The Board may wish to restrict the existing Wallace Street driveway to use solely as an additional parking space.
6. The applicant shall demonstrate adequacy of access for police or emergency vehicles to those agencies' satisfaction.
7. The depicted lighting is not clear as to what is new or proposed, as several fixtures are in greyscale

**B. Architectural**

1. We defer to the Construction Official in regards to the adequacy of ADA access within the building.

**C. Grading**

1. A landscaping wall is proposed along the eastern side of the parking area.
2. ADA/PROWAG compliance should be confirmed for the project as appropriate. If the property is not in compliance with ADA/PROWAG standards, bringing it into compliance shall be a condition of any Board approval.
3. A final review of the grading design will occur during compliance, if/when Board approval is granted.

**D. Stormwater Management**

1. Stormwater management system on the property is not mentioned in the application documents.
2. The lot coverage is being reduced, therefore stormwater is being reduced, though the routing of runoff from the roof leaders and the new landscaping wall shall be addressed.

**E. Landscaping**

1. Additional landscaping (if any as desired by the Board) shall be provided if requested by the Board as a condition of approval.

**G. Signage**

1. No signage is depicted on the plans, we presume the conversion from commercial to residential use will result in the removal of any existing signs.
2. Any new signage proposed that is not reviewed and approved as part of this site plan application shall comply with Township ordinance requirements.

**H. Environmental**

**1. Site Description**

Per review of the site plans and aerial and streetside photography, the site including the portion of the property where the new and revised improvements are proposed is previously developed and disturbed.

**I. Utilities**

1. Sanitary sewer calculations should be provided as a condition of any Board approval, the sanitary demand for the site will change.

**J. Permits**

1. The following permits or letters of major jurisdiction are or may be required:
  - a. Freehold Soil
  - b. Local Police
  - c. Local Fire
  - d. Local Water & Sewer
  - e. Any other agency as required by law.

**VI. Recommendations**

Should the Zoning Board of Adjustment consider granting the requested approval staff recommends the following:

1. Adequacy of circulation shall be demonstrated to the satisfaction of the Board.
2. Bring the site into ADA/PROWAG compliance or certify that it is in compliance.
3. Document any changes to the site improvements, including lighting and the parking area.
4. The applicant shall take ownership and maintenance responsibility for the stormwater management system.
5. Provide sanitary sewer calculations.
6. Any other revisions referenced in comments above.
7. The Applicant shall obtain all necessary Outside Agency Approvals or Letters of No Interest from the following outside agencies, including but not limited to:
  - a. Freehold Soil
  - b. East Brunswick Police
  - c. East Brunswick Fire
  - d. East Brunswick Water & Sewerage UtilityAny other agency required by law.

Please call our Old Bridge office at (732) 955-8000 if you have any questions and comments.

Sincerely,  
**REMINGTON & VERNICK ENGINEERS**



Terence M. Vogt, PE, PP, CME

East Brunswick Township Zoning Board of Adjustment  
September 3, 2020  
Re: #ZB-20-04

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Principal, Regional Manager

JC/TMV/tg

Encl: Appendix A

cc: Van Loon, LLC  
Kenneth L. Pape, Esq.  
Marc S. Leber, PE



**Appendix A:**

**Submitted Documents**

- One (1) copy of a Letter of Intent, prepared by Kenneth L. Pape, Esq., received 11/4/19.
- One (1) copy of a Survey, prepared, signed and sealed by Thomas M. Ernst, PLS, most recent revision dated 10/17/19, one (1) sheet.
- One (1) copy of a Use Variance Site Plan set, prepared by East Point Engineering, LLC signed and sealed by Marc S. Leber, PE, dated 10/30/19, five (5) sheets.
- One (1) copy of an Architectural Plan set entitled "Rawson Development Company", prepared by Zimble Architecture, signed and sealed by Alan J. Zimble, RA, dated 10/8/19, two (2) sheets.
- One (1) copy of a Traffic Impact Assessment, prepared by McDonough & Rea Associates, Inc., signed and sealed by John H. Rea, P.E., and Scott Kennel, dated March 23, 2020.
- Zoning Board application.

## MEMORANDUM

**To:** Chairman Phillips  
**From:** Kristi Sacktig, Code Enforcement Officer  
**Date:** July 14, 2020  
**Re:** 30 Wallace Street  
Application # Z20-04

A recent inspection of the above referenced property found the following:

The driveway was observed to be uneven.

The back lot was observed to have cracks and pot holes.

The back lot had weeds that need to be cleared.

There is a step in the back of the building that is broken and appears hazardous.

Several black bags were piled behind the back door of the building, which should be removed.

cc: Keith T. Kipp, Director, Planning & Engineering  
Memos.20/06

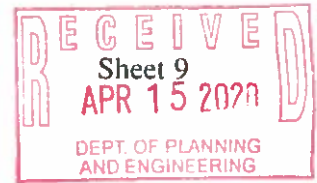






ORIGINAL

EAST BRUNSWICK TOWNSHIP  
DEPARTMENT OF PLANNING AND ENGINEERING  
TAX AND ASSESSMENT PAYMENT REPORT



Z-20-04

APPLICATION # \_\_\_\_\_ DESCRIPTION \_\_\_\_\_

Under provisions of East Brunswick Land Use Procedures Ordinance, Chapter 132, an applicant for all development must submit proof that no taxes or assessments for local improvements are due or delinquent on the property.

Applicant will complete Section I of this form and submit them with the application. The Department of Planning and Engineering will forward the form to the Collector of Revenue Office for verification that no delinquent taxes or assessments are due.

\*\*\*\*\*

Section I (to be completed by Applicant)

I Van Loon, LLC of 1010 State Route 18, Suite 1, East Brunswick, NJ

(name)

(address)

am making application to the (Planning Board) (Zoning Board) for Development

of Lot(s) 11, 14, & 15 in Block(s) 96 in

the HC-2 Zone, located at 30 Wallace Street Street(s)

whose owner of record is Van Loon, LLC of 1010 State Route 18, Suite 1, East Brunswick, NJ

(name)

(address)

I request the Collector of Revenue determine whether there are any delinquent taxes and/or assessments due.

[Signature]  
(Applicant's Signature)

3-27-20

(Date)

\*\*\*\*\*

Section II (To be completed by Collector of Revenue)

I find that:

- 
- 
- 

All taxes due have been paid.

All assessments due have been paid.

The following are delinquent and past due.

[Signature]  
MICHELLE A. O'HARA  
ASSISTANT FINANCE DIRECTOR/TAX COLLECTOR

6/26/20  
(Date)

**MEMORANDUM**

July 1, 2020

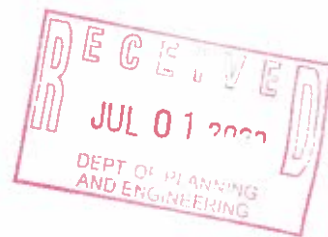
TO: Keith Kipp, Director  
Planning & Engineering

FROM: Richard A. Vigliotti, Construction Official



RE: Application No. 20-Z-000004  
Van Loon, LLC  
30 Wallace Street  
Zone: HC2 Block: 96 Lot (s): 11

No Comments



## Aaron Blessing

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**From:** Sean Verdi <firemarshal@ebfd2.org>  
**Sent:** Saturday, July 25, 2020 10:03 AM  
**To:** Aaron Blessing  
**Subject:** Re: Zoning App #Z-20-04 - 30 Wallace Street

Aaron,  
Everything is good.  
Sean

Get [Outlook for iOS](#)

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**From:** Aaron Blessing <ABlessing@eastbrunswick.org>  
**Sent:** Wednesday, July 22, 2020 1:43:55 PM  
**To:** Sean Verdi <firemarshal@ebfd2.org>  
**Subject:** RE: Zoning App #Z-20-04 - 30 Wallace Street

Hello,

I would just like to follow up to see if you have any comments on the application.

Regards,  
AMB

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**From:** Aaron Blessing  
**Sent:** Monday, June 29, 2020 8:29 AM  
**To:** 'Sean Verdi' <firemarshal@ebfd2.org>  
**Subject:** RE: Zoning App #Z-20-04 - 30 Wallace Street

Hello, please find attached.

---

**From:** Sean Verdi <firemarshal@ebfd2.org>  
**Sent:** Monday, June 29, 2020 6:20 AM  
**To:** Aaron Blessing <ABlessing@eastbrunswick.org>  
**Subject:** Re: Zoning App #Z-20-04 - 30 Wallace Street

Send it digitally, thanks.  
Sean

Get [Outlook for iOS](#)

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**From:** Aaron Blessing <ABlessing@eastbrunswick.org>  
**Sent:** Friday, June 26, 2020 4:12:52 PM  
**To:** Sean Verdi <firemarshal@ebfd2.org>  
**Subject:** Zoning App #Z-20-04 - 30 Wallace Street

Hello

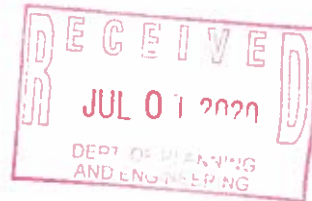


**EAST BRUNSWICK POLICE DEPARTMENT  
INTER-OFFICE MEMORANDUM**



<b><u>SUBJECT:</u></b> 30 Wallace Street		<b><u>NUMBER:</u></b> N/A
<b><u>EFFECTIVE DATE:</u></b> June 30, 2020	<b><u>TO:</u></b> Planning and Engineering	<b><u>ISSUED BY:</u></b> Sgt. Anthony DeSantis
<b><u>CANCELLATION DATE:</u></b> June 30, 2020	<b><u>COPY TO:</u></b> Planning and Engineering	<b><u>APPROVED BY:</u></b> Sgt. Anthony DeSantis

The Department of Public Safety, Special Operations, does not have any comments with regards to the above application.





## Township of East Brunswick

Department of Public Works - Water & Sewer Utility Division

**To:** Colleen McGurk, Planning and Engineering  
**From:** Dan Losik, Director, Public Works & Water and Sewer Utility  
**Cc:** Keith T Kipp, Director, Planning & Engineering  
Michael Dixon, Project Manager  
George Smith, Water Production Coordinator  
Matt Dolinski, Water Maintenance Coordinator  
Tim Mullane, Sewer Maintenance Coordinator

**Date:** July 9, 2020

**Re:** **Application #20-Z-00000-4**  
**Van Loon, LLC**  
**Location: 30 Wallace Street**  
**Zone: HC2 Block: 96; Lots: 11**  
**Township of East Brunswick**

### **WATER SERVICE**

**We have reviewed the above referenced Application for the Minor Subdivision and Bulk Use Variance and have the following comments for the existing & proposed water services:**

#### **Item 1. Proposed New Water Connection**

The Utility Plan shall be modified to incorporate the following design changes or comments for the proposed water service:

- a. The Utility shall not be liable for the maintenance of any minimum pressure in the water system.
- b. Show proposed irrigation system, location of connection, type of connection and meter location.
- c. A professional engineer shall determine the adequacy of the static line pressure to meet the demands of the building for domestic consumption.
- d. Materials and construction methods shall conform to East Brunswick Water & Sewer Utility standard specifications.
- e. Each unit shall have separate water services.

#### **Item 2. Water for Construction Purposes**

The need for water during construction for mobile equipment/tanks shall conform to Township Ordinance 218-3. The contractor must obtain a Water Usage Permit from the East Brunswick Water and Sewer Utility for access to the hydrant located at the Tices Lane Pump Station. If the contractor needs water at the construction site, they must obtain a Hydrant Usage Permit from the East Brunswick Water and Sewer Utility. Permits may be

obtained at the Tices Lane Pump Station. Failure to obtain the appropriate permits is in violation of the Township Ordinance and shall result in fines.

Item 3. Fees

Any changes to the water service that are proposed, all appropriate water connection, construction and meter fees must be paid to the East Brunswick Office of Revenue **prior to** the issuance of construction permits. An Application for Connection with the fee schedule shall be completed by the Utility office after all requested information is submitted. The application permit will then be sent to the Office of Revenue for payment when the Applicant is ready for permit release.

Escrow in the amount of \$1,000 shall be placed in an account to cover engineering reviews and inspections. **Please provide** a W-9 and check.

**SANITARY SEWER SERVICE**

**We have reviewed the above referenced Application for the Site Plan Modification and Bulk Use Variance and have the following comments for the existing and proposed sewer services:**

Item 1. Proposed and existing Sewer Connections

The Utility Plan shall be modified to incorporate the following design changes or comments for the proposed sewer services:

- a. The property owner shall be responsible to maintain the interior of the entire sewer lateral to the connection point in the sanitary sewer main, including but not limited to blockages, grease accumulation or root intrusion.
- b. All materials and connections must comply with East Brunswick Water & Sewer Utility standard specifications.
- c. Provide locations, size, and material for all proposed laterals and clean outs.
- d. A check valve shall be installed on the property to protect the premises from potential flooding of sewage.
- e. Each unit shall have separate sewer service laterals.

Item 2. Fees

All appropriate sewer connection, and filing fees must be paid to the East Brunswick Office of Revenue prior to the issuance of certificate of occupancy. The fess shall be calculated based on commercial tenant information. An Application for Connection with the fee schedule shall be completed by the Utility Office and sent to the Office of Revenue for payment when the Applicant is ready for permit release. These fees shall be paid prior to the issuance of a Certificate of Occupancy.

**STORMWATER**

**We have reviewed the above referenced Application for the Minor Subdivision and Bulk Use Variance and have the following comments for the Stormwater:**

N/A

**ROADS**

**We have reviewed the above referenced Application for the Minor Subdivision and Bulk Use Variance and have the following comments for the roads:**

N/A

**SOLID WASTE & RECYCLING**

**We have reviewed the above referenced Application for the Minor Subdivision and Bulk Use Variance and have the following comments for the Solid Waste:**

All recycling and solid waste services will be provided curbside by the Township.