



BOROUGH OF METUCHEN

MIDDLESEX COUNTY

Tel. (732) 632-8540 • Fax (732) 632-8100 • 500 Main Street • Metuchen, N.J. 08840

APPLICATION FOR DEVELOPMENT

Control Information (Office Use Only)

Application Number	Applicant Name	Date Received	Date Deemed Complete

1. Application

*which block and lots were recently created via subdivision approval granted by Resolution of the Metuchen Planning Board dated August 4, 2022 (Application No.: 22-1334E) from Block 37, Lots 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03, 17.01, 17.02 and Block 42, Lots 1 through 7

A. Location

Street Address 212 Durham Avenue

Block 37 Lot s 5.051, 13.01 and 5.121* Zone Amended Gulton Tract Redevelopment Plan Area

Situated on North side of Durham Avenue

distant +/- 650 feet from intersection of Durham Avenue and Central Avenue (CR-531)

B. The Site is Located:

Within 200' of Edison Township Adjacent to County Road Adjacent to State Highway

C. Status:

New Revision or Resubmission of Prior Application No. _____

D. Type (Check all that Apply):

Concept Preliminary Final Conditional Use Approval

Minor Site Plan Major Site Plan Minor Subdivision Major Subdivision

(a) – Appeal (b) – Interpretation (c) – Variance (Bulk) (d) – Variance (Use)

Request for Waiver of Submission Requirements Other (1) Exceptions related to signage and (2) alternative parking standards or a de minimis exception as it relates to RSIS parking requirements.

E. Nature of Relief or Variance Request (List Ordinance Reference Sections)

See attached Exhibit A.

F. Date and Disposition of any previous Board Hearings involving this Site

Preliminary and Final Major Subdivision Approval granted July 21, 2022 and memorialized in a resolution adopted by the Metuchen Planning Board dated August 4, 2022

G. Plat Submission (List maps and other exhibits accompanying this application)

See attached Exhibit B.

2. Applicant Information

A. Applicant

First Name 212 Durham Urban Renewal, LLC Phone 410-902-0290
Last Name Attn: Daniel Klein Phone _____
Street Address 1777 Reistestown Road, Suite 165 Fax _____
City / State Baltimore, MD Zip 21208 Email dk@kleinenterprises.com

*Applicant owns Lot 5.121

B. Applicant is a/an:

Individual Partnership Corporation Other Urban Renewal Entity

C. Applicant's Relationship to Owner:

Owner Lessee Purchaser Under Contract Other* as to lots 5.051 and 13.01
*Applicant owns Lot 5.121

D. Owner (If other than Applicant; requires Owner's Consent on Page 6) *As to Lots 5.051 and 13.01 * Applicant is the designated redeveloper of the property which is the subject of this application

First Name Metuchen Realty Acquisition, LLC Phone 610-780-0839
Last Name Attn: Ellis Block Phone _____
Street Address 2650 West View Drive Fax _____
City / State Wyomissing, PA Zip 19610 Email imeblock@aol.com

3. Applicant's Experts

A. Attorney (Required if Applicant is a Corporation; must be a licensed in the State of New Jersey)

Name Riker Danzig LLP, Attn: Diane Hickey, Esq. Phone 973-451-8528
Street Address 1 Speedwell Avenue Fax 973-451-8353
City / State Morristown, NJ Zip 07962 Email dhickey@riker.com

B. Engineer

Name Bohler Engineering, Attn: Ben Crowder, P.E. Phone 908-668-8300
Street Address 30 Independence Blvd., Suite 100 Fax _____
City / State Warren, NJ Zip 07059 Email bcrowder@bohlereng.com

C. Architect

Name JDAVIS, Attn: Brad Rupert Phone 212-545-0121
Street Address 1218 Chesnut Street, 7th Floor Fax _____
City / State Philadelphia, PA Zip 19107 Email _____

D. Other Professional Consultants

Name Control Point Associates, Inc., Attn: James D. Sena Phone 908-668-0099
Street Address 30 Independence Blvd., Suite 100 Fax 908-668-9595
City / State Warren, NJ Zip 07059 Email jsens@cpasurvey.com

4. Plat / Plan Data

A. Present Use of Land / Structure

The subject property is currently vacant. The existing buildings and structures on the subject property will be demolished.

B. Proposed Use of Land / Structure

The Applicant proposes a single five (5) story structure containing 272 residential units, a total of 364 parking spaces and related site improvements on Parcel B and a public access drive, parking spaces and landscaping on Parcel A, all in accordance with the Amended Gulton Street Redevelopment Plan.

C. Building Data

Existing :	Floor Area:	NA	Height in Stories & Feet:	NA
Addition:	Floor Area:	NA	Height in Stories & Feet:	NA
New Bldg:	Floor Area:	365,303 SF	Height in Stories & Feet:	5 / 59' 10"
Total Floor Area:		365,303 SF		

D. Subdivision Data NA

Area:	Entire Tract:	_____	Portion being subdivided:	_____
No. of Lots:	Present	_____	Proposed:	_____
No. of Units:	Demolished:	_____	Proposed:	_____
Purpose:	_____			

E. Non-Residential Use Data

	NA	Present	Proposed
Total Floor Area of Building:	_____	_____	_____
Floor Area to be Occupied:	_____	_____	_____
Off-Street Parking:	_____	_____	_____
Number of Employees:	_____	_____	_____
Days & Hours of Operation:	_____	_____	_____
Machinery / Equipment Used:	_____	_____	_____
	_____	_____	_____
Description of Operation(s):	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

5. Request for Bulk Variance

A. Bulk Regulations

See attached Exhibit C.

	District Requirements	Present	Proposed	Variance
Min. Lot Area	_____	_____	_____	<input type="checkbox"/>
Min. Lot Width	_____	_____	_____	<input type="checkbox"/>
Min. Lot Depth (Average)	_____	_____	_____	<input type="checkbox"/>
Min. Front Yard Setback	_____	_____	_____	<input type="checkbox"/>
Min. Side Yard Setback (Left)	_____	_____	_____	<input type="checkbox"/>
Min. Side Yard Setback (Right)	_____	_____	_____	<input type="checkbox"/>
Min. Side Yard Setback (Combined)	_____	_____	_____	<input type="checkbox"/>
Min. Rear Yard Setback	_____	_____	_____	<input type="checkbox"/>
Max. Building Coverage	_____	_____	_____	<input type="checkbox"/>
Max. Impervious Coverage	_____	_____	_____	<input type="checkbox"/>
Max. Height	_____	_____	_____	<input type="checkbox"/>

B. Describe below the nature of the constraints imposed by the physical characteristics of the property.

Full planning proofs will be presented at hearing.

C. Describe below any other exceptional conditions of the property that prevent the applicant from complying with the Zoning Ordinance.

Full planning proofs will be presented at hearing.

D. Describe below how not granting this variance request would impose difficulties or undue hardship upon you.

Full planning proofs will be presented at hearing.

E. Describe below how the granting of the variance request will not result in substantial detriment to the public good nor substantially impair the intent and purpose of the Zone Plan and the Zoning Ordinance.

Full planning proofs will be presented at hearing.

6. Request for Conditional Use Approval / Use Variance NA

A. Describe below the specifics of the request.

B. Describe below the special reasons which exist that support the granting of the request.

C. Describe below how the public interest will be served by the granting of the request.

D. Describe below what circumstances exist or what measures will be taken to ensure that, if the request is granted, the surrounding property owners will experience no adverse impact or undue burden.

E. Describe below how the granting of the request will not result in substantial detriment to the public good nor substantially impair the intent and purpose of the Zone Plan and the Zoning Ordinance.

7. Correspondence

Please copy the Applicant's attorney on all correspondence.

A. Person to be contacted in regard to all matters pertaining to this Application (If other than Applicant)

First Name _____ Phone _____
Last Name _____ Phone _____
Street Address _____ Fax _____
City / State _____ Zip _____ Email _____

8. Verification and Authorization

I, THE UNDERSIGNED, HEREBY MAKE APPLICATION FOR AN APPLICATION FOR DEVELOPMENT ONLY FOR THE LOCATION AND THE WORK DESCRIBED HEREIN AND CERTIFY TO THE ACCURACY OF THAT INFORMATION. I ACKNOWLEDGE THAT IT IS MY RESPONSIBILITY TO BE AWARE OF AND COMPLY WITH ALL ZONING REQUIREMENTS OF THE BOROUGH OF METUCHEN RELATING TO THIS APPLICATION. I UNDERSTAND THAT FAILURE TO PROVIDE ACCURATE INFORMATION OR TO COMPLY WITH ANY PROVISIONS OF THE APPLICATION RENDERS IT NULL AND VOID AND MAY RESULT IN AN ENFORCEMENT ACTION.

CONSTRUCTION OF IMPROVEMENTS WILL NOT BE COMMENCED AT THE ABOVE LOCATION UNTIL THE APPLICANT/TOWNER IS IN COMPLIANCE WITH ALL APPLICABLE REGULATIONS REGARDING ZONING AND PROPERTY MAINTENANCE AS DEFINED BY THE CODE OF THE BOROUGH OF METUCHEN. THIS APPLICATION AND ASSOCIATED APPROVALS DO NOT WAIVE ANY OTHER RESTRICTIONS OR REGULATIONS IMPOSED PRIVATELY OR BY LAW.

A. Applicant's Verification

I HEREBY CERTIFY THE STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE.

Name _____ Date _____

Signature _____

B. Owner's Authorization * as to Lots 5.051 and 13.01

I HEREBY CERTIFY THAT I AM THE OWNER OF RECORD OF THE PROPERTY DESCRIBED HEREON AND THAT I CONCUR WITH THE DOCUMENTS PRESENTED TO THE PLANNING BOARD / ZONING BOARD OF ADJUSTMENT. I HEREBY AUTHORIZE THE APPLICANT TO SUBMIT THIS APPLICATION FOR DEVELOPMENT.

Name Ellis Block Date _____

Signature Ellis Block, CEO

Telephone & Fax Number: _____

7. Correspondence Please copy the Applicant's attorney on all correspondence.

A. Person to be contacted in regard to all matters pertaining to this Application (If other than Applicant)

First Name	_____	Phone	_____
Last Name	_____	Phone	_____
Street Address	_____	Fax	_____
City / State	_____ Zip _____	Email	_____

8. Verification and Authorization


I, THE UNDERSIGNED, HEREBY MAKE APPLICATION FOR AN APPLICATION FOR DEVELOPMENT ONLY FOR THE LOCATION AND THE WORK DESCRIBED HEREIN AND CERTIFY TO THE ACCURACY OF THAT INFORMATION. I ACKNOWLEDGE THAT IT IS MY RESPONSIBILITY TO BE AWARE OF AND COMPLY WITH ALL ZONING REQUIREMENTS OF THE BOROUGH OF METUCHEN RELATING TO THIS APPLICATION. I UNDERSTAND THAT FAILURE TO PROVIDE ACCURATE INFORMATION OR TO COMPLY WITH ANY PROVISIONS OF THE APPLICATION RENDERS IT NULL AND VOID AND MAY RESULT IN AN ENFORCEMENT ACTION.

CONSTRUCTION OF IMPROVEMENTS WILL NOT BE COMMENCED AT THE ABOVE LOCATION UNTIL THE APPLICANT/OWNER IS IN COMPLIANCE WITH ALL APPLICABLE REGULATIONS REGARDING ZONING AND PROPERTY MAINTENANCE AS DEFINED BY THE CODE OF THE BOROUGH OF METUCHEN. THIS APPLICATION AND ASSOCIATED APPROVALS DO NOT WAIVE ANY OTHER RESTRICTIONS OR REGULATIONS IMPOSED PRIVATELY OR BY LAW.

A. Applicant's Verification

I HEREBY CERTIFY THE STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE.

Name Daniel J. Klein Date 11/28/2022

Signature 

B. Owner's Authorization *as to Lot 5.121

I HEREBY CERTIFY THAT I AM THE OWNER OF RECORD OF THE PROPERTY DESCRIBED HEREON AND THAT I CONCUR WITH THE DOCUMENTS PRESENTED TO THE PLANNING BOARD / ZONING BOARD OF ADJUSTMENT. I HEREBY AUTHORIZE THE APPLICANT TO SUBMIT THIS APPLICATION FOR DEVELOPMENT.

Name Daniel J. Klein Date 11/28/2022

Signature 

Telephone & Fax Number: 410-902-0290/410-902-4760

EXHIBIT A
to Application for Development
212 Durham Urban Renewal, LLC

1G.

- Preliminary and Final Major Site Plan prepared by Bohler Engineering, dated August 24, 2022 and last revised November 28, 2022, consisting of 36 sheets
- ALTA/NSPS Land Title Survey prepared by Control Point Associates, Inc., dated September 20, 2022
- Stormwater Management Report prepared by Bohler Engineering, dated October 2022, including:
 - Existing Drainage Area Map prepared by Bohler Engineering, dated October 25, 2022
 - Proposed Drainage Area Map prepared by Bohler Engineering, dated October 25, 2022
 - Inlet Drainage Area Map prepared by Bohler Engineering, dated October 25, 2022
- Traffic Impact Analysis prepared by Atlantic Traffic + Design dated October 19, 2022
- Building Elevations prepared by JDAVIS dated October 26, 2022, consisting of 2 sheets.
- Floor Plan prepared by JDAVIS dated October 26, 2022, consisting of 5 sheets
- Building Perspectives prepared by JDAVIS October 26, 2022, consisting of 4 sheets

EXHIBIT B
to Application for Development
212 Durham Urban Renewal, LLC

FREESTANDING SIGNS			
<i>ITEM</i>	<i>CODE</i>	<i>PERMITTED</i>	<i>PROPOSED</i>
MAX. NUMBER OF SIGNS	§ 110-185 A.(2)	1 SIGN	1 SIGN (MAIN ENTRANCE) 1 SIGN (NEAR GULTON ACCESS) 2 SIGNS TOTAL
MAX. SIGN AREA	§ 110-185 A.(2)	2 SF	50 SF (MAIN ENTRANCE) 16 SF (NEAR GULTON ACCESS)
WALL SIGNS(*)			
RESIDENTIAL BUILDING			
<i>ITEM</i>	<i>CODE</i>	<i>PERMITTED</i>	<i>PROPOSED</i>
MAX. NUMBER OF SIGNS**	§ 110-185 A.(2)	2 WALL-MOUNTED NAME/NUMBER SIGNS	2 CANOPY MOUNTED FACADE SIGN 1 NUMBER SIGN 3 SIGNS TOTAL
MAX. SIGN AREA	§ 110-185 A.(2)	1 SF (EACH)	CANOPY MOUNTED FACADE SIGNS: (1) @ 33 SF & (1) @ 14 SF NUMBER SIGN: 5 SF
LIVE WORK UNITS (BUSINESS ***)			
MAX. NUMBER OF SIGNS	§ 110-186 A	N/S	6 WALL-MOUNTED SIGNS (1 FOR EACH LIVE-WORK UNITS)
MAX. SIGN AREA	§ 110-186 A	24 SF	3.75 SF EACH 22.5 SF TOTAL (6 WALL-MOUNTED SIGNS)
MAX. SIGNBOARD HEIGHT	§ 110-186 A	3'	2.5'
MAX. SIGNBOARD WIDTH	§ 110-186 A	12'	1.5'
MAX. LETTER HEIGHT	§ 110-186 A	2'	≤ 2'
KEY =			DESIGN WAIVER REQUIRED
<p>(*) TRAIL SIGNAGE, WAY-FINDING AND DIRECTIONAL SIGNS SHALL BE PERMITTED AND SUBJECT TO REVIEW BY THE BOROUGH OF METUCHEN IN A FUTURE PHASE.</p> <p>(**) WALL SIGNAGE SHALL BE PERMITTED TO BE CANOPY-MOUNTED</p> <p>(***) NO PORTION OF SUCH SIGN SHALL EXTEND ABOVE OR BEYOND THE LIMITS OF THE WALL TO WHICH IT IS AFFIXED. (COMPLIES)</p> <p>NOTE: FOR ANY USE IN A LI LIGHT INDUSTRIAL DISTRICT, PER SECTION 8.1 OF THE REDEVELOPMENT PLAN, ANY STANDARDS NOT SPECIFICALLY ADDRESSED IN THIS REDEVELOPMENT PLAN REMAIN SUBJECT TO THE BOROUGH'S ZONING AND LAND DEVELOPMENT ORDINANCE.</p>			

EXHIBIT C
to Application for Development
212 Durham Urban Renewal, LLC

ZONING TABLE				
ZONE: AMENDED GULTON TRACT REDEVELOPMENT PLAN AREA PROPOSED PRINCIPAL USE: MULTI FAMILY APARTMENTS WITH ASSOCIATED AMENITY/ FACILITY AREAS & GROUND FLOOR LIVE/WORK UNITS (PARCEL B) PROPOSED ACCESSORY USE: DRIVEWAY & PARKING AREAS/ DETACHED GARAGES/ COMMON OPEN-SPACES/ SOCIAL & RECREATIONAL FACILITIES BLOCK: 37 LOT(S): 5, 12, 5, 22, 8, 7, 01, 7, 02, 13, 14, 15, 01, 18, 02, 17, 01, 17, 02 BLOCK: 42 LOT(S): 1-7				
APPLICANT / OWNER INFORMATION				
APPLICANT:	212 DURHAM URBAN RENEWAL ENTITY, LLC 1777 REISTERSTOWN ROAD, SUITE 165 BALTIMORE, MD 21208			
PROPERTY OWNER	METUCHEN REALTY ACQUISITION, LLC 2650 WEST VEW DRIVE WYOMISSING, PA 19610			
BULK REQUIREMENTS				
ITEM	CODE	REDEVELOPMENT PLAN REQUIREMENTS	PROPOSED COUNTY PARCEL (PARCEL A)	PROPOSED DEVELOPMENT PARCEL (PARCEL B)
MIN. LOT AREA	REDEVELOPMENT PLAN §5.4 A&B	PARCEL A: 19.4 AC PARCEL B: 4.0 AC	±858,911 SF ⁽¹⁾ (±197,18 AC.)	±338,315 SF ⁽¹⁾ (±7.77 AC.)
MAX. LOT AREA	REDEVELOPMENT PLAN §5.4 A&B	PARCEL A: N/A PARCEL B: 7.8 AC	±858,911 SF ⁽¹⁾ (±197,18 AC.)	±338,315 SF ⁽¹⁾ (±7.77 AC.)
MIN. LOT WIDTH	REDEVELOPMENT PLAN §5.4 A&B	PARCEL A: 35' (ALONG DURHAM AVENUE) 80' (100' FROM DURHAM AVENUE) PARCEL B: N/A	35' (ALONG DURHAM AVENUE) 81.4' (100' FROM DURHAM AVE.)	±466.1'
MIN. DURHAM AVE. FRONT YARD SETBACK	REDEVELOPMENT PLAN §5.4 A&B	PARCEL A: N/A PARCEL B: 35' (FOR ANY BUILDING UP TO 4 STORIES AND 50' IN HEIGHT) 40' (FOR ANY PORTION OF A BUILDING UP TO 5 STORIES AND 60' IN HEIGHT)	N/A	36.5' (UP TO 4 STORIES) 40.4' (GREATER THAN 5 STORIES)
MIN. SETBACK FROM BLOCK 42, LOT 8-11	REDEVELOPMENT PLAN §5.4 A&B	PARCEL A: N/A PARCEL B: 70'	N/A	72.4'
MIN. SETBACK FROM ALL OTHER LOTS WITHIN BLOCK 40, 41, & 42	REDEVELOPMENT PLAN §5.4 A&B	PARCEL A: N/A PARCEL B: 170'	N/A	172'
MIN. SETBACK FROM PARCEL A	REDEVELOPMENT PLAN §5.4 A&B	PARCEL A: N/A PARCEL B: 15' (NE PROPERTY LINE) 70' (ALL OTHER PROPERTY LINES)	N/A	17.5' (NE PROPERTY LINE) 83.8' (ALL OTHER)
ACCESSORY STRUCTURE MIN. SETBACK	REDEVELOPMENT PLAN §5.4 A&B	PARCEL A: N/A PARCEL B: 10' ⁽²⁾	N/A	10.6' (DETACHED GARAGE)
MAX. ACCESSORY BUILDING HEIGHT	REDEVELOPMENT PLAN §5.4 A&B	PARCEL A: N/A PARCEL B: 15'	N/A	<15' (DETACHED GARAGE)
MAX. RESIDENTIAL DENSITY	REDEVELOPMENT PLAN §5.4 A&B	PARCEL A: N/A PARCEL B: 35 UNITS / ACRE ⁽³⁾	N/A	35 UNITS / ACRE ⁽¹⁾
MAX. FLOOR AREA RATIO	REDEVELOPMENT PLAN §5.4 A&B	PARCEL A: N/A PARCEL B: 1.125 ⁽⁴⁾	N/A	1.101
MAX. BUILDING HEIGHT	REDEVELOPMENT PLAN §5.4 A&B	PARCEL A: N/A PARCEL B: 60' ⁽⁵⁾ 5 STORIES	N/A	59'-10" 5 STORIES
MAX. IMPERVIOUS COVERAGE	REDEVELOPMENT PLAN §5.4 A&B	PARCEL A: N/A PARCEL B: 75%	7.4% ⁽⁶⁾	72.01% ⁽⁶⁾
MAX. BUILDING COVERAGE	REDEVELOPMENT PLAN §5.4 A&B	PARCEL A: N/A PARCEL B: 25%	0%	22.9%
MIN. PARKING SETBACK FROM BUILDING	REDEVELOPMENT PLAN §5.5.2.8	10' ⁽⁷⁾	26.9'	10' (PARKING) 0' (LOADING)
MIN. PARKING SETBACK FROM EXISTING RESIDENTIAL	REDEVELOPMENT PLAN §5.5.2.7	10'	N/A	10.6'
KEY = (E) EXISTING NON-CONFORMITY (V) VARIANCE REQUIRED				
⁽¹⁾ INCLUSIVE OF ANTICIPATED GULTON STREET RIGHT-OF-WAY TO BE VACATED ⁽²⁾ INCLUSIVE OF BLOCK 37, LOTS 5.03 AND 5.05 ⁽³⁾ ACCESSORY BUILDINGS SHALL NOT BE LOCATED IN THE FRONT YARD AREA ⁽⁴⁾ MAX. BUILDING HEIGHT NOT INCLUSIVE OF ADDITIONAL HEIGHT GENERATED BY ROOFTOP EQUIPMENT. ⁽⁵⁾ MAX. OVERLAY IS UTILIZED ON THE BASIS OF THE SIGNED REDEVELOPMENT AGREEMENT. ⁽⁶⁾ ASSUMES COURTYARD IS 100% IMPERVIOUS SURFACES AND THE DOG PARK / COMMUNITY GARDEN CONTAINS 50% IMPERVIOUS SURFACES ⁽⁷⁾ INCLUSIVE OF FUTURE COUNTY IMPROVEMENTS DEPICTED ON THIS PLAN (I.E. GRAVEL LOT, ETC.) ⁽⁸⁾ EXCEPT FOR AREAS NECESSARY FOR ACCESSING GARAGE PARKING AREAS, SERVICE REFUSE, RECYCLING AND LOADING AREAS AND THE SHARED SPACE MOTOR COURT. ⁽⁹⁾ AWNINGS AND CANOPIES MAY PROJECT NOT MORE THAN EIGHT (8) FEET INTO ANY YARD SETBACK, PROVIDED THAT THEY HAVE A MINIMUM VERTICAL CLEARANCE OF EIGHT (8) FEET.				