

MURPHY SCHILLER & WILKES LLP

ATTORNEYS AT LAW

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March 13, 2024

VIA EMAIL & HAND DELIVERY

Cheryl Chrusz
Zoning Board of Adjustment
Township of Montgomery
100 Community Drive
Skillman, NJ 08558

**RE: Preliminary and Final Site Plan/Variance Application – Renard Management, Inc.
1026 County 518, Montgomery Township, New Jersey (Block 29002, Lots 49, 50)**

Dear Cheryl,

This firm represents the Applicant in connection with the above-referenced Preliminary and Final Site Plan Application. Ahead of the March 28, 2024, hearing, please find updated architectural plans and site plans including the updated floor plans with the loading requirement for distribution to the Board members and Township consultants:

1. Revised Application to reflect changes with the current submission.
2. One (1) Updated Statement of Principal Points.
3. One (1) Updated Variance Chart.
4. Ten (10) copies of the signed and sealed Architectural Plans, prepared by Arco Murray, dated March 12, 2024;
5. Ten (10) copies of the signed and sealed Preliminary and Final Site Plan with Use and Bulk Variances Plans, prepared by Dynamic Engineering Consultants, PC, dated June 8, 2023, last revised March 4, 2024 (Rev 3);
6. One (1) copy of the signed and sealed Traffic Impact Study, prepared by Dynamic Traffic, dated March 12, 2024;
7. One (1) copy of the signed and sealed Stormwater Management Analysis prepared by Dynamic Engineering, dated June 2023; and

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The following changes were made to the plans:

- The larger building has been reduced in height from 3 stories/42.67 feet to 2 stories/32.99 feet to eliminate the D(6) Use Variance, although maintaining the C height variance;
- The square footage of the larger building has been reduced from 123,259 SF total down to 84,904 SF total, thereby reducing the Floor area ratio variance from 1.02 to 0.83);
- The smaller building has been increased in size from 1-story and 9,907 SF to 2-stories and 22,846 SF;
- The Lot Coverage has been further reduced from 58.8% to 58.3% (65.3% existing);
- The internal drive-thru on the larger building has been eliminated, which saves an additional pin oak tree along the roadway frontage and eliminates the previous variance request for separation between the proposed driveways (§16-5.8.D); and
- The mounting height of the proposed wall mounted sign has been reduced from 28 feet down to 15 feet to eliminate the variance request for exceeding a 20 foot high mounting height.

Please feel free to reach out to me directly at (973) 750-4770 with any questions related to this application. Thank you in advance for your assistance.

Very truly yours,

/s/ Lisa E. Lomelo
LISA E. LOMELO, ESQ.
Attorney for Applicant

cc: via email without enclosure
Dynamic Engineering
Arco Murray
Yonkers 300, LLC
Renard Management, LLC

Name of Applicant Renard Managment, Inc Email _____

Address 23 Mandy Lane Phone (Daytime) _____

City Mahopac State NY Zip 10541 (Fax) _____

Applicant interest in property (owner, lessee, etc.) _____

Name of Owner (if not applicant) Yonkers 300, LLC

Address 1590 Troy Ave

City Brooklyn State NY Zip 11234 Phone _____

When property was acquired by applicant _____

Tax Map Page _____ Block 29002 Lot 49 & 50

Address of property 1026 Route 518, Montgomery

Present Use of Property: Office

Proposed Use of Property: Self Storage

Development Name _____

Is the property served with public sewer system? Yes ☒ No _____

Is the property served with public water system? Yes ☒ No _____

Is the applicant willing to dedicate land for the widening of roads in compliance with Township and/or County Master Plan? Yes ☒ No _____

Is the proposed use located on a Municipal .299 County T30,T58 State NY road? ☒

Area of property 427.20 acres or _____ sq. ft. HC _____

Frontage on an improved street _____ ft. Present Zoning: _____ Number _____

of Lots: Existing _____ Proposed _____

Number of buildings: Existing N/A Proposed 2

Proposed principal building height: 32.99 Proposed accessory building height _____

Gross square footage of proposed building(s) 107,750

Floor area of all structures: Existing N/A Proposed FAR 0.83

Percentage of coverage by buildings _____ by impervious coverage 58.3

Bulk restrictions provided: Front Yard 50 Side Yard 25.2 Rear Yard 53.9 Height 29.67

Parking spaces required as determined by Board and provided 16

Has a subdivision previously been granted? Unknown by applicant Date _____

Has a variance previously been granted? Unknown by applicant Date _____

If previous applications were applied for please indicate the case number(s) N/A

Are there any existing or proposed covenants or deed restrictions on the property? No

If yes, explain _____

Is a variance requested? Yes ☒ No ☐ No. of variances requested See attached chart

Zoning Board of Adjustment

TYPE OF APPLICATION _____

Describe in detail section of Zoning Ordinance from which applicant seeks design waivers: _____
See attached chart

Describe in detail section of Zoning Ordinance from which applicant seeks submission waivers: _____
See attached chart/checklist

PLANS

Name of Engineer/Surveyor: Josh Sewald/Dynamic Engineering Email jsewald@dynamic.com

Address: 1904 Main Street

City Lake Como State NJ Zip 07719 Phone 732-974-0198 Fax 732-974-3521

Name of Architect: Louis W. Vandloeht Email lvandloeht@arcomurray.com

Address: 4849 Greenville Ave, Suite 1460

City Dallas State TX Zip 75206 Phone 314-822-5191 Fax 314-963-0714

CERTIFICATION

I hereby certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the attached authorization. I further authorize Township Officials to inspect the site noted above.

DATED: 7/5/23 [Signature] - Dino Tomassetti Jr., Yonkers 300/4
(Owner's Name Printed and Owner's Signature)

DATED: 7/5/23 [Signature] - Renard Management Inc., Dino Tomassetti Jr.
(Applicant's Name Printed and Applicant's Signature)

SWORN TO AND SUBSCRIBED BEFORE

THIS 5th day of JULY

20 23
Irene T. Tufano
(Notary)

IRENE T. TUFANO
Notary Public, State of New York
No. 24-4514585
Qualified in Queens County
My Commission Expires 5/31/27

Persons to be contacted regarding matters pertaining to this application, if other than applicant.

APPLICANT'S ATTORNEY:

Name: _____

Name: Chris Murphy

Address: _____

Address: Commerce St, 12th Floor
Newark, NJ 07102

Phone: _____

Phone: 973-705-7421

Fax: _____

Fax: _____

I, the developer/applicant, as signed below, acknowledge familiarity with the procedure set forth in the Montgomery Township Land Development Ordinance for submittals and required action and agree to be bound by it.

7/5/23 [Signature] - Renard Management, Inc.
Date Applicant's Name Printed and Applicant's Signature
Dino Tomassetti Jr.

AGREEMENT TO PAY FOR PROFESSIONAL REVIEW

THIS AGREEMENT made this _____ day of _____ 20____ between:

Name: Renard Management, Inc

Address: 23 Mandy Lane, Mahopac, NY 10541

Type of Application: Preliminary and Final Site Plan/Variance Block: 29002 Lot 49 & 50

Hereinafter call "Applicant"

and:

The Township of Montgomery, in the County of Somerset, a municipal corporation of the State of New Jersey, hereinafter call "Township"

WITNESSETH

That the Applicant has submitted a development application to the Township's Planning Board/Zoning Board for consideration in accordance with the New Jersey Municipal Land Use Law and the Montgomery Township Land Use Ordinances and Applicant hereby covenants and agrees as follows:

1. Applicant agrees to pay all costs related to the Township's review and administration of the proposed application with said costs including but not limited to:
 - A. Review by the Development Review Committee, which entails professional consultant costs for: Planner, Engineering, Legal and other extraordinary consultant services as may be required by the Township;
 - B. Full application professional review by the Site Plan Committee, Subdivision Committee, Planning Board, and Zoning Board, which entails professional consultant costs for: Planner, Engineering, Legal and other extraordinary consultant services as may be required by the Township;
2. Applicant understands and agrees to pay all costs as set forth above from the date of initial application submission through the Township's signature of approved plans which shall include any costs for extensions and revalidation's.
3. Applicant understands and agrees to deposit with the Township's Planning/Zoning Office an initial application filing fee which is non-refundable and an initial escrow deposit in accordance with Section 16-9.1 of the Land Development Ordinance.
4. Applicant understands and agrees that the Township will withdraw from said escrow deposit to cover costs as set forth in Section 1 above.
5. Applicant understands and agrees to pay within TEN BUSINESS DAYS of receipt of the Township's statement/billing all additional costs as may be incurred and billed to the applicant by the Township relative to the review and administration of the application even if the costs of said review and administration exceed the initial escrow deposit.
6. Applicant understands and agrees that in the event Applicant fails to pay a billed amount the Township may discontinue Planning Board/Zoning Board review and consideration on said application or if Planning Board/Zoning Board approval has been previously given Township may deny issuance of a construction permit and/or certificate of occupancy or if permit has been previously issued Township may initiate a Stop Work Order.
7. Township agrees to refund to applicant any escrow sum deposited with Township for review and administration of the application and neither spent nor needed by Township. A refund will be issued upon request by Applicant by Township following completion of the Township's review and administration of the application.
8. **APPLICANT AGREES AND UNDERSTANDS THAT IT IS INCUMBENT ON APPLICANT TO PERIODICALLY MONITOR THE STATUS OF SAID ESCROW ACCOUNT. APPLICANT AGREES AND UNDERSTANDS THAT RESPONSIBILITY TO PAY ALL ESCROW CHARGES IS THE APPLICANT'S EVEN IF APPLICANT SELLS OR CONVEYS SAID PROPERTY CITED ABOVE TO ANOTHER PARTY.**

Dino Tomassetti Jr.

APPLICANT'S NAME (PRINTED)

[Signature]

APPLICANT'S SIGNATURE

7/5/23

DATE

MURPHY SCHILLER & WILKES LLP

ATTORNEYS AT LAW

TO: The Township of Montgomery Zoning Board of Adjustment

FR: Murphy Schiller & Wilkes

RE: Statement of Principal Points

Date: Updated March 12, 2024

The Owner Yonkers 300, LLC and Applicant Renard Management, Inc. ("Applicant") seeks Preliminary and Final Major Site Plan approval, D Variance, and C Variance relief from the Township of Montgomery Zoning Board of Adjustment ("Board") in connection with the proposed construction of a self-storage facility at the property located at 1026 Route 518 ("Property").

The Applicant has demolished the dilapidated structure that existed on the site. The use of the property and layout is restricted by on-site monitoring wells that are under federal jurisdiction. The proposed self-storage facility seeks to make efficient use of the Property by including a larger two-story 84,904 square foot building and a smaller 22,846 square foot two-story building.

The Property is located in the Highway Commercial zoning district ("HC Zone"), which does not include the proposed use as a principal permitted use. Therefore, a D(1) use variance is required. Further, a D(4) FAR variance is required as the proposed 0.83 exceeds the .2 permitted in the zone.

In addition to the D variances, the applicant seeks C variances for Minimum Rear Yard setback, which is an existing condition. The zone requires 50 feet. The proposed and previously existing rear yard setback was 49.9 feet. The applicant requests a C Variance for Maximum Lot Coverage, which is proposed to be 58.3%. This exceeds the 55% permitted in the zone, but improves the existing 65.3% existing condition. In addition, the Applicant seeks (c) height variance for exceeding the zone standard by less than 10%. Further, no building in the HC Zone may exceed 50,000 square feet. The proposed buildings are 107,750 square feet. However, the lot is 2.99 acres where the zone minimum is 1 acre. Finally, the Applicant requests a variance for the size of the façade sign, which is limited to 50 square feet. The Applicant requests a variance for the proposed 75 square foot sign.

The Property has been vacant for many years, with a partially collapsed structure. The Property is challenged by prior environmental issues and monitoring wells. Since the recent purchase by the Owner, the building has been demolished and the Property maintained. The Applicant seeks approvals to restore active use of the Property for the first time in decades.

The Applicant will provide testimony in support of this application from multiple professionals, including a professional engineer, traffic engineer, architect, and planner. It is

respectfully requested that the Board approve the proposed development. Thank you for your consideration.

Applicant: Renard Management, Inc.

Property: Block 29002, Lots 49 & 50, 1026 Route 518, Township of Montgomery, Somerset County, New Jersey

Updated Variance Chart

Code	Requirement	Existing	Proposed	Variance
LAND USE AND ZONING				
Principal Permitted Uses	Self-Storage Not Permitted	Office	Two Self-Storage Buildings	D(1) Variance
Maximum Floor Area Ratio	0.2	0.4	0.83	D(4) Variance
Min Rear Yard Setback	50 FT	49.9 Ft	49.9 Ft	Existing Non Conformity
Maximum Building Height	30 FT / 2.5 stories	< 30 FT / 2.5 stories	32.99 feet	C Variance
Maximum Lot Coverage	55%	65.3%	58.3%	Variance
Maximum Gross Floor Area	½ SF per 1 LF of Building Façade or 50,000 SF		84,904 SF and 22,846 SF	Variance
Maximum Building Mounted Signs	50 SF	N/A	75.38 SF	Variance
WAIVER				
Preliminary Checklist Item #49	Temporary Design Waiver		Temporary waiver of utility profiles. Can be provided as a condition of approval.	
Final Checklist Item #12	Temporary Design Waiver		Temporary waiver of utility profiles. Can be provided as a condition of approval.	