

Planning & Real Estate Consultants

May 27, 2021

Planning Board  
Township of Berkeley Heights  
29 Park Avenue  
Berkeley Heights, NJ 07922

**Re: Planning Review #1  
Application M-2-21  
Minor Subdivision  
Full Circle Properties Springfield Avenue, LLC  
Block 609, Lots 2, 3, 12 & 13  
HB-3 Zone**

Dear Chairman Johnson and Members of the Board:

Our office is in receipt of the above referenced application, including the following documents submitted by the applicant:

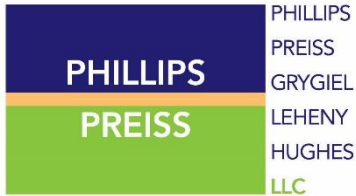
- Application for Minor Subdivision, dated 4/29/2021.
- Minor Subdivision Plan entitled "Minor Subdivision for Block 609 Lots 2, 3, 12 & 13 588 Springfield & Sherman Avenues Township of Berkeley Heights Union County New Jersey," prepared by Kastrud Engineering, Inc, dated 4/8/2021.

The applicant is seeking minor subdivision approval in order to create two new lots by consolidating existing Lots 2, 3, 12 & 13 in Block 609.

#### **Site and Location**

The subject property currently consists of four tax parcels in Block 609:

- Lot 2 (9,850 square feet), which is currently improved with a 1- and 2-story office building by the Springfield Avenue frontage. An asphalt driveway is located to the east of the building, and a vacant strip extends from the rear of the building to the Sherman Avenue frontage.
- Lot 3 (4,900 square feet), which is a mostly vacant site with an asphalt area by the Springfield Avenue frontage, a wood fence, and vegetated areas to the rear.
- Lot 12 (12,500 square feet), which is also a mostly vacant site with a concrete pad, a portion of a wall, and fencing by the Sherman Avenue frontage. The majority of the site appears to be unvegetated gravel.
- Lot 13 (2,500 square feet), which is a mostly vacant site with fencing along the Sherman Avenue frontage. The majority of the site surface appears to be unvegetated gravel.



Planning & Real Estate Consultants

The project site has frontage along Springfield Avenue to the north and Sherman Avenue to the south. It is located between Station Street to the east and Sherman Avenue to the west. It is part of downtown Berkeley Heights and is located across the street/train tracks from the new municipal complex site. Adjacent and nearby land uses include a mix of two-family homes, townhomes, office and retail developments, and mixed commercial and residential uses.

**Proposed Development**

The applicant proposes to create two new lots:

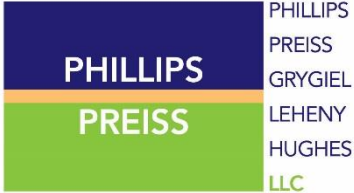
- Proposed Lot 2.01 (12,250 square feet), which will consolidate existing Lot 3 and the portion of existing Lot 2 along the Springfield Avenue frontage to align with the rear lot line of Lot 3.
- Proposed Lot 12.01 (17,500 square feet), which will consolidate the remaining portion of Lot 2 and existing Lots 12 & 13.

**Compliance**

The subject property is located within the HB-3 Housing Business Zone. Because no changes are proposed to the existing land uses, no use variances have been identified at this time.

There are a number of existing non-conformities that are carried over to the newly proposed lots. Because no change to the existing improvements are proposed, *no new variances* are required. However, they are listed below for reference purposes:

- Proposed Lot 2.01: the existing 1- and 2-story office building is deficient in respect to the required setbacks.:
  - Front yard setback: 20 feet required along Springfield Avenue, whereas 10.1 feet existing and no change proposed.
  - Side yard setback: 10 feet required on each side, whereas 1.8 feet existing by the western side lot line and no change proposed.
  - Rear yard setback: 25 feet required, whereas 5.8 feet existing and no change proposed.
- Proposed Lot 12.01: the impervious coverage of the new lot will be 97.3%, whereas maximum coverage of 75% is permitted in the HB-3 zone. It should be noted that the existing paved areas from the portion of Lot 2 and Lots 12 & 13 are contributing to the impervious coverage, and that there will be slight alleviation in this condition due to the consolidation of the lots.



Planning & Real Estate Consultants

### Planning Comments

1. The applicant should explain the purpose of the subdivision and if any demolitions or new development are envisioned in the future.
2. The applicant should describe the current use of the existing building located on proposed Lot 2.01. If the building is occupied, the applicant shall demonstrate that compliant parking is proposed. Even if the building is currently vacant, testimony should be provided regarding the ability to provide compliant on-site parking within proposed Lot 2.01 in the event the building is re-tenanted.
3. As noted above, the deviations are all existing non-conformities that are carried over, and no change to the existing improvements or new improvements are being proposed at this stage. Additionally, no exacerbation of any existing non-conformities will result from the proposed subdivision. As such, we believe that no new variances are required for the minor subdivision. However, the Board's approval of the minor subdivision and recognition of existing non-conformities should not be construed as variance approval for the deviating conditions – in the case that new development on the sites require relief from bulk standards, appropriate variances should be requested at that time and subject to Board approval.
4. We additionally defer to the Township engineer for comments regarding the adequacy of traffic and circulation, lighting, drainage and stormwater management, and utilities on site and if any new improvements may be required.

We trust that the above information is responsive to your needs.

Respectfully submitted,

Keenan Hughes, AICP, PP