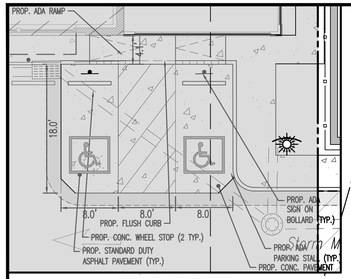
ADA INSET

1" = 10'



GENERAL NOTES

1. THIS PLAN HAS BEEN PREPARED BASED ON REFERENCES INCLUDING:
   - AS-BUILT SURVEY
     VAN NOTE-HARVEY ASSOCIATES, PC
     PRINCETON, NJ
     DATED: 12/21/2015
   - ADMINISTRATIVE SITE PLAN REVIEW
     PROPOSED TEMPORARY PARKING IMPROVEMENT PLAN
     PREPARED BY DYNAMIC ENGINEERING CONSULTANTS, PC
     DATED: 02/13/2020 LAST REVISED: 06/04/2020
   - BOUNDARY & TOPOGRAPHIC SURVEY AND MINOR SUBDIVISION PLANS
     DYNAMIC SURVEY, LLC
     1904 MAIN STREET
     LAKE COMO, NJ 07719
     SURVEY FILE NO: 0043-25-02396
2. APPLICANT: SHARBELL BUILDING COMPANY, LLC
   1 UNION STREET, SUITE 208
   ROBBINSVILLE, NJ 08691
3. OWNER: SHARBELL WASHINGTON INC
   1 UNION STREET, SUITE 208
   ROBBINSVILLE, NJ 08691
4. PARCEL DATA: BLOCK 8, LOT 1.18
   NJSH ROUTE 33 & ROBBINSVILLE-EDINBURG ROAD
   TOWNSHIP OF ROBBINSVILLE
   MERCER COUNTY, NEW JERSEY
5. ZONE: TC-3 ZONE OF THE TC-TOWN CENTER DISTRICT
6. EXISTING USE: RETAIL & PARKING LOT **(PERMITTED USE)** (§ 142 5-3:1)
7. PROPOSED USE: STACKED TOWNHOMES **(NON-PERMITTED USE)** (§ 142 5-3:1)
8. SCHEDULE OF ZONING REQUIREMENTS (§ 142 5-3:26 & 5-3:35)

ZONE REQUIREMENT	ZONE TC-3 COMMERCIAL	ZONE TC-3 TOWNHOUSE (FOR REFERENCE ONLY)	EXISTING	PROPOSED PROP. LOT A (COMMERCIAL)	PROPOSED PROP. LOT B (STACKED TOWNHOMES)
MINIMUM LOT AREA	N/S	2,300 SF (0.5 AC)	110,090 SF (2.53 AC)	86,005 SF (1.97 AC)	24,085 SF (0.55 AC)
LOT WIDTH	20 FT (MIN) ENTIRE BLDG. (MAX)	23 FT (MIN) 32 FT (MAX)	496.9 FT **(E)**	RT 33: 205.5 FT **(V)** RVILLE-E'BURG RD: 147.5 FT **(V)** ALLEY: 238.3 FT **(V)**	118.6 FT
MINIMUM LOT FRONTAGE	N/S	N/S	557.9 FT	RT 33: 325.4 FT RVILLE-E'BURG RD: 199.4 FT ALLEY: 281.1 FT	113.8 FT
LOT DEPTH	54 FT (MIN) 90 FT (MAX)	100 FT (MIN)	286.9 FT **(E)**	286.9 FT **(E)**	185.0 FT
BUILDING DEPTH	36 FT (MIN) 80 FT (MAX)	N/S	96.4 FT	96.4 FT **(E)**	67.6 FT
MINIMUM FRONT YARD SETBACK (NJSH ROUTE 33)	0 FT (MIN) 0 FT (MAX)	5 FT (MIN) 11 FT (MAX)	66.9 FT	66.9 FT **(E)**	73.4 FT
MINIMUM FRONT YARD SETBACK (ROBBINSVILLE – EDINBURG ROAD)	0 FT (MIN) 5 FT (MAX) (ON AVENUE)	5 FT (MIN) 11 FT (MAX)	76.9 FT	76.9 FT **(E)**	N/A
MINIMUM REAR YARD SETBACK [1]	10 FT (MIN) [4] (MAX)	35 FT (MIN)	134.6 FT	134.6 FT	44.1 FT
MINIMUM SIDE YARD SETBACK	0 FT (MIN) 15 FT (MAX) [2]	0 FT (MIN) 5 FT (MIN) [3]	3.0 FT	N: 3.0 FT E: 4.5 FT	W: 10.1 FT E: 10.4 FT
MAXIMUM BUILDING HEIGHT	1.5 STORIES	N/S	1 STORY	1 STORY	3 STORIES 44 FT
MAXIMUM BUILDING COVERAGE (BY BUILDINGS & CANOPIES)	N/S	68%	13.5% (14,875 SF)	19.1% (16,428 SF)	28.3% (6,815 SF)
MINIMUM PRIVATE YARD/PATIO	N/S	400 SF	N/A	761 SF	0 SF
MAXIMUM IMPERVIOUS COVERAGE	N/S	80%	83.9% (92,380 SF) **(E)**	81.6% (70,178 SF)	83.4% (20,079 SF)
MAXIMUM RESIDENTIAL DENSITY	N/S	10 UNITS	0 UNITS	0 UNITS	8 UNITS

N/S: NO STANDARD N/A: NOT APPLICABLE (E): PREVIOUSLY APPROVED NON-CONFORMANCE (V): VARIANCE

NOTES:
[1] MEASURED FROM BUILDING TO CURB LINE OF REAR PARKING LOT/ALLEY
[2] WITH ALLEY REAR YARD PARKING ACCESS
[3] END OF CORNER LOT
[4] SUFFICIENT TO ACCOMMODATE OFF-STREET PARKING

SIGNAGE TABLE

SIGN	REQUIREMENTS		EXISTING (RITE AID)	
FREESTANDING [4]	NUMBER OF SIGNS:	ONE (1)	NUMBER OF SIGNS:	ONE (1)
	MAXIMUM SIGN AREA:	20 SF	SIGN AREA:	96.72 SF **(E)**
	MAXIMUM SIGN HEIGHT:	8 FT	SIGN HEIGHT:	20 FT **(E)**
	MINIMUM SIGN SETBACK:	5 FT	SIGN SETBACK:	1' **(E)**
MONUMENT	NUMBER OF SIGNS:	ONE (1)	NUMBER OF SIGNS:	ZERO (0)
	MAXIMUM SIGN AREA:	20 SF	SIGN AREA:	
	MAXIMUM SIGN HEIGHT:	6 FT	SIGN HEIGHT:	
	MINIMUM SIGN SETBACK:	N/S	SIGN SETBACK:	
WALL MOUNTED OR PAINTED [1] [2] [3]	NUMBER OF FACADE SIGNS:	ONE (1)	NUMBER OF SIGNS:	SEVEN (7) **(E)**
	MAXIMUM FACADE SIGN AREA:	30 SF	SIGN AREA (TOTAL):	303.95 SF **(E)**
	MAX. PROJECTION:	12 INCHES	PROJECTION:	8"

N/S: NO STANDARD N/A: NOT APPLICABLE (E): EXISTING NON-CONFORMANCE (V): VARIANCE

[1] LIMITED TO ONE SIGN PER BUINESS PER BUILDING SIDE OF TENANT AREA OR SPACE
[2] ONE WALL-MOUNTED SIGN, NOT EXCEEDING 30 SQUARE FEET IN AREA, SHALL BE PERMITTED ON ANY SIDE OR REAR ENTRANCE WHICH IS OPEN TO THE PUBLIC.
[3] APPLIED LETTERS MAY SUBSTITUTE FOR WALL-MOUNTED SIGNS, IF CONSTRUCTED OF PAINTED WOOD, PAINTED CAST METAL, BRONZE, BRASS, OR BLACK ANODIZED ALUMINUM. APPLIED PLASTIC LETTERS SHALL NOT BE PERMITTED.
[4] THE BUILDING, WHERE THE BUSINESS TO WHICH THE SIGN REFERS IS LOCATED, SHALL BE SET BACK A MINIMUM OF FIVE FEET FROM THE LOT LINE.

PAVEMENT LEGEND

- PROPOSED STANDARD DUTY ASPHALT PAVEMENT
- PROPOSED STANDARD DUTY CONCRETE PAVEMENT
- PROPOSED MILL & OVERLAY
- PROPOSED STAMPED ASHALT

SEE SHEET 03 OF 20 FOR SITE PLAN NOTES

THIS PLAN SET IS FOR PERMITTING PURPOSES ONLY AND MAY NOT BE USED FOR CONSTRUCTION

Rev.	Date	Comments	By
1	05/22/26	REV. PER TOWNSHIP COMMENTS	KTK

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www.dynamicec.com

TITLE: SITE PLAN

PROJECT: **SHARBELL BUILDING COMPANY, LLC**
PROPOSED STACKED TOWNHOMES
BLOCK 8, LOT 1.18
NJSH ROUTE 33 & ROBBINSVILLE-EDINBURG ROAD
TOWNSHIP OF ROBBINSVILLE, MERCER COUNTY, NEW JERSEY

JOB No: 0043-25-00798
DATE: 01/02/2026
DRAWN BY: KTK
SCALE:(H) 1"=20' (V)
DESIGNED BY: KP
CHECKED BY: JSH
CHECKED BY: _
SHEET No: 5 OF 20
Rev. # 1

JEFFREY D. SPALT
PROFESSIONAL ENGINEER
NEW JERSEY LICENSE No. 40766

JEFFREY HABERMAN
PROFESSIONAL ENGINEER
NEW JERSEY LICENSE No. 53560

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GRAPHIC SCALE
−20 0 10 20 40 80
(IN FEET)
1 INCH = 20 FT.

Plotted: 05/22/26 – 1:05 PM, By: kkirk, – Product Ver: 25.1
File: P:\DECPC PROJECTS\0043 Sharbell Development\25-00798 Robbinsville – 2370 Rte 33\Dwg\Site Plans\0043250079BSXS.dwg, ---> 04 SITE PLAN

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DEMOLITION NOTES

1. ALL DEMOLITION ACTIVITIES ARE TO BE PERFORMED IN STRICT ADHERENCE TO ALL FEDERAL, STATE AND LOCAL REGULATIONS.
2. PROCEED WITH DEMOLITION IN A SYSTEMATIC MANNER, FROM THE TOP OF THE STRUCTURE(S) TO THE GROUND.
3. COMPLETE DEMOLITION WORK ABOVE EACH FLOOR OR TIER BEFORE DISTURBING ANY OF THE SUPPORTING MEMBERS OF THE LOWER LEVELS.
4. DEMOLISH CONCRETE AND MASONRY IN SMALL SECTIONS.
5. REMOVE STRUCTURAL FRAMING MEMBERS AND LOWER THEM TO THE GROUND.
6. BREAK UP CONCRETE SLABS–ON–GRADE, UNLESS OTHERWISE DIRECTED BY OWNER.
7. LOCATE DEMOLITION EQUIPMENT THROUGHOUT THE STRUCTURE AND REMOVE MATERIALS SO AS TO NOT IMPOSE EXCESSIVE LOADS ON SUPPORTING WALLS, FLOORS, OR FRAMING.
8. PROVIDE INTERIOR AND EXTERIOR SHORING, BRACING AND SUPPORTS TO PREVENT MOVEMENT, SETTLEMENT OR COLLAPSE OF STRUCTURES TO BE DEMOLISHED (AND ADJACENT FACILITIES, IF APPLICABLE).
9. DEMOLISH AND REMOVE ALL FOUNDATION WALLS, FOOTINGS AND OTHER MATERIALS WITHIN THE AREA OF THE DESIGNATED FUTURE BUILDING, ALL OTHER FOUNDATION SYSTEMS, INCLUDING BASEMENTS, SHALL BE DEMOLISHED TO A DEPTH OF NOT LESS THAN ONE FOOT BELOW PROPOSED PAVEMENT OR, BREAK BASEMENT FLOOR SLABS, SEAL ALL OPEN UTILITY LINES WITH CONCRETE. CONTRACTOR TO REVIEW STRUCTURE PRIOR TO DEMOLITION TO DETERMINE IF BASEMENT, CRAWL SPACE OR ANY SUB–STRUCTURE EXISTS. ANY SUB–STRUCTURE, INCLUDING BASEMENTS SHALL BE REMOVED IN ITS ENTIRETY OR AS DIRECTED BY OWNER.
10. ERECT AND MAINTAIN COVERED PASSAGEWAYS IN ORDER TO PROVIDE SAFE PASSAGE FOR PERSONS AROUND THE AREA OF DEMOLITION. CONDUCT ALL DEMOLITION OPERATIONS IN A MANNER THAT WILL PREVENT DAMAGE AND PERSONAL INJURY TO STRUCTURES, ADJACENT BUILDINGS AND ALL PERSONS. PLACE THE SAFETY AND PROTECTION OF THE SURROUNDING COMMUNITY AND PROPERTY AT THE HIGHEST PRIORITY.
11. REFRAIN FROM USING ANY EXPLOSIVES WITHOUT PRIOR WRITTEN CONSENT OF OWNER AND APPLICABLE GOVERNMENTAL AUTHORITIES.
12. CONDUCT DEMOLITION SERVICES IN SUCH A MANNER TO ENSURE MINIMUM INTERFERENCE WITH ROADS, STREETS, WALKS AND OTHER ADJACENT FACILITIES. DO NOT CLOSE OR OBSTRUCT STREETS, WALKS, OR OTHER OCCUPIED FACILITIES WITHOUT PRIOR WRITTEN PERMISSION OF OWNER AND ANY APPLICABLE GOVERNMENTAL AUTHORITIES. PROVIDE ALTERNATE ROUTES AROUND CLOSED OR OBSTRUCTED TRAFFIC WAYS, IF REQUIRED BY APPLICABLE GOVERNMENTAL REGULATIONS.
13. USE WATERING, TEMPORARY ENCLOSURES AND OTHER SUITABLE METHODS, AS NECESSARY TO LIMIT THE AMOUNT OF DUST AND DIRT RISING AND SCATTERING IN THE AIR. CLEAN ADJACENT STRUCTURES AND IMPROVEMENTS OF ALL DUST AND DEBRIS CAUSED BY THE DEMOLITION OPERATIONS. RETURN ALL ADJACENT AREAS TO THE CONDITIONS EXISTING PRIOR TO THE START OF WORK.
14. ACCOMPLISH AND PERFORM THE DEMOLITION IN SUCH A MANNER AS TO PREVENT THE UNAUTHORIZED ENTRY OF PERSONS AT ANY TIME.
15. COMPLETELY FILL BELOW GRADE AREAS AND VOIDS RESULTING FROM THE DEMOLITION OF STRUCTURES AND FOUNDATIONS WITH SOIL MATERIALS IN ACCORDANCE WITH THE GEOTECHNICAL REPORT, CONSISTING OF STONE, GRAVEL AND SAND, FREE FROM DEBRIS, TRASH, FROZEN MATERIALS, ROOTS AND OTHER ORGANIC MATTER. STONES USED WILL NOT BE LARGER THAN 6 INCHES IN DIMENSION. MATERIAL FROM DEMOLITION MAY NOT BE USED AS FILL. PRIOR TO PLACEMENT OF FILL MATERIALS, UNDERTAKE ALL NECESSARY ACTION IN ORDER TO ENSURE THAT AREAS TO BE FILLED ARE FREE OF STANDING WATER, FROST, FROZEN MATERIAL, TRASH, DEBRIS. PLACE FILL MATERIALS IN HORIZONTAL LAYERS NOT EXCEEDING 6 INCHES IN LOOSE DEPTH AND COMPACT EACH LAYER AT PLACEMENT TO 95% OPTIMUM DENSITY. GRADE THE SURFACE TO MEET ADJACENT CONTOURS AND TO PROVIDE SURFACE DRAINAGE.
16. REMOVE FROM THE DESIGNATED SITE, AT THE EARLIEST POSSIBLE TIME, ALL DEBRIS, RUBBISH, SALVAGEABLE ITEMS, HAZARDOUS AND COMBUSTIBLE SERVICES. REMOVED MATERIALS MAY NOT BE STORED, SOLD OR BURNED ON THE SITE. REMOVAL OF HAZARDOUS AND COMBUSTIBLE MATERIALS SHALL BE ACCOMPLISHED IN ACCORDANCE WITH THE PROCEDURES AS AUTHORIZED BY THE FIRE DEPARTMENT OR OTHER APPROPRIATE REGULATORY AGENCIES AND AUTHORITIES.
17. DISCONNECT, SHUT OFF AND SEAL IN CONCRETE ALL UTILITIES SERVING THE STRUCTURE(S) TO BE DEMOLISHED BEFORE THE COMMENCEMENT OF THE DESIGNATED DEMOLITION. MARK FOR POSITION ALL UTILITY DRAINAGE AND SANITARY LINES AND PROTECT ALL ACTIVE LINES. CLEARLY IDENTIFY BEFORE THE COMMENCEMENT OF DEMOLITION SERVICES THE REQUIRED INTERRUPTION OF ACTIVE SYSTEMS THAT MAY AFFECT OTHER PARTIES, AND NOTIFY ALL APPLICABLE UTILITY COMPANIES TO ENSURE THE CONTINUATION OF SERVICE.
18. THIS DEMOLITION PLAN IS INTENDED TO IDENTIFY THOSE EXISTING CONDITIONS WHICH ARE TO BE REMOVED. IT IS NOT INTENDED TO PROVIDE DIRECTION OTHER THAN THAT ALL PROCEDURES ARE TO BE IN ACCORDANCE WITH STATE, FEDERAL, LOCAL, AND JURISDICTIONAL REQUIREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SAFETY PRECAUTIONS NECESSARY.
19. CONTEMPLATION OF ACTIONS NECESSARY TO ADDRESS ENVIRONMENTAL CONSIDERATIONS IS EXCLUDED FROM THIS PLAN SET. SUCH CONSIDERATIONS MAY INCLUDE, BUT ARE NOT LIMITED TO THE CLOSURE/HANDLING/TRANSPORTATION/DISPOSAL OF UNDERGROUND STORAGE TANKS, CONTAMINATED MEDIA, UNIVERSAL WASTE, POTENTIALLY HAZARDOUS MATERIALS, ETC. PRIOR TO INITIATION OF DEMOLITION, THE CONTRACTOR SHALL SPECIFICALLY CONSULT WITH PROJECT OWNERSHIP TO CONFIRM IF ENVIRONMENTAL CONCERNS EXIST AND IF CONSULTATION WITH THE ENVIRONMENTAL PROFESSIONAL RESPONSIBLE FOR THIS PROJECT IS NECESSARY OR APPROPRIATE.
20. GROUNDWATER MONITORING WELLS AND POTABLE WELLS (IF PRESENT) SHALL BE PROTECTED DURING DEMOLITION. IF PROTECTION IS NOT POSSIBLE, THE ENVIRONMENTAL PROFESSIONAL RESPONSIBLE FOR THIS PROJECT SHALL BE CONSULTED. ANY WELLS THAT CANNOT BE MAINTAINED SHALL BE DECOMMISSIONED BY A LICENSED WELL DRILLER AND COORDINATED SPECIFICALLY WITH THE RESPONSIBLE ENVIRONMENTAL PROFESSIONAL.

NOTES
1. IN ACCORDANCE WITH STATE LAW, THE CONTRACTOR SHALL BE REQUIRED TO CALL THE BOARD OF PUBLIC UTILITIES ONE CALL DAMAGE PROTECTION SYSTEM OR UTILITY MARK OUT IN ADVANCE OF ANY EXCAVATION.
2. CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFYING ALL EXISTING SITE IMPROVEMENTS AND UTILITIES. ALL DISCREPANCIES SHALL BE IDENTIFIED TO THE ENGINEER IN WRITING.
3. ALL EXISTING UTILITIES TO BE ABANDONED SHALL BE DISCONNECTED AND CAPPED AT THE MAIN FOR WATER, AT THE CLEAN–OUT FOR SEWER AND THE SHUT–OFF VALVE OR MAIN FOR GAS IN ACCORDANCE WITH MUNICIPAL AND LOCAL UTILITY REQUIREMENTS.
4. ALL EXISTING DEBRIS SHALL BE REMOVED BY CONTRACTOR IN ACCORDANCE WITH MUNICIPAL AND LOCAL UTILITY COMPANY REQUIREMENTS.

GENERAL NOTES

1. THIS PLAN HAS BEEN PREPARED BASED ON REFERENCES INCLUDING:

   AS–BUILT SURVEY
   VAN NOTE–HARVEY ASSOCIATES, PC
   PRINCETON, NJ
   DATED: 12/21/2015

   ADMINISTRATIVE SITE PLAN REVIEW
   PROPOSED TEMPORARY PARKING IMPROVEMENT PLAN
   PREPARED BY DYNAMIC ENGINEERING CONSULTANTS, PC
   DATED: 02/13/2020 LAST REVISED: 06/04/2020

   BOUNDARY & TOPOGRAPHIC SURVEY AND MINOR SUBDIVISION PLANS
   DYNAMIC SURVEY, LLC
   1904 MAIN STREET
   LAKE COMO, NJ 07719
   SURVEY FILE NO: 0043–25–02396
2. APPLICANT: SHARRELL BUILDING COMPANY, LLC
   1 UNION STREET, SUITE 208
   ROBBINSVILLE, NJ 08691
3. OWNER: SHARRELL WASHINGTON INC.
   1 UNION STREET, SUITE 208
   ROBBINSVILLE, NJ 08691
4. PARCEL DATA: BLOCK 8, LOT 1.18
   NJSH ROUTE 33 & ROBBINSVILLE–EDINBURG ROAD
   TOWNSHIP OF ROBBINSVILLE
   MERCER COUNTY, NEW JERSEY
5. ZONE: TC–3 ZONE OF THE TC–TOWN CENTER DISTRICT
6. EXISTING USE: RETAIL & PARKING LOT **(PERMITTED USE)** (§ 142 5–3.1)
7. PROPOSED USE: STACKED TOWNHOMES **(NON–PERMITTED USE)** (§ 142 5–3.1)
8. SCHEDULE OF ZONING REQUIREMENTS (§ 142 5–3.26 & 5–3.35)

ZONE REQUIREMENT	ZONE TC–3 COMMERCIAL	ZONE TC–3 TOWNHOUSE (FOR REFERENCE ONLY)	EXISTING	PROPOSED PROP. LOT A (COMMERCIAL)	PROPOSED PROP. LOT B (STACKED TOWNHOMES)
MINIMUM LOT AREA	N/S	2,300 SF (0.5 AC)	110,090 SF (2.53 AC)	86,005 SF (1.97 AC)	24,085 SF (0.55 AC)
LOT WIDTH	20 FT (MIN) ENTIRE BLDG. (MAX)	23 FT (MIN) 32 FT (MAX)	496.9 FT **(E)**	RT 33: 205.5 FT **(V)** R'VILLE–E'BURG RD: 147.5 FT **(V)** ALLEY: 238.3 FT **(V)**	118.6 FT
MINIMUM LOT FRONTAGE	N/S	N/S	557.9 FT	RT 33: 325.4 FT R'VILLE–E'BURG RD: 199.4 FT ALLEY: 281.1 FT	113.8 FT
LOT DEPTH	54 FT (MIN) 90 FT (MAX)	100 FT (MIN)	286.9 FT **(E)**	286.9 FT **(E)**	185.0 FT
BUILDING DEPTH	36 FT (MIN) 80 FT (MAX)	N/S	96.4 FT	96.4 FT **(E)**	67.6 FT
MINIMUM FRONT YARD SETBACK (NJSH ROUTE 33)	0 FT (MIN) 0 FT (MAX)	5 FT (MIN) 11 FT (MAX)	66.9 FT	66.9 FT **(E)**	73.4 FT
MINIMUM FRONT YARD SETBACK (ROBBINSVILLE – EDINBURG ROAD)	0 FT (MIN) 5 FT (MAX) [ON AVENUE]	5 FT (MIN) 11 FT (MAX)	76.9 FT	76.9 FT **(E)**	N/A
MINIMUM REAR YARD SETBACK [1]	10 FT (MIN) [4] (MAX)	35 FT (MIN)	134.6 FT	134.6 FT	44.1 FT
MINIMUM SIDE YARD SETBACK	0 FT (MIN) 15 FT (MAX) [2]	0 FT (MIN) 5 FT (MIN) [3]	3.0 FT	N: 3.0 FT E: 4.5 FT	W: 10.1 FT E: 10.4 FT
MAXIMUM BUILDING HEIGHT	1.5 STORIES	N/S	1 STORY	1 STORY	3 STORIES 44 FT
MAXIMUM BUILDING COVERAGE (BY BUILDINGS & CANOPIES)	N/S	68%	13.5% (14,875 SF)	19.1% (16,428 SF)	28.3% (6,815 SF)
MINIMUM PRIVATE YARD/PATIO	N/S	400 SF	N/A	761 SF	0 SF
MAXIMUM IMPERVIOUS COVERAGE	N/S	80%	83.9% (92,380 SF) **(E)**	81.6% (70,178 SF)	83.4% (20,079 SF)
MAXIMUM RESIDENTIAL DENSITY	N/S	10 UNITS	0 UNITS	0 UNITS	8 UNITS

N/S: NO STANDARD N/A: NOT APPLICABLE (E): PREVIOUSLY APPROVED NON–CONFORMANCE (V): VARIANCE

NOTES:
[1] MEASURED FROM BUILDING TO CURB LINE OF REAR PARKING LOT/ALLEY
[2] WITH ALLEY REAR YARD PARKING ACCESS
[3] END OF CORNER LOT
[4] SUFFICIENT TO ACCOMMODATE OFF–STREET PARKING

9. PRINCIPAL BUILDINGS PER LOT:
   A. UNLESS OTHERWISE SPECIFIED IN THIS CHAPTER AND EXCEPT IN THE HC HIGHWAY COMMERCIAL ZONE DISTRICT, NO MORE THAN ONE PRINCIPAL DWELLING OR BUILDING SHALL BE PERMITTED ON ANY ONE LOT. (§ 142–42) **(COMPLIES)**
10. A MINIMUM OF SIXTY OF DWELLING UNITS, EXCEPT APARTMENTS, SHALL HAVE A FRONT ENTRANCE ARTICULATED WITH A COVERED FRONT ENTRY PORCH. FRONT PORCHES SHALL GENERALLY BE LOCATED ON THE FRONT OF THE DWELLING FACING THE SIDEWALK, BUT MAY OCCASIONALLY BE LOCATED ON THE SIDE WALL OF A DWELLING. THE SIZE OF FRONT ENTRY PORCHES SHALL BE A MINIMUM OF SIX FEET DEEP FROM THE FRONT WALL OF THE DWELLING TO THE ENCLOSING PORCH RAIL AND A MINIMUM OF 10 FEET LONG. (142–ATTACHMENT 5–3.8) **(VARIANCE)**

GENERAL NOTES (CONTINUED)

11. PARKING:
   A. OFF–STREET PARKING LOTS AND LOADING AREAS, TOGETHER WITH THEIR ACCESS AISLES, DRIVEWAYS AND FIRE LANES, SHALL NOT OCCUPY MORE THAN 40% OF THE LOT AREA. ALL PARKING AND LOADING AREAS AND ACCESS DRIVES SHALL BE PAVED AS OUTLINED BELOW OR THE EQUIVALENT AS DETERMINED BY THE TOWNSHIP ENGINEER, AND APPROVED AS PART OF THE DEVELOPMENT APPLICATION. ALL PARKING AREAS, REGARDLESS OF SIZE AND LOCATION, SHALL BE SUITABLY DRAINED AND MAINTAINED. (§ 142–41.8(1)) 55.3% (42,380 SF) FOR LOT A, 37.8% (9,104 SF) FOR LOT B **(DESIGN WAIVER – LOT A)**
   B. OFF–STREET PARKING SPACES SHALL BE NINE FEET BY 18 FEET. (§ 142–41.2(1)) **(COMPLIES)**
   C. NO PARKING IS ALLOWED IN THE FRONT YARDS OF UNITS EXCEPT ON DRIVEWAYS TO A GARAGE. (§ 142–41.4(A)(B)) **(COMPLIES)**
   D. A MINIMUM OF ONE PLANTING ISLAND EQUIVALENT TO NINE FEET WIDE BY 18 FEET DEEP IS REQUIRED PER FIVE PARKING SPACES. ISLANDS MAY BE SET ASIDE INDIVIDUALLY OR GROUPED INTO LARGER ISLANDS, DEPENDING ON INDIVIDUAL CIRCUMSTANCES. (§ 142–47.D(3)) **(E)**
   E. PARKING ANALYSIS REQUIRED. EACH APPLICANT FOR A NONRESIDENTIAL DEVELOPMENT GREATER THAN 5,000 SQUARE FEET SHALL CONDUCT A PARKING STUDY TO DETERMINE THE NUMBER OF ON–STREET AND OFF–STREET PARKING SPACES REQUIRED TO ACCOMMODATE PEAK PARKING DEMAND. (§ 142 ATTACHMENT 5–4.16(F.4)) **(COMPLIES)**
   F. SHARED PARKING SHALL BE ENCOURAGED FOR ALL COMMERCIAL PARKING LOTS AND PARTICULARLY FOR THOSE SERVING MIXED–USE COMMERCIAL AND RESIDENTIAL BUILDINGS, WHERE NECESSARY. IN PARKING LOTS WHICH ARE SERVING MIXED–USE COMMERCIAL AND RESIDENTIAL BUILDINGS, THE PLANNING BOARD MAY, IN ITS DISCRETION, PERMIT A LIMITED AMOUNT OF PARKING TO BE RESERVED EITHER FOR RESIDENTIAL OR SPECIFIED COMMERCIAL USES ONLY, OR MAY RESTRICT THE HOURS THAT CERTAIN SPACES ARE TO BE USED FOR RESIDENTIAL OR COMMERCIAL USES ONLY. IN EXERCISING ITS DISCRETION TO ALLOW ANY LIMITATIONS TO BE PLACED ON THE USE OF ANY PARKING SPACES, THE BOARD SHALL DO SO WITH THE INTENT TO LIMIT SUCH RESTRICTIVE USE IN ORDER TO ADVANCE THE OBJECTIVE OF ENCOURAGING SHARED PARKING. (§ 142 ATTACHMENT 5–4.16(F.5)) **(COMPLIES)**
   G. PARKING FOR TOWNHOUSES SHALL BE PROVIDED AS DRIVEWAYS OR GARAGES WITH ACCESS FROM A REAR LANE. (§ 142 ATTACHMENT 5–4.20.B) **(COMPLIES)**
   H. PARKING LOT LAYOUT SHALL TAKE INTO CONSIDERATION PEDESTRIAN CIRCULATION. PEDESTRIAN CROSSWALKS SHALL BE PROVIDED, WHERE NECESSARY AND APPROPRIATE, SHALL BE DISTINGUISHED BY TEXTURED PAVING, AND SHALL BE INTEGRATED INTO THE WIDER NETWORK OF PEDESTRIAN WALKWAYS. (§ 142 ATTACHMENT 5–4.21.9.d) **(COMPLIES)**
   I. OFF–STREET PARKING FOR COMMERCIAL USES SHALL BE SUFFICIENT TO PROVIDE PARKING FOR THE EMPLOYEES OF ALL PROPOSED USES AS WELL AS LONG–TERM CUSTOMER PARKING. SPACES RESERVED FOR EMPLOYEES SHALL BE DESIGNATED AS SUCH BY MEANS OF SIGNING AND SIGNAGE. (§ 142 ATTACHMENT 5–4.22 (A)(2)) **(COMPLIES)**
   J. OFF–STREET PARKING LOTS SHALL BE PROHIBITED IN ANY FRONT YARD SETBACK AREA, SHALL BE LOCATED AT THE REAR OF BUILDINGS ON THE INTERIOR OF LOTS WHENEVER POSSIBLE, AND SHALL BE ACCESSED BY MEANS OF COMMON DRIVEWAYS, PREFERABLY FROM SIDE STREETS OR LANES. (§ 142 ATTACHMENT 5–4.7.2) **(E)**
   K. CROSS–ACCESS EASEMENTS FOR ADJACENT LOTS WITH INTERCONNECTED PARKING LOTS SHALL BE REQUIRED, IN LANGUAGE ACCEPTABLE TO THE GOVERNING BODY. (§ 142 ATTACHMENT 5–4.F.2) **(COMPLIES)**
   L. ON–STREET PARKING SHALL BE PROVIDED TO SERVE CUSTOMERS OF COMMERCIAL USES. COMMERCIAL ON–STREET PARKING SHALL BE PROVIDED AS CURBSIDE, PARALLEL, OR ANGLE PARKING LOCATED ALONG BOTH SIDES OF THE STREETS ON ALL BLOCKS UPON WHICH COMMERCIAL USES FRONT. (§ 142 ATTACHMENT 5–4.7.3) (E)
   M. PARKING AREAS SHALL BE SET BACK A MINIMUM OF 20 FEET FROM THE REAR OF DWELLING UNITS. DRIVEWAYS SHALL BE SET BACK A MINIMUM OF THREE FEET FROM ANY SIDE PROPERTY LINE, UNLESS SUCH DRIVEWAY IS SHARED BY DWELLINGS ON TWO ADJACENT LOTS IN WHICH CASE THE DRIVEWAY MAY BE LOCATED WITH THE DRIVEWAY CENTER LINE ON THE COMMON SIDE LOT LINE. PARKING FOR TOWNHOUSES SHALL BE PROVIDED AS DRIVEWAYS OR GARAGES WITH ACCESS FROM A REAR LANE. (142–ATTACHMENT 5–4.20) **(VARIANCE)**
   N. OFF–STREET PARKING REQUIREMENTS (§ 142 ATTACHMENT 5–4.F.1):
      i. TOWNHOME AND DUPLEX: 1 GARAGE SPACE PER FIRST BEDROOM, PLUS 1 SPACE FOR MORE THAN ONE–BEDROOM
      ii. RETAIL: MINIMUM 1 SPACE PER 350 SQUARE FEET. MAXIMUM 1 SPACE PER 250 SQUARE FEET
      iii. OFFICE: MINIMUM 1 SPACE PER 350 SQUARE FEET. MAXIMUM 1 SPACE PER 250 SQUARE FEET
   O. PARKING CALCULATION:

      RETAIL (DOLCE & CLEMENTE):
      MIN: (6,929 SF)*(1 PARKING SPACE/350 SF) = 19.79 SPACES MIN REQUIRED
      MAX: (6,929 SF)*(1 PARKING SPACE/250 SF) = 27.72 SPACES MAX REQUIRED

      RETAIL (WEZZANINE):
      MIN: (659 SF)*(1 PARKING SPACE/350 SF) = 1.88 SPACES MIN REQUIRED
      MAX: (659 SF)*(1 PARKING SPACE/250 SF) = 2.64 SPACES MAX REQUIRED

      RETAIL (WALK–IN COOLER):
      MIN: (1,096 SF)*(1 PARKING SPACE/350 SF) = 3.13 SPACES REQUIRED
      MAX: (1,096 SF)*(1 PARKING SPACE/250 SF) = 4.38 SPACES REQUIRED

      RETAIL (BUILDING EXPANSION):
      MIN: (457 SF)*(1 PARKING SPACE/350 SF) = 1.31 SPACES REQUIRED
      MAX: (457 SF)*(1 PARKING SPACE/250 SF) = 1.83 SPACES REQUIRED

      OFFICE (KELLER WILLIAMS):
      MIN: (7,679 SF)*(1 PARKING SPACE/350 SF) = 21.94 SPACES REQUIRED
      MAX: (7,679 SF)*(1 PARKING SPACE/250 SF) = 30.72 SPACES REQUIRED

      = 49 MIN REQUIRED
      = 68 MAX REQUIRED
      = 82 EXISTING (COMMERCIAL)

      TOWNHOUSE (RSIS §5:21–4.14):
      (4 TWO–BDRM UNITS)*(2.3 SPACES/TWO–BDRM UNIT) = 9 SPACES REQUIRED
      (4 THREE–BDRM UNITS)*(2.4 SPACES/THREE–BDRM UNIT) = 10 SPACES REQUIRED

      = 19 REQUIRED
      = 20 PROPOSED **(RESIDENTIAL – COMPLIES)**

      TOWNHOUSE (142 ATTACHMENT 5–4.16)
      1 GARAGE SPACE PER FIRST BEDROOM, PLUS 1 SPACE FOR MORE THAN 1 BEDROOM
      8 UNITS (> ONE–BDRM) = 16 SPACES REQUIRED
      = 20 PROPOSED **(RESIDENTIAL – COMPLIES)**

      MINIMUM ELECTRIC VEHICLE CHARGING STATION (EVSE) REQUIREMENTS BY USE PER P.L. 2021, C. 171 (BILL S3223):

      MULTI–FAMILY/MIXED USE > 5 UNITS (15% OF ORD.REQ. OR PROPOSED SPACES, WHICHEVER IS LESS) = 3 EVSE SPACES REQUIRED
      = 8 EVSE MAKE READY SPACES PROPOSED **(COMPLIES)**

      EVSE PARKING CREDIT* = LESSER OF EVSE SPACES OR MAX CREDIT (68 ORD. REQ. SPACES X 10% = 6.8 SPACES) = 7 SPACES

      PROPOSED PARKING SUMMARY:

      TOTAL REQUIRED PARKING = 68 SPACES MIN, 87 SPACES MAX
      NET REQUIRED PARKING INCLUDING EVSE CREDIT* = 61 SPACES
      PROPOSED SPACES = 102 SPACES **(COMPLIES)**
      (INCLUDES 5 ADA SPACES)
      (INCLUDES 8 EVSE SPACES)

      * PER P.L. 2021, C. 171(BILL S3223), A PARKING SPACE PREPARED WITH ELECTRIC VEHICLE SUPPLY EQUIPMENT OR MAKE–READY EQUIPMENT SHALL COUNT AS AT LEAST TWO PARKING SPACES FOR THE PURPOSE OF COMPLYING WITH A MINIMUM PARKING SPACE REQUIREMENT, RESULTING IN A REDUCTION OF NO MORE THAN 10 PERCENT OF THE TOTAL REQUIRED PARKING.

      ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) CHARGING LOCATIONS ARE INDICATED HEREIN FOR INITIAL CONSTRUCTION PURPOSES ONLY. THESE PLANS DO NOT INCLUDE ELECTRICAL DESIGN OR ELECTRIC SERVICE TO THESE LOCATIONS OR TO THE FUTURE/MAKE–READY EV CHARGING LOCATIONS. ELECTRICAL DESIGN IS TO BE PERFORMED BY OTHERS AS DETERMINED BY THE OWNER/CLIENT/APPLICANT. SELECTION OF EVSE CHARGING EQUIPMENT IS BY OTHERS, UNLESS SPECIFIED ON THESE PLANS, AT WHICH TIME SELECTED EQUIPMENT MAY PRESENTS ANY CONFLICT WITH ACCESSIBILITY OR REQUIRES DIVERSION FROM THE LAYOUT AND DESIGN INDICATED ON THESE PLANS, THE ELECTRICAL DESIGNING PARTY IS TO CONTACT DYNAMIC ENGINEERING TO COORDINATE ACCORDINGLY. EVSE CHARGING EQUIPMENT SELECTED FOR USE AT DESIGNATED ADA ACCESSIBLE LOCATIONS IS TO CONFORM TO ALL APPROPRIATE ACCESSIBILITY STANDARDS.

12. DRIVEWAY REQUIREMENTS
   A. PRIVATE DRIVEWAYS FOR TOWNHOUSES SHALL CONNECT TO LANES ONLY AND NOT TO STREETS. (§ 142 ATTACHMENT 5–4.20.B) **(COMPLIES)**
   B. GARAGES, DRIVEWAYS AND PARKING AREAS SHALL HAVE A MINIMUM SETBACK OF THREE FEET FROM ANY SIDE PROPERTY LINE OR SIDE OF DWELLING UNIT. AN EXCEPTION TO THE THREE–FOOT SETBACK FROM THE SIDE PROPERTY LINE SHALL EXIST FOR TOWNHOUSE AND DUPLEX LOTS TO PERMIT GARAGES, DRIVEWAYS AND PARKING AREAS THAT SHARE A COMMON WALL ON THE COMMON PROPERTY LINE. (§ 142 ATTACHMENT 5–4.F.10) **(COMPLIES)**
   C. THE MAXIMUM WIDTH OF A DRIVEWAY THROAT SHALL NOT EXCEED 24 FEET. THERE SHALL BE NO MORE THAN ONE DRIVEWAY APRON PER LOT. (§ 142 ATTACHMENT 5–4.F.10.B) **(E)**
   D. DRIVEWAYS MAY BE CONSTRUCTED OF GRASS OR BRICK PAVERS, TWO–FOOT–WIDE CONCRETE STRIPS OR STONE FOR THE WHEEL TRACKS, OR OTHER SIMILAR TREATMENTS. **(DESIGN WAIVER)**
   E. ACCESS POINTS TO PARKING LOTS OR LOADING AREAS FROM ANY ONE LOT CROSSING THE STREET RIGHT–OF–WAY LINE SHALL IN ACCORDANCE WITH THE NJDOT ACCESS CODE § 16:47–3.8[1] (§142–41.D(1)) **(COMPLIES)**
   F. WHEREVER PHYSICALLY POSSIBLE, NO RESIDENTIAL PROPERTY SHALL BE PERMITTED DIRECT DRIVEWAY ACCESS ONTO A ROAD DESIGNATED AS AN ARTERIAL, A COLLECTOR ROAD, OR LOOP ROAD, BUT SHALL INSTEAD HAVE ACCESS ONLY ONTO A NEW OR EXISTING LOCAL ROAD OR COLLECTOR RESIDENTIAL SUBDIVISION AND RESIDENTIAL ACCESS STREETS. WHERE ACCESS TO A LOCAL STREET IS NOT POSSIBLE, THE PROPERTY SO CONSTRAINED SHALL HAVE CONSTRUCTED ON IT A PAVED OR GRAVELED TURNAROUND. (§142–41.D(2)) **(COMPLIES)**
   G. LOCATION OF PARKING AND LOADING. REQUIRED OFF–STREET PARKING AND LOADING SPACES SHALL BE LOCATED ON THE SAME LOT OR PREMISES AS THE USE SERVED, REGARDLESS OF THE NUMBER OF SPACES REQUIRED BY THIS CHAPTER, EXCEPT FOR PARKING OF VEHICLES SHALL BE PERMITTED IN FIRE LANES, UNDESIGNATED PARKING AREAS, SIDEWALKS OR TURNING AREAS. (§142–41.E) **(COMPLIES)**
   H. AISLES PROVIDING ACCESS TO PARKING SPACES SHALL HAVE THE FOLLOWING MINIMUM DIMENSIONS. WHERE THE ANGLE OF PARKING IS DIFFERENT ON BOTH SIDES OF THE AISLE, THE LARGER AISLE WIDTH SHALL PREVAIL. 90 DEGREE ANGLE OF PARKING SPACE REQUIRES 24 FT TWO–WAY AISLE WIDTH. PARALLEL PARKING SPACE REQUIRES 11 FT ONE–WAY AISLE WIDTH (§142–41.F(2)) **(COMPLIES)**

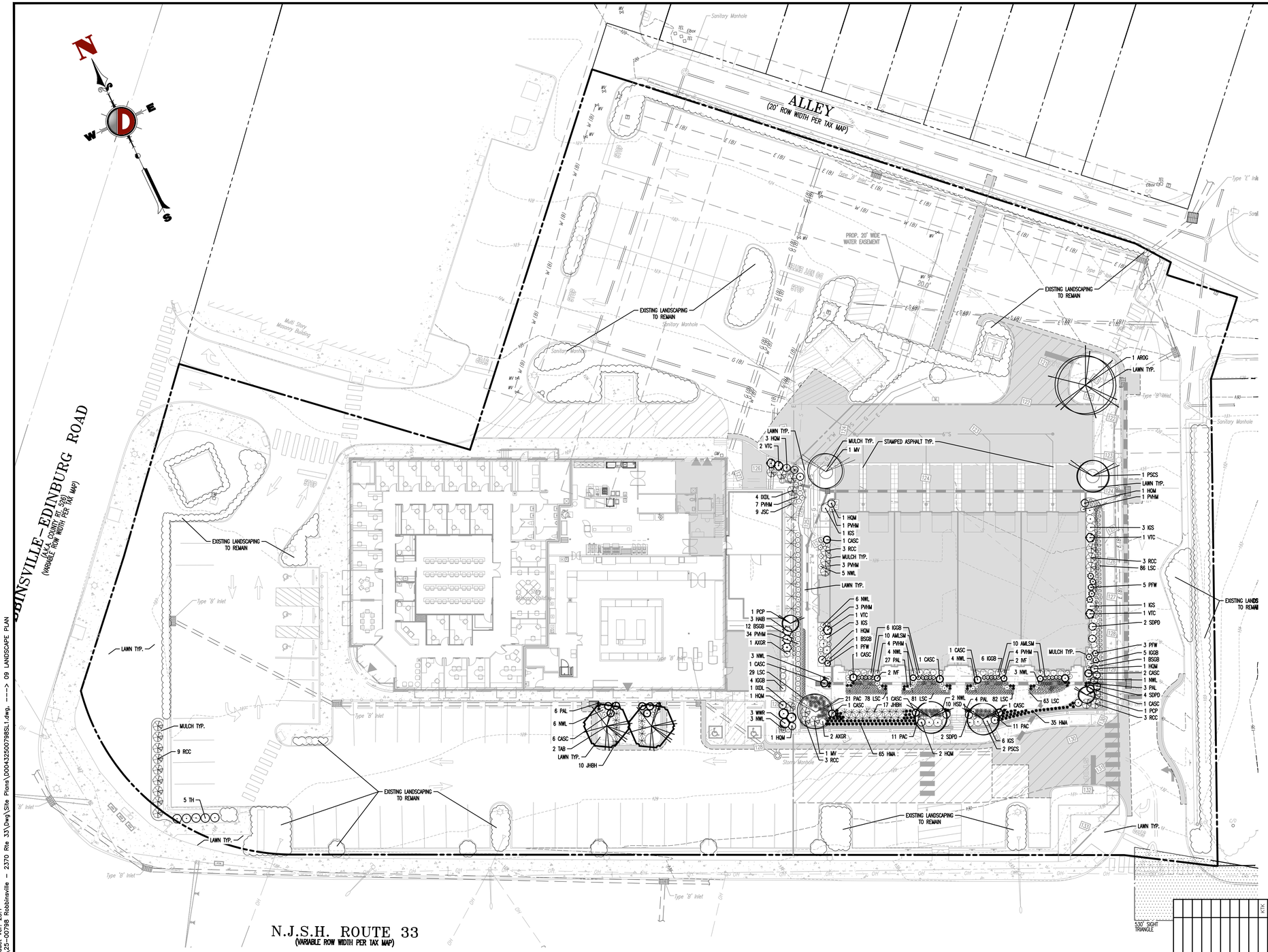
13. LOADING REQUIREMENTS
   A. THERE SHALL BE AT LEAST ONE TRASH AND GARBAGE PICKUP LOCATION PROVIDED BY EACH BUILDING, WHICH SHALL BE SEPARATED FROM THE PARKING SPACES BY EITHER A LOCATION WITHIN A BUILDING OR IN A PICKUP LOCATION OUTSIDE THE BUILDING, WHICH SHALL BE A TOTALLY ENCLOSED CONTAINER LOCATED IN A MANNER TO BE TOTALLY OBSCURED FROM VIEW FROM PARKING AREAS, STREETS AND ADJACENT RESIDENTIAL USES OR ZONING DISTRICTS BY A FENCE, WALL, PLANTING OR COMBINATION OF THE THREE. IF THE PICKUP IS LOCATED WITHIN THE BUILDING, THE DOORWAY MAY SERVE BOTH THE LOADING AND TRASH FUNCTIONS, AND, IF LOCATED OUTSIDE THE BUILDING, IT MAY BE LOCATED ADJACENT TO OR WITHIN THE GENERAL LOADING AREA(S), PROVIDED THAT THE CONTAINER DOES NOT INTERFERE WITH OR RESTRICT LOADING AND UNLOADING FUNCTIONS. (§142–41.H(1)) **(COMPLIES)**
   B. EACH ACTIVITY SHALL PROVIDE FOR OFF–STREET LOADING AND UNLOADING WITH ADEQUATE INGRESS AND EGRESS FROM STREETS AND SHALL PROVIDE SUCH AREA(S) AT THE SIDE OR REAR OF THE BUILDING. EACH SPACE SHALL BE AT LEAST 14 FEET BY 60 FEET NOT INCLUDING ACCESS USE. ONE SPACE SHALL BE PROVIDED FOR THE FIRST 4,000 SQUARE FEET OF GROSS FLOOR AREA OR FRACTION THEREOF IN EACH BUILDING, AND ONE ADDITIONAL SPACE FOR EACH ADDITIONAL 10,000 SQUARE FEET OF GROSS FLOOR AREA OR FRACTION THEREOF. THERE SHALL BE NO LOADING OR UNLOADING FROM THE STREET. (§142–41.D(1)) **(COMPLIES)**
   C. LOADING CALCULATION:

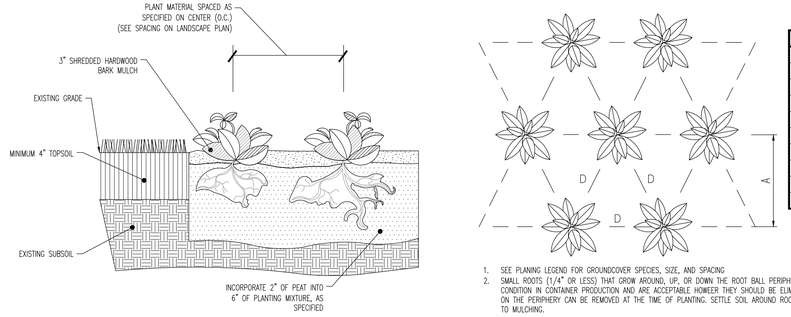
      (4,000 SF)*(1 LOADING SPACES/4,000 SF) = 1 SPACE
      (11,971 SF)*(1 LOADING SPACES/10,000 SF) = 1.2 = 2 SPACES
      TOTAL = 3 SPACES REQUIRED

      PROPOSED = 1 SPACES PROPOSED **(E)**

14. BUFFER REQUIREMENTS
   A. LOTS FOR APARTMENT AND NONRESIDENTIAL USES SHALL BALANCE THE FUNCTIONAL REQUIREMENTS OF PARKING WITH THE PROVISION OF PEDESTRIAN AMENITIES. TRANSITION AREAS BETWEEN PARKING AND CIVIC, COMMERCIAL, OR RESIDENTIAL USES SHALL BE DESIGNED WITH TEXTURED PAVING, LANDSCAPING, AND STREET FURNITURE APPROVED BY THE PLANNING BOARD. (§ 142 ATTACHMENT 5–4.20.9.a) **(COMPLIES)**
   B. PARKING LOT LAYOUT, LANDSCAPING, BUFFERING, AND SCREENING SHALL BE PROVIDED TO MINIMIZE DIRECT VIEWS OF PARKED VEHICLES FROM STREETS AND SIDEWALKS, AVOID SPILLOVER LIGHT, GLARE, NOISE, OR EXHAUST FUMES ONTO ADJACENT PROPERTIES, IN PARTICULAR RESIDENTIAL PROPERTIES, AND PROVIDE THE PARKING AREA WITH A REASONABLE MEASURE OF SHADE. WHEN TREES REACH MATURITY. IN ORDER TO ACHIEVE THESE OBJECTIVES, PARKING LOTS EXPOSED TO VIEW SHALL BE SURROUNDED BY A MINIMUM OF A FOUR–AND–ONE–HALF–FOOT–HIGH, YEAR–ROUND VISUALLY IMPERVIOUS SCREEN, HEDGE, OR WALL. THE HEIGHT OF ANY REQUIRED SCREEN, HEDGE OR WALL SHALL DECREASE WHERE DRIVEWAYS APPROACH SIDEWALKS OR WALKWAYS, IN ORDER TO PROVIDE ADEQUATE VISIBILITY OF PEDESTRIANS FROM MOTOR VEHICLES, AND SHALL NOT INTERFERE WITH CLEAR SIGHT TRIANGLE REQUIREMENTS. (§ 142 5–4.20.9.b) **(E)**

15. RECYCLING FACILITIES FOR MULTIFAMILY DWELLINGS:
   A. EVERY NEW MULTIFAMILY DWELLING DEVELOPMENT THAT REQUIRES SUBDIVISION OR SITE PLAN APPROVAL SHALL PROVIDE FOR AN INDOOR OR OUTDOOR RECYC


ALLEY
(20' ROW WIDTH PER TAX MAP)
ROBBINSVILLE-EDINBURG ROAD
(A.K.A. COUNTY RT. 526)
(VARIABLE ROW WIDTH PER TAX MAP)
N.J.S.H. ROUTE 33
(VARIABLE ROW WIDTH PER TAX MAP)
PROP. 20' WIDE WATER EASEMENT
PROP. 20' WIDE SANITARY SEWER EASEMENT
Multi Story Masonry Building
EXISTING LANDSCAPING TO REMAIN
LAWN TYP.
MULCH TYP.
STAMPED ASPHALT TYP.
9 RCC
5 TH
6 PAL
6 NWL
6 CASC
2 TAB
10 JHBH
1 AROG
1 HOM
1 PVHM
1 IXS
1 OASC
3 RCC
5 NWL
1 PCP
3 HAB
34 PVHM
1 AXGR
3 NWL
1 CASC
29 LSC
4 IGGB
1 IXDL
1 HOM
2 AXGR
1 MV
3 RCC
65 HMA
11 PAC
2 SDPD
2 HOM
6 IGGB
10 AMLSM
4 PVHM
4 NWL
27 PAL
2 IVF
21 PAC 78 LSC
1 CASC
17 JHBH
81 LSC
2 NWL
10 HSD
4 PAL 82 LSC
1 CASC
63 LSC
11 PAC
35 HMA
6 IGS
2 PSCS
3 IGS
1 VTC
3 RCC
86 LSC
5 PFW
1 IGS
1 VTC
2 SDPD
3 PFW
5 IGGB
1 BSGB
1 HOM
2 CASC
1 NWL
3 PAL
4 SDPD
1 CASC
1 PCP
3 RCC
530' SIGHT TRIANGLE
Sanitary Manhole
Type 'B' Inlet
Type 'C' Inlet
Type 'D' Inlet
Curb Inlet
Storm Manhole
Gas Line
Overhead Wires
Gas Meter
Gas Valve
Water Valve
Fire Hydrant
Light Pole
Utility Pole
Guy Wire
Concrete Pad
Bollard
Sign
Curb
Edge of Pavement
Top of Bank
Bottom of Bank
Tree Line
Fence
Wall
Building
Entrance
Overhang
Canopy
Concrete
Asphalt
Grass
Brick
Stone
Pavers
Handicap Ramp
Handicap Parking
Parking Space
Striping
Crosswalk
Stop Bar
Arrow
Curb Cut
Depressed Curb
Flush Curb
Retaining Wall
Guide Rail
Bollard
Chain
Post
Pole
Meter
Transformer
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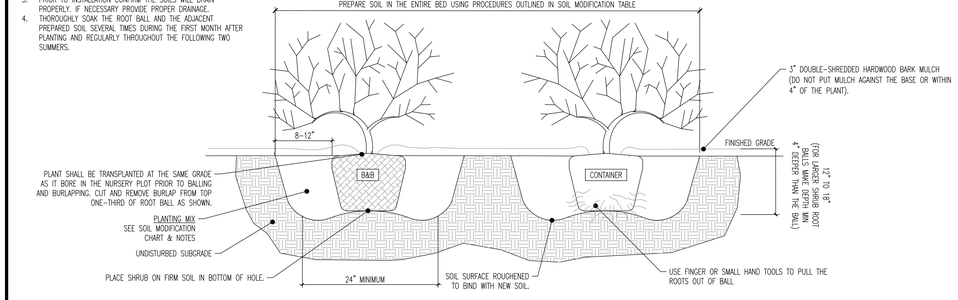
TYPICAL SPACING CHART	
SPACING "D"	SPACING "A"
6" O.C.	5.20"
8" O.C.	6.93"
10" O.C.	8.66"
12" O.C.	10.40"
15" O.C.	13.00"
18" O.C.	15.60"
24" O.C.	20.80"
30" O.C.	26.00"
36" O.C.	30.00"

1. SEE PLANING LEGEND FOR GROUNDCOVER SPECIES, SIZE, AND SPACING
2. SMALL ROOTS (1/4" OR LESS) THAT GROW AROUND, UP, OR DOWN THE ROOT BALL PERIPHERY ARE CONSIDERED A NORMAL CONDITION IN CONTAINER PRODUCTION AND ARE ACCEPTABLE HOWEVER THEY SHOULD BE ELIMINATED AT THE TIME OF PLANING. ROOTS ON THE PERIPHERY CAN BE REMOVED AT THE TIME OF PLANTING. SETTLE SOIL AROUND ROOT BALL OF EACH GROUNDCOVER PRIOR TO MULCHING.

PERENNIAL/GROUND COVER SPACING AND PLANTING DETAIL

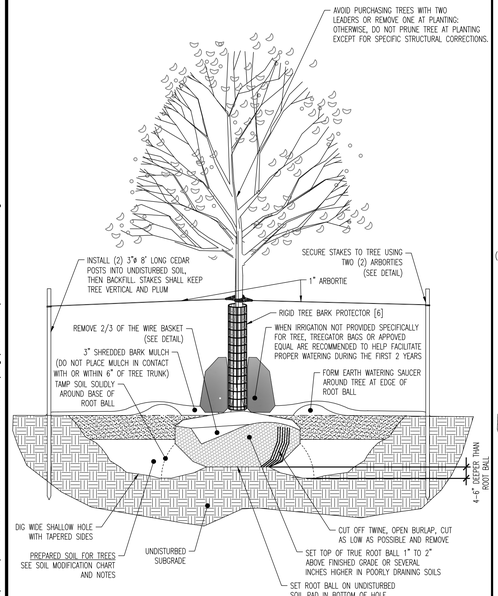
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NOTES:
1. REMOVE ALL EXCESS SOIL FROM ROOT FLARE PRIOR TO PLANTING
2. INCORPORATE COMMERCIALLY PREPARED MYCORRHIZAE SPORES AND FERTILIZER TABLETS IN THE SOIL IMMEDIATELY AROUND THE ROOT BALL AT RATE SPECIFIED BY THE MANUFACTURER
3. PRIOR TO INSTALLATION CONFIRM THE SOILS WILL DRAIN PROPERLY. IF NECESSARY PROVIDE PROPER DRAINAGE.
4. THOROUGHLY SOAK THE ROOT BALL AND THE ADJACENT PREPARED SOIL SEVERAL TIMES DURING THE FIRST MONTH AFTER PLANTING AND REGULARLY THROUGHOUT THE FOLLOWING TWO SUMMERS.



DECIDUOUS AND EVERGREEN SHRUB PLANTING DETAIL

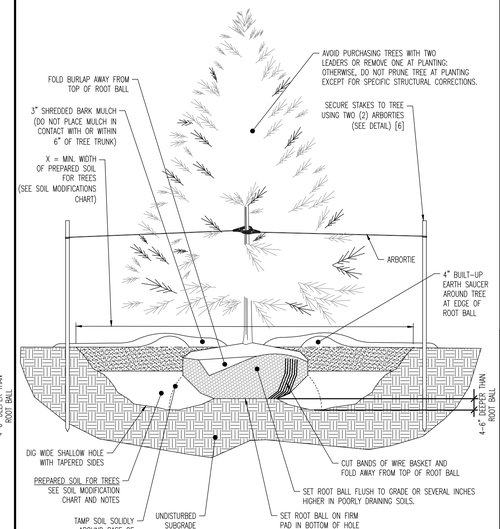
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NOTES:
1. FOR CONTAINER GROWN TREES USE FINGERS OR SMALL HAND TOOLS TO PULL THE ROOTS OUT OF THE OUTER LAYER OF POTTING SOIL, THEN CUT OR PULL APART ANY ROOT CIRCLING THE PERIMETER OF THE CONTAINER.
2. INCORPORATE COMMERCIALLY PREPARED MYCORRHIZAE SPORES AND FERTILIZER TABLETS IN THE SOIL IMMEDIATELY AROUND THE ROOT BALL AT RATE SPECIFIED BY THE MANUFACTURER.
4. THOROUGHLY SOAK THE ROOT BALL AND THE ADJACENT PREPARED SOIL SEVERAL TIMES DURING THE FIRST MONTH AFTER PLANTING AND REGULARLY THROUGHOUT THE FOLLOWING TWO GROWING SEASONS. WHEN IRRIGATION IS NOT PROVIDED SPECIFICALLY FOR THE TREE, IT IS RECOMMENDED THAT GATOR BAGS ARE USED TO HELP FACILITATE THE PROPER AMOUNT AND RATE OF WATER ARE ACHIEVED. GATOR BAGS SHALL BE INSTALLED AT THE BEGINNING OF EACH GROWING SEASON AND REMOVED EACH FALL. THIS WILL ALLOW FOR THE AREA BENEATH THE GATOR BAG TO DRY OUT REDUCING THE GROWTH OF FUNGUS AND REMOVE POSSIBLE HIDING SPOTS FOR RODENTS. THE GATOR BAGS WILL BE REMOVED AT THE END OF THE SECOND GROWING SEASON UNLESS OTHERWISE ADVISED.
5. PRIOR TO INSTALLATION CONFIRM THE SOILS WILL DRAIN PROPERLY. IF NECESSARY PROVIDE PROPER DRAINAGE.
6. PROVIDE A 48 IN. RIGID TREE BARK PROTECTOR AROUND THE TRUNK OF CANOPY TREES AND UNDERSTORY TREES FOR DEER PROTECTION. "TREE BARK PROTECTORS – BG48" (A.M. LEONARD HORTICULTURAL SUPPLY) OR APPROVED EQUAL

DECIDUOUS TREE PLANING DETAIL

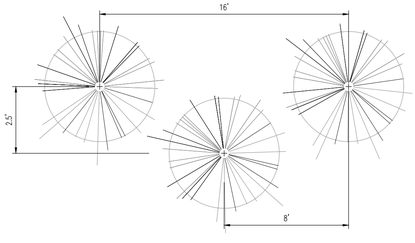
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NOTES:
1. NO SOIL OR MULCH SHALL BE PLACED AGAINST ROOT COLLAR OF PLANT.
2. MARK NORTH SIDE OF TREE IN THE NURSERY AND LOCATE TO THE NORTH IN THE FIELD.
3. BEFORE PLANTING TREE PREPARED SOIL FOR TREES – SEE CHART FOR SOIL PREPARATION DEPENDING UPON SOIL TYPE
4. WHEN PLANTING IN WINTER OR ON WINDY SITES APPLY ANTI-DESSICANT AS PER MANUFACTURER'S SPECIFICATIONS
5. PRIOR TO DIGGING HOLE REMOVE ALL EXCESS SOIL FROM ROOT FLARE TO DETERMINE DEPTH OF HOLE (SEE DETAIL)
6. INSTALL TWO (2) 3" DIA 8 FT LONG HARDWOOD POSTS INTO UNDISTURBED SOIL, THEN BACKFILL. STAKES SHALL KEEP TREE VERTICAL AND PLUMB.
7. WHEN IRRIGATION IS NOT PROVIDED SPECIFICALLY FOR THE TREE, TREEGATOR JR. BAGS (OR APPROVED EQUAL) ARE RECOMMENDED TO HELP FACILITATE PROPER WATERING DURING THE FIRST TWO YEARS.

EVERGREEN TREE PLANING DETAIL

NOT TO SCALE



EVERGREEN SCREENING SPACING DETAIL

NOT TO SCALE

LANDSCAPE ARCHITECT CERTIFICATION

STATE OF NEW JERSEY · MARLA A. ROLLER · 21AS00053700 · LICENSED LANDSCAPE ARCHITECT

I, MARLA A. ROLLER, L.L.A. **DATED:** X

Marla Roller, DO HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THAT THE LANDSCAPE ARCHITECTURAL DESIGN CONTAINED ON THIS LANDSCAPE PLAN HAS BEEN PREPARED IN ACCORDANCE WITH ACCEPTED LANDSCAPE ARCHITECTURAL PRACTICE, IS TRUE AND CORRECT, AND MEETS THE REQUIREMENTS OF THE LANDSCAPE ORDINANCE OF THE GOVERNING MUNICIPALITY. THIS CERTIFICATE APPLIES TO THE LANDSCAPE ARCHITECTURAL DESIGN CONTAINED ON THIS PLAN ONLY AND DOES NOT APPLY TO ANY OTHER WORK PERFORMED BY OTHERS, INCLUDING BUT NOT LIMITED TO SITE DESIGN AND LANDSCAPE ARCHITECTURAL DESIGN DEVELOPED BY OTHERS.

THIS PLAN TO BE UTILIZED FOR LANDSCAPE PURPOSES ONLY

PLANTING NOTES

1. PLANT MATERIAL SHALL BE FURNISHED AND INSTALLED AS INDICATED; INCLUDING ALL LABOR, MATERIALS, PLANTS, EQUIPMENT, INCIDENTALS, AND CLEAN-UP.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PLANTING AT CORRECT GRADES AND ALIGNMENT. LAYOUT TO BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
3. PLANTS SHALL BE TYPICAL OF THEIR SPECIES AND VARIETY; HAVE NORMAL GROWTH HABITS; WELL DEVELOPED BRANCHES, DENSELY FOLIATED, VIGOROUS ROOT SYSTEMS AND BE FREE FROM DEFECTS AND INJURIES.
4. CONTRACTOR SHALL REPORT ANY SOIL OR DRAINAGE CONDITIONS CONSIDERED DETRIMENTAL TO THE GROWTH OF PLANT MATERIAL.
5. ALL PLANT MATERIAL SHALL BE GUARANTEED BY THE CONTRACTOR TO BE IN VIGOROUS GROWING CONDITION. PROVISION SHALL BE MADE FOR A GROWTH GUARANTEE OF AT LEAST ONE (1) YEAR FROM THE DATE OF ACCEPTANCE FOR TREES AND SHRUBS. REPLACEMENTS SHALL BE MADE AT THE BEGINNING OF THE FIRST SUCCEEDING PLANTING SEASON. ALL REPLACEMENTS SHALL HAVE A GUARANTEE EQUAL TO THAT STATED ABOVE.
6. INSOFAR AS IT IS PRACTICABLE, PLANT MATERIAL SHALL BE PLANTED ON THE DAY OF DELIVERY. IN THE EVENT THIS IS NOT POSSIBLE, THE CONTRACTOR SHALL PROTECT STOCK NOT PLANTED. PLANTS SHALL NOT REMAIN UNPLANTED FOR LONGER THAN A THREE DAY PERIOD AFTER DELIVERY. ANY PLANTS NOT INSTALLED DURING THIS PERIOD WILL BE REJECTED.
7. QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS, AND SIZE OF BALLS SHALL BE IN ACCORDANCE WITH ANSI Z60.1 (REV. 2001) "AMERICAN STANDARD FOR NURSERY STOCK" AS PUBLISHED BY THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION.
8. ALL PLANTS SHALL BE PLANTED IN MIXED TOPSOIL THAT IS THOROUGHLY WATERED AND TAMPED AS BACK FILLING PROGRESSES. PLANTING MIX TO BE AS SHOWN ON PLANTING DETAILS. LARGE PLANTING AREAS TO INCORPORATE FERTILIZER AND SOIL CONDITIONERS AS STATED IN PLANTING SPECIFICATIONS.
9. PLANTS SHALL BE BALLED IN BURLAP WITH WIRE OR ROPE AT ANY TIME SO AS TO DAMAGE THE BARK OR BREAK BRANCHES. PLANTS SHALL BE HANDLED FROM THE BOTTOM OF THE BALL ONLY.
10. PLANTING OPERATIONS SHALL BE PERFORMED DURING PERIODS WITHIN THE PLANTING SEASON WHEN WEATHER AND SOIL CONDITIONS ARE SUITABLE AND IN ACCORDANCE WITH ACCEPTED LOCAL PRACTICE. PLANTS SHALL NOT BE INSTALLED IN TOPSOIL THAT IS IN A MUDDY OR FROZEN CONDITION. ALL PLANT MATERIAL SHALL BE SPRAYED WITH "WILT-PRUF" OR EQUAL AS PER MANUFACTURER'S INSTRUCTIONS.
11. NO PLANT, EXCEPT GROUND COVERS, SHALL BE PLANTED LESS THAN TWO FEET FROM EXISTING STRUCTURES AND SIDEWALKS.
12. SET ALL PLANTS PLUMB AND STRAIGHT, SET AT SUCH LEVEL THAT, A NORMAL OR NATURAL RELATIONSHIP TO THE CROWN OF THE PLANT WITH THE GROUND SURFACE WILL BE ESTABLISHED. LOCATE PLANT IN THE CENTER OF THE PIT.
13. ALL INJURED ROOTS SHALL BE PRUNED TO MAKE CLEAN ENDS BEFORE PLANTING UTILIZING CLEAN, SHARP TOOLS. IT IS ADVISABLE TO PRUNE APPROXIMATELY 1/3 OF THE GROWTH OF LARGE TREES (2" CALIPER AND OVER) BY THE REMOVAL OF SUPERFLUOUS BRANCHES, THOSE WHICH CROSS, THOSE WHICH RUN PARALLEL, ETC. MAIN LEADER OF TREES WILL NOT BE CUT BACK. LONG SIDE BRANCHES, HOWEVER, MUST BE SHORTENED.
14. EACH TREE AND SHRUB SHALL BE PRUNED IN ACCORDANCE WITH STANDARD HORTICULTURAL PRACTICE TO PRESERVE NATURAL CHARACTER OF PLANT. PRUNING SHALL BE DONE WITH CLEAN, SHARP TOOLS.
15. ALL EXISTING TREES TO REMAIN SHALL BE PRUNED TO REMOVE ANY DAMAGED BRANCHES AS A RESULT OF CONSTRUCTION OPERATIONS. ALL EXISTING TREES SHALL BE FERTILIZED WITH A REGULAR GARDEN FERTILIZER (5-10-5) UPON COMPLETION OF WORK. THE ENTIRE LIMB OF ANY DAMAGED BRANCH SHALL BE CUT OFF AT THE TRUNK. CONTRACTOR TO ENSURE THAT CUTS ARE SMOOTH AND 'STRAIGHT'. ANY EXPOSED ROOTS SHALL BE CUT BACK WITH SHARP TOOLS AND FILLED AROUND WITH TOPSOIL. COMPLETELY SATURATE THESE AREAS WITH WATER. ROOTS SHALL NOT BE LEFT EXPOSED FOR MORE THAN ONE (1) DAY. CONTRACTOR IS TO PROTECT ALL EXISTING TREES TO REMAIN BY ERECTING TREE PROTECTION FENCE AT THE DRIP LINE. THIS WILL ENSURE NO COMPACTION OF THE ROOT MASS.
16. ALL PLANTING BEDS SHALL BE MULCHED WITH 4" LAYER OF DOUBLE SHREDDED HARDWOOD BARK MULCH.
17. NEW PLANTING AREAS AND SOD SHALL BE ADEQUATELY IRRIGATED OR WATERED TO ESTABLISH THE PROPOSED PLANTS AND LAWN.
18. PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY THE PROPOSED LANDSCAPE AS SHOWN ON THE APPROVED LANDSCAPE PLAN MUST BE INSTALLED, INSPECTED AND APPROVED BY THE MUNICIPAL LANDSCAPE ARCHITECT. THE MUNICIPAL ENGINEER AND LANDSCAPE ARCHITECT SHALL TAKE INTO ACCOUNT SEASONAL CONSIDERATIONS IN THIS REGARD AS FOLLOWS. THE PLANTING OF TREES, SHRUBS, VINES OR GROUND COVER AS REQUIRED BY OR ASSOCIATED WITH A SUBDIVISION OR SITE PLAN APPROVAL BY THE PLANNING BOARD OR ZONING BOARD OF ADJUSTMENT SHALL BE INSTALLED DURING THE FOLLOWING PLANTING SEASONS:

TYPE	DATES
PLANTS	3/15 TO 12/15
LAWN	3/15 TO 6/15
	9/15 TO 12/1

FURTHERMORE, THE FOLLOWING TREE VARIETIES SHALL NOT BE PLANTED DURING THE FALL PLANTING SEASON DUE TO THE HAZARDS ASSOCIATED WITH DIGGING THESE TREES IN THIS SEASON.

ACER RUBRUM	POPULUS VARIETIES
BETULA VARIETIES	PRUNUS VARIETIES
CARPINUS VARIETIES	PYRUS VARIETIES
CRATAEGUS VARIETIES	QUERCUS VARIETIES
KOELREUTERIA	SALIX WEEPING VARIETIES
LIQUIDAMBAR STYRACIFLUA	TILIA TOMENTOSA
LIRIODENDRON TULIPIFERA	ZELKOVA VARIETIES
PLATANUS ACERFOLIA	

ANY PLANTINGS INSTALLED IN CONFLICT WITH THIS REQUIREMENT MUST RECEIVE THE WRITTEN APPROVAL BY THE MUNICIPAL ENGINEER OR LANDSCAPE ARCHITECT, PRIOR TO PLANTING. FAILURE TO COMPLY WITH THESE REQUIREMENTS WILL REQUIRE THE REMOVAL OF THE PLANTING IN QUESTION. THIS REQUIREMENT DOES NOT APPLY TO SEEDING OR SODDING OR PLANTINGS SPECIFICALLY FOR SOIL STABILIZATION PURPOSES. THE PLANTING ASSOCIATED WITH ANY LOT GIVEN A CERTIFICATE OF OCCUPANCY OUTSIDE THESE PERIODS SHALL BE PROVIDED DURING THE PREVIOUS OR NEXT APPROPRIATE SEASON.

19. ALL DISTURBED AREAS TO BE TREATED WITH TOPSOIL SEED SOD STABILIZATION METHOD.

PLANTING SPECIFICATIONS

1. SCOPE OF WORK
   A. THIS WORK SHALL CONSIST OF PERFORMING, CLEARING AND SOIL PREPARATION, FINISH GRADING, PLANTING AND DRAINAGE, INCLUDING ALL LABOR, MATERIALS, TOOLS, EQUIPMENT, AND ANY OTHER APPURTENANCES NECESSARY FOR THE COMPLETION OF THIS PROJECT.
2. MATERIALS
   A. GENERAL – ALL MATERIALS SHALL MEET OR EXCEED SPECIFICATIONS AS OUTLINED IN THE STATE DEPARTMENT OF TRANSPORTATION (D.O.T.) MANUAL OF ROADWAY AND BRIDGE CONSTRUCTION (LATEST EDITION) OR APPROVED EQUAL.
   B. PLANTS – ALL PLANTS SHALL BE HEALTHY OR NORMAL GROWTH, WELL ROOTED, FREE FROM DISEASE AND INSECTS.
   C. TOPSOIL – LOAMY SILT, HAVING AN ORGANIC CONTENT NOT LESS THAN 5%, pH RANGE BETWEEN 4.5 – 7, BE FREE OF DEBRIS, ROCKS LARGER THAN TWO INCHES (2"), WOOD, ROOTS, VEGETABLE MATTER AND CLAY CLODS.
   D. MULCH – FOUR (4") INCHES DOUBLE SHREDDED HARDWOOD BARK MULCH.
3. FERTILIZER AND SOIL CONDITIONER – PLANTED AREAS
   A. ORGANIC FERTILIZER – SHALL BE PROCESSED SEWER SLUDGE WITH MINIMAL CONTENT OF 1% NITROGEN AND 2% PHOSPHORIC ACID, EQUAL TO "NITROHUMS".
   B. ORGANIC FERTILIZER AND SOIL CONDITIONER – SHALL BE ORG– POWER AND ORGANIC BASE MATERIALS COMPRISED OF DECOMPOSED ANIMAL AND VEGETABLE MATTER AND COMPOSTED TO SUPPORT BACTERIAL CULTURES, CONTAINING NO POULTRY OR HUMAN WASTE. GUARANTEED ANALYSIS (5-3-1): NITROGEN 5%. PHOSPHATE 3%, POTASH 1%. 50% HUMUS AND 15% HUMIC ACIDS.
4. GENERAL WORK PROCEDURES
   A. LANDSCAPE WORK SHALL COMMENCE AS SOON AS THOSE PORTIONS OF THE SITE ARE AVAILABLE. CONTRACTOR TO UTILIZE WORKMANLIKE STANDARDS IN PERFORMING ALL LANDSCAPE CONSTRUCTION. THE SITE IS TO BE LEFT IN A CLEAN STATE AT THE END OF EACH DAY'S WORK. ALL DEBRIS, MATERIALS, AND TOOLS SHALL BE PROPERLY STOCKPILED OR DISPOSED OF. ALL PAVED SURFACES SHALL BE SWEPT CLEAN AT THE END OF EACH DAYS WORK.
5. WEEDING
   A. BEFORE AND DURING PRELIMINARY GRADING AND FINISH GRADING, ALL WEEDS AND GRASSES SHALL BE DUG OUT BY THE ROOTS AND DISPOSED OF AT THE CONTRACTOR'S EXPENSE.
6. TOPSOILING
   A. CONTRACTOR TO PROVIDE A 4" THICK TOPSOIL LAYER IN ALL PLANTING AREAS. TOPSOIL SHOULD BE SPREAD OVER A PREPARED SURFACE IN A UNIFORM LAYER TO PRODUCE A 4" UNSETTLED THICKNESS. TOPSOIL PRESENT AT THE SITE, IF ANY, MAY BE USED TO SUPPLEMENT TOTAL AMOUNT REQUIRED. CONTRACTOR TO FURNISH AN ANALYSIS OF ON-SITE TOPSOIL UTILIZED IN ALL PLANTING AREAS. ADJUST pH AND NUTRIENT LEVELS AS REQUIRED TO ENSURE AN ACCEPTABLE GROWING MEDIUM.
7. SOIL CONDITIONING:
   A. CULTIVATE ALL AREAS TO BE PLANTED TO A DEPTH OF 6". ALL DEBRIS EXPOSED FROM EXCAVATION AND CULTIVATION SHALL BE DISPOSED OF AT THE CONTRACTOR'S EXPENSE. SPREAD EVENLY IN ALL PLANTING AREAS AND TILL (2 DIRECTIONS) INTO TOP 4" WITH THE FOLLOWING PER 1,000 SQ. FT.:
      20 POUNDS "ORO-POWER"
      100 POUNDS AGRICULTURAL GYPSUM
      20 POUNDS VERMIFORM (COURSE) 38-0-0 BLUE CHIP

   SOIL MODIFICATIONS:
   A. THOROUGHLY TILL ORGANIC MATTER INTO THE TOP 6 TO 12 IN. OF MOST PLANTING SOILS TO IMPROVE THE SOIL'S ABILITY TO RETAIN WATER AND NUTRIENTS. USE COMPOSTED BARK, RECYCLED YARD WASTE OR PEAT MOSS. ALL PRODUCTS SHOULD BE COMPOSTED TO A DARK COLOR AND BE FREE OF PIECES WITH IDENTIFIABLE LEAF OR WOOD STRUCTURE. AVOID MATERIAL WITH A pH HIGHER THAN 7.5.
   B. MODIFY HEAVY CLAY OR SILT (MORE THAN 40% CLAY OR SILT) BY ADDING COMPOSTED PINE BARK (UP TO 30% BY VOLUME) AND/OR GYPSUM. COARSE SAND MAY BE USED IF ENOUGH IS ADDED TO BRING THE SAND CONTENT TO MORE THAN 60% OF THE TOTAL MIX. IMPROVE DRAINAGE IN HEAVY SOILS BY PLANTING ON RAISED MOUNDS OR BEDS AND INCLUDING SUBSURFACE DRAINAGE LINES.
   C. MODIFY EXTREMELY SANDY SOILS (MORE THAN 85% SAND) BY ADDING ORGANIC MATTER AND/OR DRY, SHREDDED CLAY LOAM UP TO 30% OF THE TOTAL MIX.
8. PLANTING
   POSITION TREES AND SHRUBS AT THEIR INTENDED LOCATIONS AS PER THE PLANS AND SECURE THE APPROVAL OF THE LANDSCAPE ARCHITECT BEFORE EXCAVATING PITS, MAKING NECESSARY ADJUSTMENTS AS DIRECTED.
   A. PLANTING PITS SHALL BE DUG WITH LEVEL BOTTOMS, WITH THE WIDTH TWICE THE DIAMETER OF ROOT BALL. THE ROOT BALL SHALL REST ON UNDISTURBED GRADE. EACH PLANT PIT SHALL BE BACK FILLED WITH THE FOLLOWING PREPARED SOIL MIXED THOROUGHLY:
      1 PART PEAT MOSS BY VOLUME
      1 PART COW MANURE BY VOLUME
      3 PARTS TOPSOIL BY VOLUME
      21 GRAM "ACRIFORM" PLANTING TABLETS AS FOLLOWS:
      2 TABLETS PER 1 GAL. PLANT
      3 TABLETS PER 5 GAL. PLANT
      4 TABLETS PER 15 GAL. PLANT
      LARGER PLANTS (2) TWO TABLETS PER 1/2" DIAM. OF TRUNK CALIPER
   B. PREPARED SOIL SHALL BE TAMPED FIRMLY AT BOTTOM OF PIT. FILL PREPARED SOIL AROUND BALL OF PLANT 1/2 WAY, AND INSERT PLANT TABLETS. COMPLETE BACK FILL AND WATER THOROUGHLY.
   C. ALL PLANTS SHALL BE SET SO THAT, THEY BEAR THE SAME RELATION TO THE REQUIRED GRADE AS THEY BORE TO THE NATURAL GRADE BEFORE BEING TRANSPLANTED.
   D. PREPARE RAISED EARTH BASIN AS WIDE AS PLANTING HOLE OF EACH TREE.
   E. WATER IMMEDIATELY AFTER PLANTING. WATER SHALL BE APPLIED TO EACH TREE AND SHRUB IN SUCH MANNER AS NOT TO DISTURB BACK FILL AND TO THE EXTENT THAT ALL MATERIALS IN THE PLANTING HOLE ARE THOROUGHLY SATURATED.
   F. PRUNE ALL PROPOSED TREES DIRECTLY ADJACENT TO WALKWAYS TO A MIN. OF 7' BRANCHING HEIGHT.
9. GROUND COVER
   A. ALL GROUND COVER AREAS SHALL RECEIVE A 1/4" LAYER OF HUMUS RAKED INTO THE TOP 1" OF PREPARED SOIL PRIOR TO PLANTING GROUND COVER.
   B. SPACING AND VARIETY OF GROUND COVER SHALL BE AS SHOWN ON DRAWINGS.
   C. IMMEDIATELY AFTER PLANTING GROUND COVER, CONTRACTOR SHALL THOROUGHLY WATER GROUND COVER.
   D. ALL GROUND COVER AREAS SHALL BE TREATED WITH A PRE-EMERGENT BEFORE FINAL LANDSCAPE INSPECTION. GROUND COVER AREAS SHALL BE WEEDED PRIOR TO APPLYING PRE-EMERGENT. PRE-EMERGENT TO BE APPLIED AS PER MANUFACTURER'S RECOMMENDATION.
10. FINISH GRADING
    A. ALL AREAS WILL BE RECEIVED BY THE CONTRACTOR AT SUBSTANTIALLY PLUS/MINUS .1 FOOT OF FINISH GRADE.
    B. ALL LAWN AND PLANTING AREAS SHALL BE GRADED TO A SMOOTH, EVEN AND UNIFORM PLANE WITH NO ABRUPT CHANGE OF SURFACE, UNLESS OTHERWISE DIRECTED BY LANDSCAPE ARCHITECT. SOIL AREAS ADJACENT TO THE BUILDINGS SHALL 'SLOPE' AWAY.
    C. ALL PLANTING AREAS SHALL BE GRADED AND MAINTAINED TO ALLOW FREE FLOW OF SURFACE WATER.
11. GUARANTEE
    A. CONTRACTOR SHALL GUARANTEE ALL PLANTS FOR A PERIOD OF ONE (1) YEAR FROM ACCEPTANCE OF JOB. OWNER TO SECURE A MAINTENANCE BOND FROM THE CONTRACTOR FOR TEN PERCENT (10%) OF THE VALUE OF THE LANDSCAPE INSTALLATION WHICH WILL BE RELEASED AT THE COMMENCEMENT OF THE GUARANTEE PERIOD AND PASSES A FINAL INSPECTION BY THE OWNER OR OWNERS REPRESENTATIVE.
12. CLEANUP
    A. UPON THE COMPLETION OF ALL PLANTING WORK AND BEFORE FINAL ACCEPTANCE, THE CONTRACTOR SHALL REMOVE ALL MATERIAL, EQUIPMENT, AND DEBRIS RESULTING FROM HIS WORK. ALL PAVED AREAS SHALL BE BROOM CLEANED AND THE SITE LEFT IN A NEAT AND ACCEPTABLE CONDITION AS APPROVED BY THE OWNER'S AUTHORIZED REPRESENTATIVE.
    B. MAINTAIN TREES, SHRUBS AND OTHER PLANTS BY PRUNING, CULTIVATING AND WEEDING AS REQUIRED FOR HEALTHY GROWTH. RESTORE PLANTING SAUCERS. TIGHTEN AND REPAIR STAKE AND GUY SUPPORTS AND RESET TREES AND SHRUBS TO PROPER GRADES OR VERTICAL POSITION AS REQUIRED. RESTORE OR REPLACE DAMAGED WRAPPINGS. SPRAY WITH HERBICIDE AS REQUIRED TO KEEP TREES AND SHRUBS FREE OF INSECTS AND DISEASE.
    C. MAINTAIN LAWNS BY WATERING, FERTILIZING, WEEDING, MOWING, TRIMMING, AND OTHER OPERATIONS SUCH AS ROLLING, RECRADING AND REPLANTING AS REQUIRED TO ESTABLISH A SMOOTH, ACCEPTABLE LAWN, FREE OF ERODED OR BARE AREAS.
13. MAINTENANCE (ALTERNATE BID) COST PER MONTH AFTER INITIAL 90-DAY MAINTENANCE PERIOD.

THIS PLAN SET IS FOR PERMITTING PURPOSES ONLY AND MAY NOT BE USED FOR CONSTRUCTION

Rev.	Date	Comments	By
1	05/22/26	REV. PER TOWNSHIP COMMENTS	KTK

DYNAMIC ENGINEERING
LAND DEVELOPMENT CONSULTING • PERMITTING • GEOTECHNICAL • ENVIRONMENTAL • SURVEY • PLANNING & ZONING
1904 Main Street, Lake Como, NJ 07719
T: 732.974.0198 F: 732.974.3521 www.dynamicec.com
Offices conveniently located throughout the United States:
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TITLE: LANDSCAPE NOTES AND DETAILS

PROJECT: **SHARBELL BUILDING COMPANY, LLC**
PROPOSED STACKED TOWNHOMES
BLOCK 8, LOT 1.18
NJSH ROUTE 33 & ROBBINSVILLE–EDINBURG ROAD
TOWNSHIP OF ROBBINSVILLE, MERCER COUNTY, NEW JERSEY

JOB No: 0043-25-00798
DATE: 01/02/2026
DRAWN BY: KTK
SCALE: (H) 1"=20' (V)
DESIGNED BY: KP
CHECKED BY: JSH
CHECKED BY: _
SHEET No: 10 OF 20
Rev. # 1

JEFFREY D. SPALT
PROFESSIONAL ENGINEER
NEW JERSEY LICENSE No. 40766

JEFFREY HABERMAN
PROFESSIONAL ENGINEER
NEW JERSEY LICENSE No. 53560

811 Know what's below. Call before you dig.
PROTECT YOURSELF
ALL STATES REQUIRE NOTIFICATION OF EXCAVATORS TO DIG, BORE OR EXPLORE BEFORE YOU BEGIN THE CONTACT SURFACE ANYWHERE IN ANY STATE
FOR STATE SPECIFIC DIRECT PHONE NUMBERS VISIT: WWW.CALL811.COM

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Plotted: 05/27/26 – 4:36 PM, By: kkirk, – Product Ver: 25.1
File: P:\DEC\PC PROJECTS\0043 Sharbell Development\25-00798 Robbinsville – 2370 Rte 33\Dwg\Site Plans\0043250079BSL1.dwg, ---> 10 LANDSCAPE NOTES AND DETAILS

DYNAMIC ENGINEERING

Dynamic Engineering Consultants, PC
1904 Main Street
Lake Como, NJ 07719
T. 732-974-0198

April 14, 2026
Via FedEx

Robbinsville Township Zoning Board
2298 Route 33
Robbinsville, NJ 08691

Attn: Tianna Thompson
Land Use Coordinator

RE: Sharbell Building Company, LLC
Proposed Stacked Townhomes
Block 8, Lot 1.18
NJSH Route 33 & Robbinsville-Edinburg Road
Township of Robbinsville
Mercer County, NJ
DEC # 0043-25-00798

Dear Ms. Thompson,

I hereby certify that the above referenced project is consistent with the Wastewater Management Plan of the Township of Robbinsville. The site is located within the existing sewer service area as delineated by the current Robbinsville Township Sanitary Sewer System Plan. The receiving plant is the Hamilton Township Water Pollution Control Facility (WPCF).

Should you have any questions, comments or require additional information, please do not hesitate to contact our office.

Sincerely,

Dynamic Engineering Consultants, PC

Jeffrey S. Haberman, PE, PP

Alec Farrell, PE

Enclosures

DYNAMIC ENGINEERING

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1904 Main Street
Lake Como, NJ 07719
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DESIGN WAIVER/VARIANCE REQUEST FORM

Sharbell Building Company, LLC
Proposed Stacked Townhomes
NJSH Route 33 & Robbinsville-Edinburg Road
Block 8, Lot 1.18
Township of Robbinsville, Mercer County, NJ
DEC# 0043-25-00798

Submission Checklist Waivers

Ordinance/Codebook or Checklist Reference	Explanation and Support Data for Submission Waiver, Design Waiver, or Variance Request
Preliminary Site Plan Checklist item 12	N/A, submitting for Use Variance approval.
Preliminary Site Plan Checklist item 14	N/A as this is a residential development proposal. Testimony regarding maintenance of common elements will be provided.
Preliminary Site Plan Checklist item 21	N/A no signage is proposed with this application.
Preliminary Site Plan Checklist item 23	TBD – condition of approval
Preliminary Site Plan Checklist item 28	N/A, there are no existing wells on site.
Preliminary Site Plan Checklist item 30	N/A, no proposed stormwater basins.
Preliminary Site Plan Checklist item 32	N/A, no existing wetlands on site.
Preliminary Site Plan Checklist item 33	N/A, no existing wetlands on site.
Preliminary Site Plan Checklist item 36	N/A, there are no onsite septic systems located on the property. This will connect to public sewer.
Preliminary Site Plan Checklist item 37	N/A, there are no onsite septic systems located on the property.
Preliminary Site Plan Checklist item 38	N/A, there are no existing wells on site.
Preliminary Site Plan Checklist item 39	N/A, there are no existing or proposed septic systems located on the property.
Preliminary Site Plan Checklist item 40	N/A, there are no existing or proposed septic systems located on the property.
Preliminary Site Plan Checklist item 42	N/A, there are no existing or proposed septic systems located on the property.
Preliminary Site Plan Checklist item 45	N/A, there are no existing or proposed septic systems located on the property. No environmental impacts will be affected
Preliminary Site Plan Checklist item 51	No known Master Plan Features within 500 FT.

Preliminary Site Plan Checklist item 52	Topography within 200 FT not shown. Grading occurs on-site.
Preliminary Site Plan Checklist item 57	N/A, no proposed stormwater basins.
Preliminary Site Plan Checklist item 58	N/A, no proposed stormwater basins.
Preliminary Site Plan Checklist item 59	N/A, no proposed stormwater basins.
Preliminary Site Plan Checklist item 60	N/A, no proposed stormwater basins.
Preliminary Site Plan Checklist item 61	N/A, existing roadways will remain undisturbed.
Preliminary Site Plan Checklist item 62	N/A, existing roadways will remain undisturbed.
Preliminary Site Plan Checklist item 64	Off-site Groupings and Species are not shown within 200 FT.
Preliminary Site Plan Checklist item 69	N/A, no existing wetlands on site.
Preliminary Site Plan Checklist item 70	N/A, there are no cultural features, historic sites, or critical view shed located on the site.
Preliminary Site Plan Checklist item 73	N/A, residential use with no loading operation.
Preliminary Site Plan Checklist item 85	Exact sign details are not known at this time
Preliminary Site Plan Checklist item 86	Existing tree species have not been determined – trees in LOD will be demolished.
Preliminary Site Plan Checklist item 89	Existing trees were not surveyed. Paved parking lot.
Preliminary Site Plan Checklist item 91	TBD – condition of approval
Final Site Plan Checklist item 12	N/A, no Zoning Permit Denial or Notice of Violation attributed to the site.
Final Site Plan Checklist item 13	Applicant is seeking Preliminary Site Plan Approval concurrently with Final.
Final Site Plan Checklist item 14	Applicant is seeking Preliminary Site Plan Approval concurrently with Final.
Final Site Plan Checklist item 15	N/A as this is a residential development proposal. Testimony regarding maintenance of common elements will be provided.
Final Site Plan Checklist item 19	Exact signage details have not been determined at this time
Final Site Plan Checklist item 24	Applicant is seeking Preliminary Site Plan Approval concurrently with Final.
Final Site Plan Checklist item 25	N/A, there are no existing or proposed septic systems located on site.
Final Site Plan Checklist item 26	N/A, there are no existing or proposed septic systems or wells located on site.
Final Site Plan Checklist item 28	Applicant is seeking Preliminary Site Plan Approval concurrently with Final.
Final Site Plan Checklist item 29	Construction quantities will be provided upon favorable action.
Final Site Plan Checklist item 30	TBD – condition of approval

Final Site Plan Checklist item 31	Metes and bounds descriptions will be provided upon favorable action.
Final Site Plan Checklist item 32	Project will be built in one phase.
Final Site Plan Checklist item 33	A developer's agreement will be provided upon favorable action.
Final Site Plan Checklist item 37	Signage details have not been determined at this time.
Minor Subdivision Checklist item 12	N/A, no Zoning Permit Denial or Notice of Violation attributed to the site.
Minor Subdivision Checklist item 15	N/A as this is a residential development proposal. Testimony regarding maintenance of common elements will be provided.
Minor Subdivision Checklist item 18	N/A, there are no existing or proposed septic systems located on the property.
Minor Subdivision Checklist item 19	N/A, there are no existing or proposed septic systems located on the property.
Minor Subdivision Checklist item 21	N/A, there are no existing or proposed septic systems located on the property.
Minor Subdivision Checklist item 24	N/A, there are no existing or proposed septic systems located on the property.
Minor Subdivision Checklist item 26	N/A, no Zoning Permit Denial or Notice of Violation attributed to the site.
Minor Subdivision Checklist item 27	N/A, there are no existing or proposed septic systems located on the property.
Minor Subdivision Checklist item 28	N/A, there are no existing or proposed septic systems located on the property.
Minor Subdivision Checklist item 30	N/A, there are no existing or proposed septic systems located on the property.
Minor Subdivision Checklist item 31	N/A, there are no existing or proposed septic systems located on the property.
Minor Subdivision Checklist item 50	Coordination is currently ongoing with the Tax Assessor. New proposed lot numbers and addresses will be provided as a condition of approval.
Minor Subdivision Checklist item 54	Area of disturbance is indicated on the plans. No trees >8" will be cleared.
'D' (Use) Variance Checklist item 12	N/A, no Zoning Permit Denial or Notice of Violation attributed to the site.
'D' (Use) Variance Checklist item 14	N/A as this is a residential development proposal. Testimony regarding maintenance of common elements will be provided.
'D' (Use) Variance Checklist item 19	N/A, there are no onsite septic systems located on the property.

'D' (Use) Variance Checklist item 26	N/A, there are no onsite septic systems located on the property.
'D' (Use) Variance Checklist item 29	N/A, no proposed stormwater basins.
'D' (Use) Variance Checklist item 37	No known Master Plan Features within 500 FT.
'D' (Use) Variance Checklist item 39	N/A, no existing wetlands on site.
'D' (Use) Variance Checklist item 40	Gross lot areas are shown in the Bulk Chart. Net buildable lot areas are presumably the entire parcel (no identified environmental constraints).
'D' (Use) Variance Checklist item 44	N/A, no proposed stormwater basins.

Variances/Design Waivers

Use Variance (Lot B) (§142-19F and §142 Attachment 5-1)	Testimony will be provided on D-1 Use Variance relief.
Lot Density Variance (Lot B) (142 Attachment 5-3:4.1)	Testimony will be provided on D-5 Density Variance relief. The maximum density for TC-3 is 132 units. There are 171 constructed units; therefore, the proposed units exceed the total units permitted in TC-3.
Lot Width Variance (Lot A) (§142 Attachment 5-1) – Route 33	TC-3 Commercial Lot Width maximum is equal to the entire building width. Existing Rite Aid building width is 102.6 FT. Proposed 325.4 FT width for Lot A along Route 33.
Lot Width Variance (Lot A) (§142 Attachment 5-1) – Robbinsville-Edinburg Road	TC-3 Commercial Lot Width maximum is equal to the entire building width. Existing Rite Aid building width is 102.6 FT. Proposed 199.4 FT width for Lot A along Robbinsville-Edinburg Road.
Lot Width Variance (Lot A) (§142 Attachment 5-1) – Alley	TC-3 Commercial Lot Width maximum is equal to the entire building width. Existing Rite Aid building width is 102.6 FT. Proposed 281.1 FT width for Lot A along Alley.
Lot Parking Setback from Rear (Lot B) (§142 Attachment 5-4:20)	TC-3 Townhome parking minimum setback from rear of dwelling is 20'. Proposed is 0 FT parking setback from rear for Lot B.
Front Porch Depth Variance (§142 Attachment 5-3:8)	TC-3 Townhome minimum front porch depth is 6 FT. Proposed front porch is less than 6 FT.
Off-Street Parking and Loading Area Coverage – Design Waiver (§142-41.B(1))	Robbinsville Ordinance design standards for off-street parking lots and loading areas maximum 40% of lot area. Proposed 55.3% for Lot A.

Driveway Material – Design Waiver §142 5-4 (Town Center Zoning and Design Regulations)	TC-3 states driveways may be constructed of grass or brick pavers, 2'-wide concrete to wheel tracks, or stone pavers. The Townhomes have proposed asphalt driveways.
Street Trees – Design Waiver (§142-47F.(1)(a))	11 street trees are required. 6 existing street trees and 0 proposed.
Buffers – Residential Development – Design Waiver (§142-47H.(2)(b)[1][a])	50 FT buffer required. Insufficient space to provide buffer.
Buffers – Transportation Rights-Of-Way – Design Waiver (§142-47H.(2)(b)[3][a])	100 FT buffer width required along Route 33. Insufficient space to provide buffer.

DYNAMIC ENGINEERING

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1904 Main Street
Lake Como, NJ 07719
T. 732-974-0198

May 29, 2026
Via FedEx Overnight

Robbinsville Township Land Use Board
2298 Route 33
Robbinsville, NJ 08691

Attn: Tianna Thompson, Land Use Coordinator

RE: Sharbell Building Company, LLC
Proposed Stacked Townhomes
Block 8, Lot 1.18
NJSH Route 33 & Robbinsville-Edinburg Road
Robbinsville Township
Mercer County, NJ
DEC # 0043-25-00798
Application # LU26-01-02

Dear Ms. Thompson,

On behalf of the Applicant, Sharbell Building Company, LLC, this letter shall serve as the formal response to the Township of Robbinsville professional review memorandums towards a Completeness Determination for the above referenced Use Variance and Preliminary and Final Site Plan Application. Enclosed please find the following documents for your review:

- Three (3) copies of the PSE&G Electric Will Serve Letter;
- Three (3) copies of the PSE&G Gas coordination email;
- Three (3) copies of Aqua coordination email;
- Three (3) copies of the Waiver/Variance Justification Form;
- Three (3) copies of the WMP Compliance Letter;
- Three (3) copies of the Architectural Plans;
- Three (3) copies of the NJDOT Letter of No Interest;
- Three (3) copies copy of Community Impact Statement;
- Three (3) copies of Resolution ZB2014-06;
- Three (3) signed and sealed copies of the Potable Water and Sanitary Sewer Engineer's Report, prepared by our office, dated December 2025;

- Three (3) signed and sealed copies of the General Notes (Sheet 3 of 20), prepared by our office, dated 01/02/2026, last revised 05/22/2026;

- Three (3) signed and sealed copies of the Site Plan (Sheet 5 of 20), prepared by our office, dated 01/02/2026, last revised 05/22/2026;

- Three (3) signed and sealed copies of the Landscape Plan (Sheet 9 of 20), prepared by our office, dated 01/02/2026, last revised 05/22/2026; and

- Three (3) signed and sealed copies of the Landscape Notes and Details (Sheet 10 of 20), prepared by our office, dated 01/02/2026, last revised 05/22/2026.

The enclosed documents have been provided to address the comments set forth in the following:

- TRC Review #1, prepared by Stuart Wiser, PP, AICP of ARH Associates, dated 03/23/2026
- Traffic Engineering Review No. 1, prepared by Bruce P. Klein, PE, PTOE of T&M Associates, dated 03/16/2026
- Architectural Review Memorandum, prepared by Steve Leone, AIA, LEED BD+C of Spiezle, dated 03/18/2026
- Sanitary Sewer Review No. 1, prepared by Carmela Roberts, PE, CME of Roberts Engineering Group, LLC, dated 03/16/2026
- Township Board of Health Review Memorandum, dated 03/23/2026
- Township Construction Official Review Memorandum, prepared by Roger Forr, dated 03/20/2026
- Township Affordable Housing Review Memorandum, prepared by Cheressa DiNatale, dated 03/09/2026
- Township Tax Assessor Review Memorandum, prepared by Gary Busa, dated 03/03/2026
- Township Public Works Review Memorandum, prepared by Chris Rupp, dated 03/03/2026
- Township Police Department Review Memorandum, dated 02/27/2026

In order to facilitate your review, below please find an itemized response to the aforementioned review letters:

TRC Review #1, prepared by Stuart Wiser, PP, AICP of ARH Associates, dated 03/23/2026

III. Completeness Review

Enclosed please find a revised Waiver/Variance Request form along with the other necessary submission items to be deemed complete. To address Preliminary Site Plan Checklist #71, the Site Plan (Sheet 5 of 20) has been revised to provide ADA accessible pedestrian routes for the Stacked Townhomes.

List of Required Approvals

- Robbinsville Township – **Application under review**
- Mercer County Planning Board – **Application under review**
- Mercer County Soil Conservation District – **Application under review**

- Utilities
  - PSE&G (Electric & Gas) – **Will Serve Letters enclosed**
  - Aqua (Water) – **Coordination email enclosed**
  - Robbinsville Township WMP (Sanitary) – **Review Letter received; point-by-point response included in this letter**

IV. Planning Analysis

A. Use:

Proposed Lots A & B area located in the TC-4 Zone within the Township's TC Town Center District, which is governed by §142-19F and 142 Attachment 5-1.

Proposed Lot A consists of Retail and Office uses, which are permitted principal uses within the TC-4 Zone. Proposed Lot B consists of proposed Stacked Townhouses, which are not permitted uses in the TC-4 Zone. 'd-1' (use) Variance relief is therefore required.

Testimony will be provided at the Land Use Board hearing.

B. Area and Bulk Standards (§142 Attachment 5-1, unless otherwise noted)

The General Notes (Sheet 3 of 20) and Bulk Chart on the Site Plan (Sheet 5 of 20) have been revised to address the area and bulk standards.

C. Additional Planning Comments

1. *Per §142-Attachment 5-3:5: A minimum of 50% of dwelling units, except apartments, shall have a front entrance articulated with a covered front entry porch. Front porches shall generally be located on the front of the dwelling facing the sidewalk, but may occasionally be located on the side wall of a dwelling. The size of front entry porches shall be a minimum of 6' deep from the front wall of the dwelling to the enclosing porch rail and a minimum of 10' long.*

   Applicant proposes an enclosed front porch less than 6'. Variance relief is required.

   The General Notes (Sheet 3 of 20) have been revised to include Note #10. Variance testimony will be provided at the Land Use Board hearing.

2. *Per §142 5-4 (Town Center Zoning and Design Regulations), driveways may be constructed of grass or brick pavers, 2'-wide concrete to wheel tracks, or stone pavers.*

   Applicant proposes asphalt driveways. Design Waiver relief is required.

   The General Notes (Sheet 3 of 20) have been revised to include Note #12D. Design waiver testimony will be provided at the Land Use Board hearing.

3. *Per §142 5-4 (Town Center Zoning and Design Regulations), Landscaping (142 5-4G. Town Center Zoning and Design Regulations)*

a. *Extensive landscaping shall be required. All areas of a site not occupied by buildings, parking lots, other improvements, or textured paving shall be intensively planted with trees, shrubs, hedges, ground covers, and/or grasses, unless such area consists of attractive existing vegetation to be retained. Perennials and annuals are encouraged.*

   Applicant is asked to provide additional landscaping at the newly expanded island to the rear of the Townhomes.

   Additional landscaping will be provided as a condition of approval.

b. *Landscaping plans shall be prepared by a certified professional landscape architect.*

   Applicant is asked to provide landscape plans prepared by a Landscape Architect.

   The enclosed Landscape Plan & Landscape Notes and Details (Sheets 9-10 of 20) are signed by a Licensed Landscape Architect.

4. *Within two years from the time of planting, all dead or dying plants, whether installed new, transplanted, or designated as existing trees to be retained on the plan, shall be replaced by the developer. The developer shall be responsible for the required maintenance and watering during the initial two years. Trees or other vegetation which die after the second year shall be replaced and maintained by the property owners or their agents.*

   Applicant is asked to add a note to the plans reflecting this requirement.

   This note will be added to the plans as a condition of approval.

5. *Plant species. The plant species selected should be hardy for the particular climatic zone in which the development is located and appropriate in terms of function and size. Street trees can be selected by referring to the background section of the Model Subdivision and Site Plan Ordinance. Shrubs and other planting may be selected from those recommended in a standard reference book, such as Shrubs and Vines for American Gardens by Donald Wyman (New York, MacMillan, 1969). Final selection shall be reviewed by the Town Center Subcommittee, and the landscape plan shall be submitted to the Subcommittee for its review and recommendations.*

   Applicant is asked to provide testimony regarding suitability of proposed plant species.

   Testimony will be provided at the Land Use Board hearing.

IV. Engineering Analysis

A. <u>Circulation, Parking & Loading</u>

Applicant is asked to:

1. *Revise the refuse collection circulation plan to demonstrate access to the existing angled trash enclosures as the access drive in front of the enclosure has been modified.*

   The Refuse circulation will be revised as a condition of approval.

2. *Demonstrate compliance with ADA guidelines for the minimum number of ADA stalls for guest parking as it appears none are proposed.*

   The Site Plan (Sheet 5 of 20) has been revised to provide an additional ADA stall.

3. *Provide testimony regarding how the proposed townhouse development will affect loading operations for the future adjacent uses.*

   Testimony will be provided at the Land Use Board hearing.

B. *Site Layout, Grading, & Drainage*

Applicant is asked to:

1. *Clarify the limits of the project in conjunction with the future adjacent improvements on the plan. It is unclear where this boundary line exists as the Demolition Plan, shaded areas on the Site Plan, and the limit of disturbance on the SESC Plan appear to conflict.*

   Testimony will be provided at the Land Use Board hearing regarding clearing limits. The Demolition Plan will be revised as a condition of approval.

2. *Confirm the mill and overlay limits on the Plan as it appears to only be a small section of pavement south of the townhouses. Will the rest of the pavement area to the south and to the west of the townhouses be repaved?*

   Full depth pavement will be constructed in the access drive for the townhouses. Mill and overlay is only proposed for a small section at the south of the townhouses. Please see the Pavement Legend on the Site Plan (Sheet 5 of 20).

3. *Provide the following dimensions on the Site Plan:*

   a. *Building edge to side and rear lot lines.*
   b. *Townhouse buildings (overall dimensions and square footage).*
   c. *Bump-outs at the front of building. Please label.*

   The Site Plan (Sheet 5 of 20) has been revised to provide the above dimensions.

4. *Provide additional curb spot elevations throughout the site and more retaining wall spot elevations.*

   The Grading Plan (Sheet 6 of 20) will be revised as a condition of approval.

5. *Provide flow arrows to depict the directions of runoff at high point elevations.*

The Grading Plan (Sheet 6 of 20) will be revised as a condition of approval.

6. *Revise the proposed 132' elevation contour at the southerly entrance of the site.*

   The Grading Plan (Sheet 6 of 20) will be revised as a condition of approval.

7. *Revise the Plans for the existing 15" storm RCP in the vicinity of the existing drive thru area to be removed, not cut and capped. Proposed drainage plan shall not label existing inverts of pipes that are to be removed.*

   The Drainage Plan (Sheet 7 of 20) will be revised as a condition of approval.

8. *Reanalyze pipe capacity calculations and inlet area map to account for existing storm structures to be affected.*

   Pipe capacity will be reanalyzed as a condition of approval.

9. *Provide a detail for proposed utility crossings with limits of the encasement depicted on the Plans as there are proposed utility crossings with a separation from the bottom of the sewer to the top of the storm pipe as shallow as 0.58'.*

   Limits of concrete encasement will be provided on the plans as a condition of approval.

C. *<u>Miscellaneous Engineering Comments</u>*

1. *Applicant is asked to provide the height of the base of the ground sign and the anticipated graphic.*

   The sign height will be provided as a condition of approval. The proposed sign will conform with the ordinance.

2. *It shall be noted that a PE will need to certify the design for any of the retaining walls proposed on site that are over 30" in height prior to construction.*

   Structural design calculations will be submitted to the Building Department prior to construction.

3. *Applicant is asked to provide details of the following:*

   a. *Stamped asphalt*
   b. *Stop Bar*
   c. *'No Left Turn' Sign*
   d. *Steps and Railing*

   The above construction details will be provided as a condition of approval.

V. Variances and Design Waivers

A. Applicant requires Variance relief under N.J.S.A. 40:55D-70(d)(1) (commonly referred to as a 'Use' variance) for a use or structure not permitted in the Zone.

Information. No response required.

B. *Applicant requires relief under N.J.S.A. 40:55D-70(c) (commonly referred to as a 'Bulk' variance) for:*

i. *Maximum Lot Width (Lot A: Rt. 33, Robbinsville - Edinburg Rd. & Alley);*
ii. *Min. Setback from Rear of Dwelling; (Lot B); and*
iii. *Minimum Front Porch Depth (Lot B).*

Information. No response required.

C. *Applicant requires Design Waiver(s) for Driveway Material (Lot B).*

Information. No response required.

D. Pending clarification of the issues raised in this report, additional relief may be required.

While the law requires specific justifications for each of the several types of Variances permitted under N.J.S.A. 40:55D-70, the following general guidance is offered. The Board attorney will provide direction to Board members prior to its deliberations on this Application:

In order for a Board to grant a variance, an Applicant must demonstrate, to the Board's satisfaction, that: (1) such action will relieve peculiar and exceptional practical difficulties or exceptional and undue hardship upon the developer of the subject property resulting from the strict application of the zoning ordinance (typically known as a Hardship Variance); OR (2) that granting a variance to allow departure from the zoning ordinance would advance one of the purposes of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq. [MLUL]) and that the benefits of the deviation would substantially outweigh any detriment (typically known as the Special Reasons). Collectively, these are known as the Positive Criteria.

An Applicant must also demonstrate, to the Board's satisfaction, that such variance can be granted without substantial detriment to the public good. This is known as the Negative Criteria.

Both the Positive Criteria and Negative Criteria must be satisfied in order for the Board to grant Variance relief. The grant of a 'd' Variance requires 5 affirmative votes. The grant of a 'c' Variance requires a majority vote of the members present.

For 'd' relief, Applicant must further demonstrate, to the Board's satisfaction, that the site is particularly well-suited to the use / structure proposed.

The MLUL defines "peculiar and exceptional practical difficulties" and "exceptional and undue hardship" as:

a. *[where] by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation… would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property…[N.J.S.A. 40:55D-70c(1)]*

Under N.J.S.A. 40:55D-2, the MLUL enumerates as its purposes:

a. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;
b. To secure safety from fire, flood, panic and other natural and man-made disasters;
c. To provide adequate light, air and open space;
d. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the County and the State as a whole;
e. To promote the establishment of appropriate population densities and concentrations that will contribute to the well being of persons, neighborhoods, communities and regions and preservation of the environment;
f. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;
g. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
h. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;
i. To promote a desirable visual environment through creative development techniques and good civic design and arrangement;
j. To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land;
k. To encourage planned unit developments which incorporate the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development to the particular site;
l. To encourage senior citizen community housing construction;
m. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
n. To promote utilization of renewable energy resources;
o. To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.
p. To enable municipalities the flexibility to offer alternatives to traditional development, through the use of equitable and effective planning tools including clustering,

transferring development rights, and lot-size averaging in order to concentrate development in areas where growth can best be accommodated and maximized while preserving agricultural lands, open space, and historic sites; and

q. *To ensure that the development of individual municipalities does not unnecessarily encroach upon military facilities or negatively impact the operation of military facilities, and to those ends, to encourage municipalities to collaborate with military facility commanders in planning and implementing appropriate land use controls, thereby improving the vitality of military facilities and protecting against their loss through the Base Realignment and Closure process or mission loss*

Testimony will be provided at the Land Use Board hearing.

VI. Post Approval Considerations

Should the Board grant the desired approvals for this Application, Applicant, and/or its professionals must, to the extent applicable:

A. *Make all appropriate plan revisions as directed by the Board.*

B. *Contact the Board Secretary to reconcile any outstanding review escrow accounts prior to Final Plan Certification, Signature or the issuance of building permits, as applicable.*

C. *Address all necessary bonds, inspection escrows and related items.*

D. *Provide an estimate of cost for all onsite improvements prepared by a New Jersey Licensed Professional Engineer.*

E. *Submit to the Township Zoning Department and this office evidence (if not already provided) of the following outside agency approvals prior to the Final Plan Certification or Signature:*

1. *Mercer County Planning Board.* **Application under review**
2. *Mercer County Soil Conservation District.* **Application under review**
3. *Robbinsville Township.* **Application under review**
4. *New Jersey Department of Environmental Protection (if required)* **No Application required**
5. *Any others as may be necessary.*

F. *Additionally, Applicant is advised that any damage caused to existing Township-owned facilities (i.e., roadways, utilities, etc.) during construction shall be repaired and/or replaced in kind to the satisfaction of the Township Engineer.*

Acknowledged.

Traffic Engineering Review No. 1, prepared by Bruce P. Klein, PE, PTOE of T&M Associates, dated 03/16/2026

Site Description

The project site is located in the northeast quadrant of the intersection of Route 33 & Robbinsville Edinburg Road in Robbinsville Township, New Jersey. The Applicant is proposing to modify an existing parking area to provide an eight unit stacked townhome building. An existing 14,608 SF Rite Aid pharmacy with drive thru located on the adjacent lot will be retrofitted to provide a 9,141 SF grocery store and 7,679 SF of office. Access to the site, which consists of a right in / right out driveway to NJ Route 33, a left and right in / right out driveway to Robbinsville Edinburg Road, and an interconnection to Union Street are proposed to remain unchanged. Parking is provided via a combination of surface parking spaces and garage / driveway combinations.

Information. No response required.

Traffic Impact

1. *A Traffic Impact and Parking Assessment which does not include a Level of Service Analysis has been provided in lieu of a formal Traffic Impact Study. The traffic assessment concludes that the proposed development would generate no more than 55 new trips during any peak hour compared to the existing site. According to the ITE Manual of Transportation Engineering Studies, 3rd Edition, a formal Traffic Impact Study is typically recommended only for projects expected to generate 100 or more new peak-hour trips. Based on this guidance, a full Traffic Impact Study is not warranted for the proposed development. No further action is required.*

   Information. No response required.

2. *Trip generation for the proposed Townhomes, Italian Market, and Office space has been calculated using data published by the NJDOT Highway Access Permit System (HAPS) for Land Use Codes (LUC) 220 – Multifamily Housing (Low-Rise), LUC 850 – Supermarket, and LUC Y52 – General Office Building respectively. It is noted that these NJDOT land use codes appear to accurately describe the various components of the proposed site.*

   Information. No response required.

3. *Table 2 of the Traffic Impact and Parking Assessment provides a trip generation comparison of the existing Rite Aid use to the proposed mixed-use development and concludes that the proposed changes will fall below the NJDOT threshold of 100 peak hour trips, with a net decrease of 56 trips during the AM peak hour, a net decrease of 12 trips during the PM peak hour, and a net increase of 55 trips during the SAT peak hour. The following items relating to trip generation shall be addressed:*

   a. *Table 2 shall be revised to addresses any mathematical errors present, such as the calculated net increase in the PM peak hour.*

      The Traffic Impact Assessment will be revised as a condition of approval.

   b. *Testimony shall be provided confirming that use of ITE 12th Edition trip generation rates as detailed above do not change the conclusions made in the traffic assessment.*

      Traffic testimony will be provided at the Land Use Board hearing.

4. *The Traffic Impact and Parking Assessment states that an NJDOT Letter of No Interest (LONI) has been obtained for the proposed site changes. A copy of the LONI shall be provided to the Township for record.*

   The NJDOT Letter of No Interest is enclosed for record.

Parking and Loading

5. *A total of 68 parking spaces minimum and 88 parking spaces maximum are required for the proposed project. The governing parking space requirement calculations are provided below for reference:*

   Per Section 142 Attachment 5-1 Town Center Zoning and Design Regulations, Section F:
   Townhouse: 1 garage space per first bedroom, plus 1 space for more than 1 bedroom
   Retail: Minimum 1 space per 350 sf, Maximum 1 space per 250 sf
   Office: Minimum 1 space per 350 sf, Maximum 1 space per 250 sf

   The proposed development consists of 8 stacked townhouses, 9,141 sf of retail space (Italian Market), and 7,679 sf of office space for a resulting parking requirement of:

   8 Townhouses = 16 spaces (8 garages & 8 surface spaces)
   9,141 sf retail space = 26 spaces minimum, 37 spaces maximum
   7,679 sf office space = 22 spaces minimum, 31 spaces maximum

   Total Parking Required = 64 spaces (minimum); 84 surface spaces (maximum)

   Parking Provided for Proposed Site
   107 surface parking spaces, 8 private garage spaces, and 8 private driveway spaces are provided on the Site Plan for a total of 123 parking spaces. Of this total, 21 spaces are reserved for the existing adjacent residential development, resulting in 102 available parking spaces for the proposed site.

   Parking Summary
   Required: 64 spaces Minimum, 84 spaces Maximum
   Provided (available): 102 spaces

   Based on the above, the minimum parking requirement is satisfied; however the maximum parking requirement is exceeded. We recommend the applicant provide testimony regarding any potential detriment to providing parking in excess of the maximum parking supply permitted.

   The General Notes (Sheet 3 of 20) have been revised to include the maximum parking requirements. Testimony will be provided at the Land Use Board hearing regarding the parking calculations.

6. *A total of 3 (including 1 ADA Accessible) Electric Vehicle (EV) / Make-Ready parking spaces are required for the proposed project. The EV parking space requirement calculations are provided below for reference:*

   Section 40:55D-66.20 of the NJ Revised Statues:
   Townhomes: 15% of the required off-street parking required with 5% of the EV spaces being ADA Accessible

   *16 residential spaces required * 15% = 3 EV spaces required*
   *3 EV spaces required * 5% = 1 ADA Accessible EV space required*

   Total EV Parking Required for Townhouse Component = 3 (including 1 ADA Accessible) EV spaces

   The Site Plan provides 8 EV spaces, all contained within private residential garages for the townhouse component. Please clarify how the ADA Accessible component of the EV parking requirement will be met.

   The garage spaces are ADA accessible and therefore, all proposed EV spaces are ADA accessible. Testimony will be provided at the Land Use Board hearing regarding the ADA component of the EV parking requirement.

7. *A total of 5 ADA Accessible (including 1 Van Accessible) parking spaces are required for the proposed site. The ADA parking space requirement calculations are provided below for reference:*

   Section 208.2 and 208.2.4 of the 2010 ADA Standards for Accessible Design:
   5 spaces where 101 to 150 off-street parking spaces are provided, with 1 out of every 6 spaces being Van Accessible
   107 common area spaces provided = 5 ADA Accessible spaces required
   *5 ADA spaces required * (1/6) = 1 Van Accessible space required*

   Total ADA Parking Required = 5 ADA Accessible (including 1 Van Accessible) spaces
   The Site Plan provides 4 ADA spaces (4 Van Accessible) which does not satisfy this requirement. The Site Plan shall be revised to include 1 additional ADA Accessible parking space within the common parking areas.

   The Site Plan (Sheet 5 of 20) has been revised to provide one (1) additional ADA stall at the proposed access aisle between the commercial building and stacked townhomes.

Site Plan (Townhouse Component Only)

8. *W11-2 A R3-2 "NO LEFT-TURN" sign shall be installed beneath the "STOP" sign located at the Site Driveway egress approach to support the right-only egress access scheme.*

   The Site Plan (Sheet 5 of 20) has been revised to include a No Left Turn Sign under the Stop Sign.

9. *Per Section 2A.05 of the MUTCD, "DO NOT ENTER" signs should not be mounted to the back of a "STOP" sign, as this obscures the distinct stop sign shape. The "DO NOT ENTER" and "STOP" signs located along the one-way aisle shall be installed on two separate posts.*

   The Site Plan (Sheet 5 of 20) has been revised to provide the signs on two separate posts.

10. *It is recommended that signage be installed to reserve the four guest parking spaces, as these spaces are located within the common parking area.*

    The Site Plan (Sheet 5 of 20) has been revised with Guest Parking Signs.

11. *The proposed T-intersection located immediately north of the Site Driveway shall be configured to reflect existing conditions. This includes reconstructing the existing curb extension to direct ingress traffic left towards the new access aisle along the southern end of the site and restriping a dashed double yellow centerline along the left-turn movement.*

    The Site Plan (Sheet 5 of 20) has been revised to reconfigure the T-intersection curbline to match the existing T-intersection further north (that is removed as a result of this application).

12. *The site plan provides a 6' wide crosswalk west of the proposed steps to the front of the residential building. ADA accessible ramps and appropriate pedestrian warning signage shall be provided for the crossing.*

    The Site Plan (Sheet 5 of 20) has been revised with ADA accessible ramps and pedestrian warning signs.

13. *An ADA-compliant accessible route shall be provided between the residential units and the common-area guest parking spaces along the southern end of the site. The proposed staircase north of the guest parking spaces does not meet ADA requirements and cannot serve as part of the accessible route. The sidewalk layout shall be revised to ensure a continuous ADA compliant accessible path is maintained.*

    The Site Plan (Sheet 5 of 20) has been revised with ADA accessible ramps from the guest parking spaces to the townhouses.

Access and Circulation

14. *An intersection sight distance triangle shall be shown at the Site Driveway in accordance with the NJDOT Roadway Design Manual (Figure 6-A) requirements, based on a 50-MPH design speed and a passenger car design vehicle.*

    The Site Plan (Sheet 5 of 20) has been revised to include a 530 ft sight triangle.

15. *Design Vehicle Circulation Plans have been provided for a garbage truck and fire truck. The following shall be addressed:*

    a. *Garbage Truck – Please provide testimony clarifying if the residential units will utilize the dumpsters located on site or if garbage collection for the residential units will be via some other means.*

       Testimony will be provided at the Land Use Board hearing regarding garbage collection for the townhouses. Curb side pickup will be utilized by all eight units.

    b. *Fire Truck – We defer to the local Fire Department for further comment on Fire Truck access and circulation requirements.*

       Information. No response required.

    c. *Delivery Truck (SU-40 or largest anticipated) – Provide an additional circulation plan which shows a delivery vehicle entering the site, accessing the designated loading area(s), and exiting the site in one continuous movement. Loading operations shall not be permitted within access aisles*

       A delivery truck circulation plan will be provided as a condition of approval.

Transportation Improvement Plan (TIP) Fee for Route 130 & Voelbel Road

16. *The Applicant is required to pay a fair share contribution (TIP fee) for roadway improvements in accordance with Section 142-90.C.2.a.3 of the Municipal Code. The calculation is based on the following:*

    a. *Add the total proposed Site Generated peak hour traffic for AM, PM, & Weekend trips*
    b. *Multiply the total trips by the anticipated percent distribution of traffic utilizing the intersection of Route 130 & Voelbel Road*
    c. *Multiply the resultant number of trips by 2025 base fee of $731.31, then adjust this fee as appropriate for the current year based on the "rate of interest charged on judgments docketed with the Superior Court of New Jersey", which is established as 4.5% for 2026.*

       The TIP fee calculation is as follows:

       TIP Fee = (0 AM + 0 PM + 55 SAT "new" trips) x 20% distribution x ($731.31 x 1.045 rate of interest)

       TIP Fee = $8,406.41

    In connection with the prior approvals for the TC-3 Commercial Corner in Town Center, the applicant has made a significant improvement to the Route 33 and Route 526 intersection including signal improvements, turn lane extensions and road widening, all at the applicant's sole expense, which was in excess of $800,000 in hard costs. Additionally, the applicant made payments for off-tact improvements which were memorialized in the approval Resolutions and Developers Agreement for the former Rite Aid development application. Thus, the applicant believes that the above improvements and payments satisfy the applicant's offsite traffic contribution.

Architectural Review Memorandum, prepared by Steve Leone, AIA, LEED BD+C of Spiezle, dated 03/18/2026

Architectural Design

1. *The Applicant is proposing a new mixed-use development as noted. The following comments should be addressed:*

   a. *Applicant is asked to provide full notations of each and all elevations as no such information has been provided. Notations shall clearly and fully describe the exterior materials in type, texture, color, etc. No colors are noted on the material schedule. Applicant shall submit an exterior finish sample board for visual confirmation of actual colors and textures.*

      See enclosed architectural plans. Notes have been added to the elevation noting materials. Exterior finishes have been provided.

   b. *No gutters or leaders are illustrated on the elevations. Applicant shall fully illustrate and note material and color.*

      See enclosed architectural plans. Gutters and leaders will be provided for resolution compliance.

   c. *Elevations appear to illustrate building mounted lighting. Applicant shall note and clarify if there is any such lighting and provide product specification. This shall also be coordinated with site/civil engineering drawings. No such lighting is indicated on those drawings.*

      See enclosed architectural plans. Accent lighting cut sheet has been provided.

   d. *Elevations illustrate horizontal bands or water table. Applicant shall identify material and color.*

      See enclosed architectural plans. A Note has been added.

   e. *There is a projection on the West elevation that is not identified in terms of function, material, or color. Projection also appears on the site/civil drawings but not identified on those documents either. Projection appears to have different proportions on those drawings. Applicant shall reconcile.*

      See enclosed architectural plans. Proportions have been resolved. The function is a sprinkler closet. Testimony will be provided.

   f. *Garage assignments on drawing A-02 appear to be mislabeled with regard to corresponding living unit. Applicant shall reconcile.*

      See enclosed architectural plans. The Garage note was revised.

2. *Applicant shall identify type of HVAC systems to be utilized and their impact on building facades and/or roofs. If through wall units are anticipated, intake and exhaust locations and grilles are to be illustrated and detailed.*

HVAC systems and air handlers will be installed in the interior mechanical closets/attic spaces for the individual Stacked Townhouse units. The condensers for the individual units will be ground mounted around the perimeter of the building and buffered with landscaping.

3. *Applicant shall confirm whether or not roof mounted and/or ground mounted equipment will be present and visible to the general public. If so, Applicant shall provide appropriate screening.*

   Individual HVAC systems and air handlers will be installed in the interior mechanical closets/attic spaces for the individual Stacked Townhouse units. The condensers for the individual units will be ground mounted around the perimeter of the building and buffered with landscaping.

4. *We noted that the civil drawings a modular block retaining wall. Applicant shall identify material texture and color. Wall shall integrate aesthetically with building facades.*

   Testimony will be provided at the Land Use Board hearing. The Site Plan Details will be revised to notate the texture and color of the retaining wall as a condition of approval.

5. *No signage information or details have been provided. Applicant shall submit all proposed signs coordinated with the sign table provided on the site/civil drawings.*

   The applicant has removed the proposed 8' x 6' monument sign from the application.

6. *Site/civil lighting plan illustrates a significant amount of light level spillage across property lines. Applicant shall reconcile to limit such spillage to be below 1.0 footcandles.*

   The Lighting Plan (Sheet 11 of 20) will be revised to shield light fixtures to limit spillage below 1.0 FC as a condition of approval.

7. *Applicant shall identify how trash disposal will be addressed. If there is an external trash holding area, Applicant shall identify on the drawings.*

   Testimony will be provided at the Land Use Board hearing regarding garbage collection for the townhouses. Curb side pickup will be utilized by all eight units.

Sanitary Sewer Review No. 1, prepared by Carmela Roberts, PE, CME of Roberts Engineering Group, LLC, dated 03/16/2026

Site Plans and General Comments

1. *Lot 1.18, Block 8 is located entirely within the sewer service area.*

   Information. No response required.

2. *The subject property is located on the corner of New Jersey Route 33 and Robbinsville-Edinburg Road. Township records indicate that a 12-inch diameter gravity sewer main runs northeast along Robbinsville Edinburg Road. An 8-inch diameter gravity sewer main is also*

shown running northeast along an alley between NJ Route 33 and Union Street, at the northeast corner of the site.

Information. No response required.

3. *The existing one-story masonry building will remain and will continue to be served by the existing sanitary sewer lateral.*

   a. *The grading plan shows an increase in grade elevation at the location of the existing sanitary cleanout. The existing cleanout frame and cover will need to be reset to the proposed grade. The existing cleanout frame and cover can be reused if they are in good condition and if they meet the Township Standard as shown in the detail entitled "Cleanout Access Frame and Cover", included on the Construction Details sheet.*

      Comment is related to the Administrative Approval for the Rite Aid conversion and will be addressed under that application.

   b. *The exact location of the existing lateral and cleanout should be field verified prior to the start of construction to avoid any conflicts and ensure its protection. Construction of the proposed storm piping should be performed with appropriate caution to prevent damage to the existing sanitary sewer lateral.*

      Comment is related to the Administrative Approval for the Rite Aid conversion and will be addressed under that application.

   c. *There is proposed a 12" PVC storm pipe conveying storm runoff from Proposed Lot B which crosses over the existing sanitary sewer lateral near the cleanout. Please confirm that there is no piping conflict between existing sanitary lateral/cleanout and proposed storm piping after field verifying the existing conditions.*

      Comment is related to the Administrative Approval for the Rite Aid conversion and will be addressed under that application.

4. *The plans show an "Existing 6" - 8" Stub (To Be Field Verified)". This existing sewer pipe stub is an 8" diameter pipe, not 6". Please update the note on the plans.*

   The Utility Plan (Sheet 8 of 20) will be revised as a condition of approval.

5. *The Contractor shall inspect and confirm the exact location and extents of the 8" diameter stub prior to the start of construction.*

   The Utility Plan (Sheet 8 of 20) will be revised to include this note as a condition of approval.

6. *The four (4) buildings on Proposed Lot B are served by a shared lateral, which is not acceptable. Per Robbinsville Township sewer code, each connection unit on each improved property shall be connected separately and independently with a sewer through a building sewer. Grouping more than one connection unit on one building sewer is not allowable by code. The minimum diameter of sewer pipe shall be 8". The design must be revised to extend*

an 8" sanitary sewer into Proposed Lot B so that each building lateral is individually connected. A terminal manhole shall be provided upstream from the lateral connections.

The applicant proposes to serve the four stacked townhouse buildings with shared laterals, consisting of one shared lateral for every two units. This approach is consistent with the design utilized in the Preston Pointe stacked townhouse community on Gordon Road. The applicant will review this design detail with Roberts Engineering to ensure compliance with Township standards.

7. *Sanitary cleanouts are proposed near the foundation of each building. There shall also be a cleanout provided behind the curb line, in accordance with the Robbinsville Township standard detail entitled Service Lateral Connection Detail, as included on the Construction Details.*

   The Utility Plan (Sheet 8 of 20) will be revised to include cleanouts behind the curb line as a condition of approval.

8. *Please note that the square footage listed in the cover letter for this application does not match the square footage shown on the plans and reports. Also, the Engineer's Report has different values for the existing and proposed square footage. Please update the square footage so that it is consistent in all documents.*

   The square footage will be revised to be consistent throughout all submission documents as a condition of approval.

9. *As per N.J.A.C. 7:14A-23.3(a), the total average daily sewage flow for this project will be 5,228.20 gallons per day (GPD) flow criteria as follows:*

   a. *<u>Existing Retail Building – 14,462 SF</u>*
      Stores and Shopping Centers (gross area) = 0.10 GPD/SF
      14,462 SF x 0.10 GPD/SF = 1,446.20 GPD

      Total Existing Sanitary Sewer Flow = 1,446.20 GP

   b. *<u>Proposed Stacked Townhouse (8 dwellings)</u>*
      2 Bedroom Unit = 225 GPD per Dwelling
      3 Bedroom Unit = 300 GPD per Dwelling
      4 – 2-Bedroom Units x 225 GPD/Dwelling = 900.00 GPD
      4 – 3-Bedroom Unit x 300 GPD/Dwelling = 1,200.00 GPD
      Townhouse Buildings Total Flow = 2,100.00 GPD

      <u>Proposed Italian Market – 9,141 SF</u>
      Stores and Shopping Centers (gross area) = 0.10 GPD/SF
      9,141 SF x 0.10 GPD/SF = 914.10 GPD

      <u>Proposed Real Estate Office – 7,679 SF</u>
      Office Buildings (gross area) = 0.10 GPD/SF
      7,679 SF x 0.10 GPD/SF = 767.90 GPD
      Total Projected Sanitary Sewer Flow = 3,782.00 GPD

Information. No response required.

10. *Per N.J.A.C. 7:14A-22.3, an NJDEP Treatment Works Approval (TWA) Permit is required if the project involves a gravity or pumped connection serving more than two buildings. The proposed stacked townhouses will add four (4) new sewer lateral connections for the eight (8) residential dwellings. Therefore, this project will require a TWA Permit*

    Coordination with the Township Sanitary Sewer Reviewer is ongoing. A TWA is not required for this application.

11. *As per Township Code, Chapter 109-12B (1), a Sanitary Sewer Connection Fee will be required for this site. Rates in effect at the time of connection will apply.*

    We are unable to calculate the full amount of the sewer connection fee because the expected number of employees for the proposed Keller Williams office building has not been provided. This information is necessary to determine the sewer connection fee in accordance with the Township's fee schedule. Please provide the expected number of employees for the proposed Keller Williams office building.

    The Sanitary Sewer Connection Fee is based on Township Code, Chapter 109-12B (1) as follows:

    Single Family Dwelling = *$3,030*

    Commercial/Industrial Effluent = *15.11 per gallon of estimated Average daily flow*

    Office
    Up to 5 employees = *$3,030*
    For each additional 5 employees or part thereof = *$3,030*

    A. Proposed Connection Fees:

    1. *<u>8 – Proposed Stacked Townhouse</u>*
       Single Family Dwelling = *$3,030.00*
       8 Units x $3,030.00/dwelling = *$24,240.00*

    2. *Proposed Italian Market*
       Commercial/Industrial Effluent = *$15.11 per gallon*
       914.10 gpd x $15.11/gallon = *$13,812.05*

    3. *<u>Proposed Real Estate Office</u>*
       Office
       Up to 5 employees = *$3,030.00*
       For each additional 5 employees or part thereof = *$3,030.00*
       (Number of Employees/5) x $3,030 = *$?*

       <u>Total Connection Fees for Proposed Buildings = $?</u>

    Connection fees will be calculated in full upon receipt of the employee count.

The applicant believes that credit should be applied for the prior sewer connection fees that were paid for the former Rite Aid use. We would like to discuss this with the Township.

Township Board of Health Review Memorandum, dated 03/23/2026

The Robbinsville Health Department has reviewed the Site Plan application proposal for the above referenced site, and offers the following comments:

1. *The Health Department takes no exception to granting the waiver request for items #24-26 on the Final Site Plan Checklist.*
2. *The Health Department takes no exception to granting the waiver requests for items #26 and #29 on the D Use variance Checklist.*
3. *The Health Department takes no exception to granting the waiver request for items #36 through 42 on the Preliminary Site Plan Checklist.*
4. *The Health Department takes no exception to granting the waiver request for items #24 through 31 on the Minor Subdivision Checklist.*

These comments neither stated nor implied, guarantees the approval of this application and does not relieve the applicant from seeking or gaining any other necessary approvals from other Agencies, Departments or Boards.

Information. No response required.

Township Construction Official Review Memorandum, prepared by Roger Forr, dated 03/20/2026

Apply for permits when approved

Information. No response required.

Township Affordable Housing Review Memorandum, prepared by Cheressa DiNatale, dated 03/09/2026

Pursuant to ordinance 2017-29 section d. Residential developers Fee 1a: Within all residential districts, residential developers, except for develops of the types of development specifically exempted below, shall pay a fee of 1.5% of the equalized assessed value for residential development provided no increased density is permitted. Each new lot would be assessed this residential fee.

The applicant has communicated with the Township that, in lieu of paying the residential development fee for this application, the applicant has increased the number of affordable units to be included in the Springside Lofts affordable housing building by adding two additional units, for a total of 58 units within the building.

Township Tax Assessor Review Memorandum, prepared by Gary Busa, dated 03/03/2026

No comments at this time.

Township Public Works Review Memorandum, prepared by Chris Rupp, dated 03/03/2026

No comment.

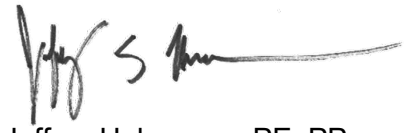
Township Police Department Review Memorandum, dated 02/27/2026

No comments at this time.

Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Sincerely,

DYNAMIC ENGINEERING CONSULTANTS, PC



Jeffrey Haberman, PE, PP



Alec Farrell, PE

Enclosures

cc: Mark Cannuli (via TonicDM)
Frank Petrino (via TonicDM)
Diane Schafer (via TonicDM)
Nick Verderese (via TonicDM)
Jack Raker, Minno and Wasko (via TonicDM)

COMMUNITY IMPACT STATEMENT

Proposed Stacked Townhomes
Block 8, Lot 1.18
Sharbell Building Company, LLC
NJSH Route 33 & Robbinsville-Edinburg Road
Robbinsville Township
Mercer County, NJ
DEC # 0043-25-00798
Application # LU26-01-02

PREPARED BY:
Mark A. Cannuli, AICP/PP
33LI00561300

May 28, 2026

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TRAFFIC IMPACT – (Under separate Cover)

INTRODUCTION

This Community Impact Statement (CIS) was prepared in connection with Sharbell Building Company, LLC's (Sharbell) Preliminary and Final Site Plan, Use Variance and Minor Subdivision Application for the eight (8) "for-sale" stacked townhouses to be contained in one building, with associated site improvements inclusive of parking facilities, landscaping, site utilities, site lighting, and stormwater management facilities in Block 8, Lot 1.18, in the Town Center 3 (TC-3) Zoning District.

The site currently contains an existing temporary asphalt parking lot, which is no longer utilized or needed for overflow parking.

EXECUTIVE SUMMARY

The subject property is located on Highway Route 33 in Robbinsville Township, Mercer County. The property is comprised of one individual tax lot (Block 8, Lot 1.18). The property is located entirely within the Town Center 3 (TC-3) zoning district.

The property is proximate to other major highways, including I-195, I-295, the New Jersey Turnpike, and N.J. State Highway Route 130, which provide north-south and east-west mobility. The U.S. Route 130 corridor serves as a major north/south arterial roadway, funneling commuters from southern to central New Jersey.

The architectural plans currently depict eight (8) stacked townhouses to be contained in one building, including four (4) 2-bedroom and four (4) 3-bedroom units, ranging in size from 1,775 to 2,390 square feet.

POPULATION, SCHOOL IMPACTS AND COMPARATIVE DEMOGRAPHICS

The proposed residential development will have no measurable impact on the Township's population or school enrollment. Based on typical Rutgers Center for Urban Policy Research (CUPR) data, the development is projected to generate only a minor increase of approximately 18.4 residents and an estimated 1.93 school-aged children attending public schools.

FACILITIES AND MAJOR UTILITY IMPACTS

GENERAL

Within the past two decades, the Township has upgraded many of its community facilities to accommodate population and economic growth. Most of these facilities are located within a few miles of the project site.

Between 1984 and the mid 1990's, a Senior Citizen Center and Mercer County Library were constructed at the Municipal Complex on Route 130. In 2001, a modular office structure, which was re-located on Washington Boulevard, to Township property, was initially used as a police sub-station and then later became the temporary offices of the Township tax and finance

department. Since that time, the Municipal Offices including Tax, Finance, Planning, Engineering, Construction, Administration and Clerk's Offices were consolidated into office space at One Washington Boulevard, due in part to the recurring flooding and indoor mold problems at the old municipal building as well as to allow for operating efficiencies. Several years ago, the Township completed construction of the new Municipal Building and moved the Administration, Clerk, Construction, Tax, Law, Finance, Housing, Community Development, Engineering, Planning and Zoning offices to 2298 Route 33. Most recently, the Township relocated again to the former Roma Bank/Investors Bank Building located at 2300 Route 33.

SEWER

Robbinsville Township owns and operates the wastewater collection system in the Township of Robbinsville. All wastewater is treated at the Hamilton Township Water Pollution Control sewage treatment plant through a sewer service agreement with Hamilton Township to accept flows up to 2.5 million gallons per day. The proposed development is located within the Amended 208 Water Quality Management Area.

The total daily sewage flow generated by the proposed development is anticipated as follows:

TYPE OF USE	**QUANTITY**	**ESTIMATED FLOW**	**GPD**
Proposed	**# of Units**	**2BR = 225 GPD 3BR = 300 GPD**	**GPD**
2 BR Unit	4	225	900
3 BR Unit	4	300	1,200

The total sewage flow for the proposed development amounts to approximately 2,100 GPD.

WATER

Aqua New Jersey Water Company is the provider of public water for the project. An existing eight-inch water main located in the rear of the site provides water service for the project.

RECREATIONAL FACILITIES

Robbinsville Township provides a wide range of recreational facilities, programs, and community events through its Recreation & Parks Division, including parks, athletic fields, trails, open space areas, youth sports programs, summer camps, and seasonal community activities. These recreational amenities adequately serve Township residents and contribute to the overall quality of life within the community.

Based upon the limited population increase anticipated from the proposed development, the project is not expected to create any measurable adverse impact upon the Township's existing recreational facilities, parks, open space resources, or community programming. Existing recreational amenities and services are sufficient to accommodate the minor increase in demand generated by the proposed eight stacked townhouse units.

ANTICIPATED FACILITY AND UTILITY IMPACTS

The project is ideally located within close proximity and/or adjacent to existing Township facilities and all necessary major utilities, as well as major transportation corridors. All of the existing Township facilities, major utilities and regional transportation systems are sufficient to support this development.

SERVICES IMPACT

POLICE AND FIRE PROTECTION

The Police Headquarters is now located at 2300 Route 33 in the new municipal Building just ¼ mile west from the project site. An existing Fire House is located within three miles of the site on the east side of Route 130. While a nominal increase in routine patrolling may be needed due to a minimal increase in residential growth, the proximity of the police and fire stations to the project should help limit any measurable impacts on the existing police and fire services.

WASTE DISPOSAL, RECYCLING AND STREET AND PROPERTY MAINTENANCE

Waste disposal and recycling for the proposed eight stacked townhouses within the single multifamily building will be handled by a private disposal company, unless the applicant successfully negotiates a municipal services agreement for such services. In addition, a private company will be responsible for on-site roadway/driveway and property maintenance, including building maintenance, snow removal, and lawn care/grass cutting.

Additionally, the alley and parking area that serves the development will be privately owned and maintained by either the developer or management company, therefore, no impact on the Township resources is anticipated.

FINANCIAL IMPACT

A fiscal impact analysis (See Appendix A) was prepared to evaluate the anticipated tax benefits of the project. This analysis includes an assessment of the anticipated impacts from the increase in municipal services generated by the development of the project.

The respective market values used for the eight (8) "for-sale" stacked townhouses in these comparative analyses are based upon current comparable values in the immediate area. Based on the projections, the annual "Township Surplus" Tax Revenue generated by the proposed Project would be $73,817.25 while the existing development (temporary parking lot) would generate $0.00.

CLOSING SUMMARY

Given the foregoing data and based upon the development patterns established during the past two decades, it is anticipated that the proposed development will be compatible with and complementary to the surrounding development patterns and will further advance the Township's ongoing efforts to complete the remaining vacant and underutilized parcels within the Robbinsville Town Center.

APPENDIX A - COMPARITIVE FISCAL IMPACT ANALYSIS

(TC3StackedTHS.FiscalSpreadsheet.5.12.26)

				EXISTING (PRE) DEVELOPMENT TEMP. PARKING AREA		PROPOSED (POST) DEVELOPMENT 2BR Stacked THs	PROPOSED (POST) DEVELOPMENT 3BR Stacked THs		
Base Density									
				0		**4**	**4**		
Number of Bedrooms/Unit				**0**		**2**	**3**		
School Aged Children per Unit Type				**0.000**	**(4)**	**0.242**	**0.242**	**(4)**	**NET CHANGE**
									# or $
School Aged Children Total				**0.000**		**0.968**	**0.968**		**1.936**
Population per Unit				**0**	**(4)**	**2.343**	**2.343**	**(4)**	
Population Total				**0.0**		**9.372**	**9.372**		**18.744**
Residential Assessed Value				**$0.00**	**(5)**	**$640,000.00**	**$740,000.00**	**(5)**	
Assessed Value - Total				**$0.00**		**$2,560,000.00**	**$2,960,000.00**		**$5,520,000.00**
Adjusted per Equalized Ratio		**100.00%**	**(1)**	**$0.00**		**$2,560,000.00**	**$2,960,000.00**		**$5,520,000.00**
Tax per $100 Equalized Value		**3.488**	**(1)**	**$0.00**		**$89,292.80**	**$103,244.80**		**$192,537.60**
Tax per $100 Equalized Value (w/o County Tax)		**2.576**	**(1)**	**$0.00**		**$65,945.60**	**$76,249.60**		**$142,195.20**
Tax per $100 Equalized Value (only Township Tax)		**$ 0.652**		**$0.00**		**$16,691.20**	**$19,299.20**		**$35,990.40**
Tax per $100 Equalized Value (only County Tax)		**0.912**	**(1)**	**$0.00**		**$23,347.20**	**$26,995.20**		**$50,342.40**
Tax per $100 Equalized Value (only Robbinsville Schools)		**$ 1.924**		**$0.00**		**$49,254.40**	**$56,950.40**		**$106,204.80**
Tax per $100 Equalized Value (County Libray)		**$ 0.074**		**$0.00**		**$1,894.40**	**$2,190.40**		**$4,084.80**
Tax per $100 Equalized Value (County Open Space)		**$ 0.046**		**$0.00**		**$1,177.60**	**$1,361.60**		**$2,539.20**
Total Tax Ratable				**$0.00**		**$2,560,000.00**	**$2,960,000.00**		
Total Product Tax Revenue				**$0.00**		**$89,292.80**	**$103,244.80**		**$192,537.60**
Cost of Public Education		**$ 15,668.00**	**(2)**	**$0.00**		**$15,166.62**	**$15,166.62**		**$30,333.25**
Municipal Services Per Capita		**$ 2,030**	**(3)**	**$0.00**		**$19,022.35**	**$19,022.35**		**$38,044.70**
Total Revenue/Deficit				**$0.00**		**$55,103.83**	**$69,055.83**		**$124,159.65**
Township Revenue/Deficit				**$0.00**		**$31,756.63**	**$42,060.63**		**$73,817.25**

Footnotes:

(1) Robbinsville Townhsip 2025 Tax Rate - https://www.robbinsville-twp.org/departments/property_tax_and_sewer_utility/index.php

(2) Robbinsville Township Board of Education 2023/2024 (Actual Cost per Pupil) --- https://files.smartsites.parentsquare.com/7708/2025-2026_user_friendly_budget.pdf (page 9)

(3) Total 2025 General Appropriations $32,329,062.52 divided by 2024 Total Census Population of 15,928; Data from Robbinsville Township and US Census Bureau - https://ecode360.com/WA0755/document/

(4) Who Lives in NJ Housing, New Jersey Demographic Multipliers, Center for Urban Policy Research, November 2006

(5) Sharbell Estimated Sales Prices

DOWNTOWN ROBBINSVILLE

PROPOSED CONDO BUILDINGS

ROBBINSVILLE, MERCER COUNTY, NEW JERSEY



ILLUSTRATIVE PERSPECTIVE

PROJECT UNIT MIX:

TOTAL PROJECT

2 -BEDROOM	4 DU
3-BEDROOM	4 DU
TOTAL	8 DU



LOCATION MAP

NTS

PROJECT DATA

BLOCK / LOT:	
ZONING DISTRICT:	
LOT AREA:	24,085 SF (0.55ACRES)
BUILDING HEIGHT:	3 STORIES
BUILDING FOOTPRINT:	
DWELLING UNITS:	8 DU
GARAGE PARKING:	8 SP

SHEET INDEX

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A-02 SITE PLAN
A-03 GROUND FLOOR PLAN
A-04 SECOND FLOOR PLAN
A-05 THIRD FLOOR PLAN
A-06 BUILDING ELEVATIONS
A-07 BUILDING ELEVATIONS
A-08 TYPICAL UNIT PLANS
A-09 TYPICAL UNIT PLANS
A-10 LIGHTING CUT SHEET
A-11 MATERIAL BOARD

PLANNING BD. APPROVAL

PRELIMINARY AND FINAL SITE PLAN APPROVAL IS HEREBY GRANTED TO THIS SITE PLAN BY THE PLANNING BOARD OF THE CITY OF ROBBINSVILLE, NEW JERSEY, THIS 16 OF DECEMBER 2025.

Board Chairman

Board Secretary

Board Engineer

STATE OF NEW JERSEY
JACK L. RANDALL
21693
REGISTERED ARCHITECT

PREPARED BY:
MINNO WASKO
ARCHITECTS AND PLANNERS
204 N. UNION STREET, LAMBERTVILLE, NEW JERSEY 08530
GATEWAY TWO, SUITE 1706, NEWARK, NEW JERSEY 07102
MINNOWASKO.COM

DOWNTOWN ROBBINSVILLE
ROBBINSVILLE, MERCER COUNTY, NEW JERSEY

PREPARED FOR:
SHARBELL

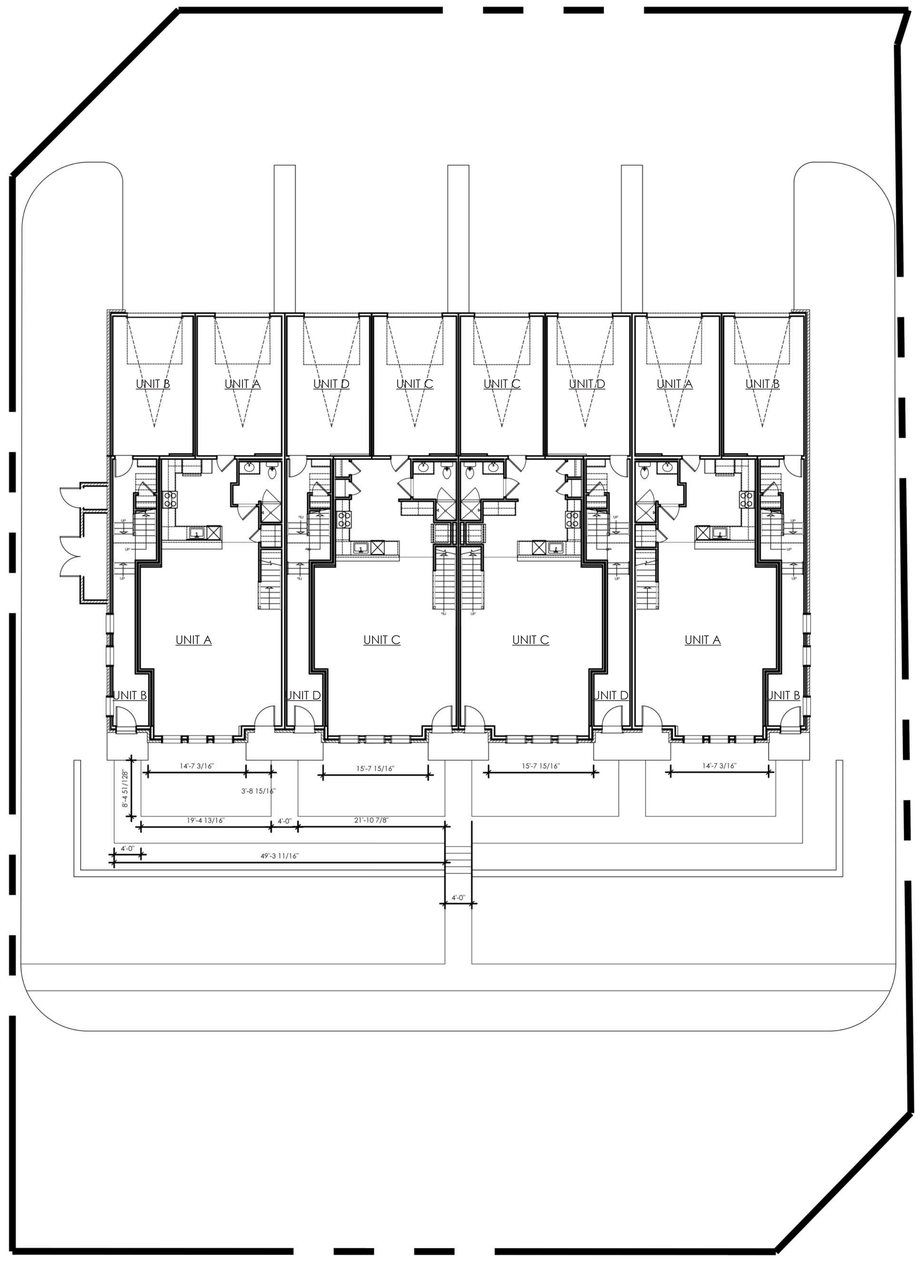
ISSUE:	
DATE:	FOR:
12-16-2025	PRELIM & FINAL SITE PLAN
05-29-2026	PRELIM & FINAL SITE PLAN

C-01

COVER SHEET

17-0829-06

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01 GROUND FLOOR SITE PLAN

SCALE: 3/32" = 1'-0"

UNITS

RESIDENTIAL	
2 BEDROOM:	4 DU 50%
3 BEDROOM:	4 DU 50%
TOTAL:	**8 DU**

PARKING	
GARAGE	8 SP
DRIVEWAY	8 SP
TOTAL:	**16 SP**

STATE OF NEW JERSEY
JACK L. RAKER
21893
REGISTERED ARCHITECT

PREPARED BY:
MINNO WASKO
ARCHITECTS AND PLANNERS
204 N. UNION STREET, LAMBERTVILLE, NEW JERSEY 08530
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DOWNTOWN ROBBINSVILLE
ROBBINSVILLE, MERCER COUNTY, NEW JERSEY

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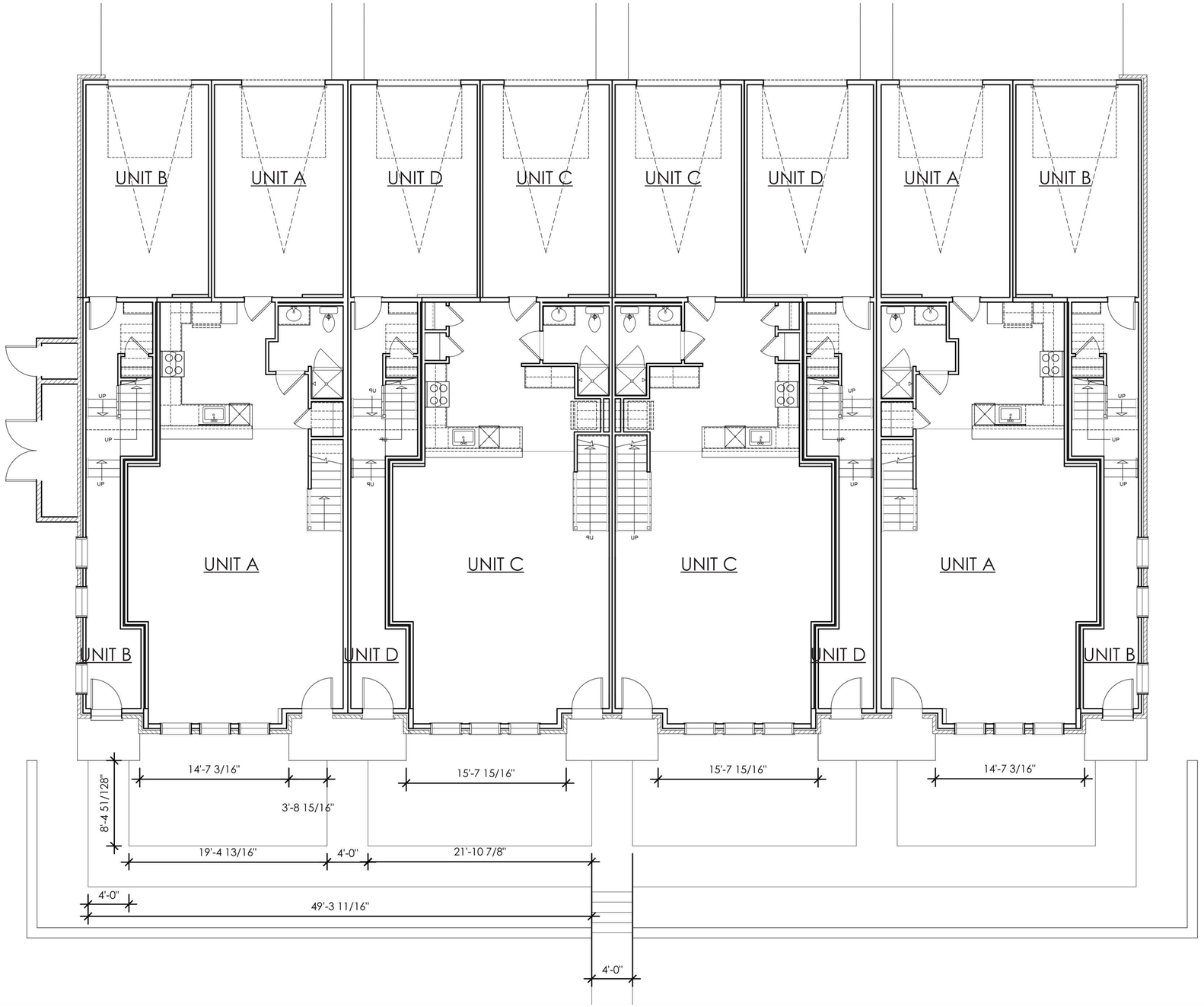
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DATE:	**FOR:**
12-16-2025	PRELIM & FINAL SITE PLAN
05-29-2026	PRELIM & FINAL SITE PLAN

A-02

BUILDING PLAN

17-0829-06

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01 GROUND FLOOR PLAN

SCALE: 3/16" = 1'-0"

STATE OF NEW JERSEY
JACK L. RANSOM
21693
REGISTERED ARCHITECT

PREPARED BY:
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ROBBINSVILLE, MERCER COUNTY, NEW JERSEY

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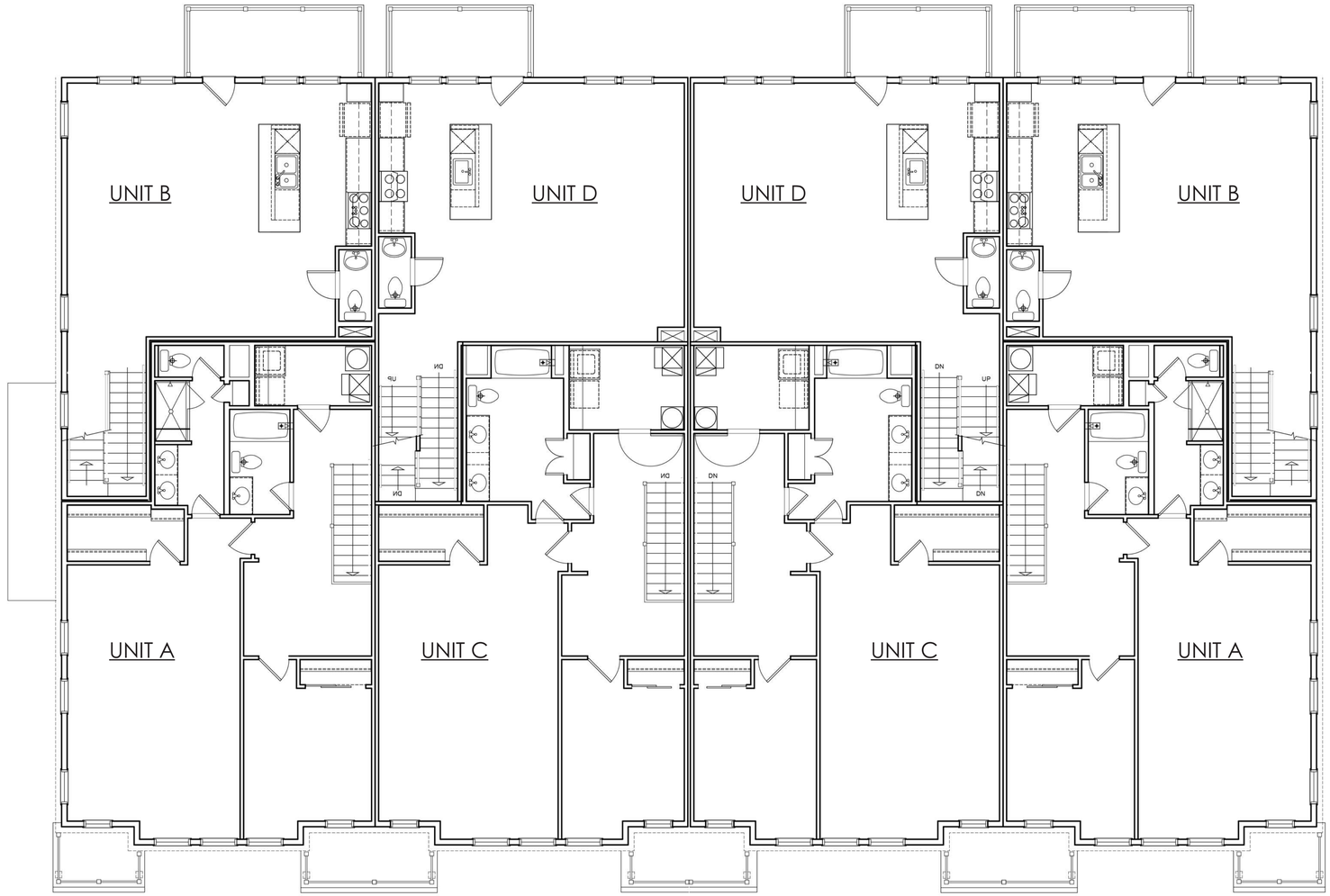
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12-16-2025	PRELIM & FINAL SITE PLAN
05-29-2026	PRELIM & FINAL SITE PLAN

A-03

BUILDING PLAN

17-0829-06

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01 SECOND FLOOR PLAN

SCALE: 3/16" = 1'-0"

STATE OF NEW JERSEY
JACK L. PARKER
21693
REGISTERED ARCHITECT

PREPARED BY:
MINNO WASKO
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DOWNTOWN ROBBINSVILLE

ROBBINSVILLE, MERCER COUNTY, NEW JERSEY

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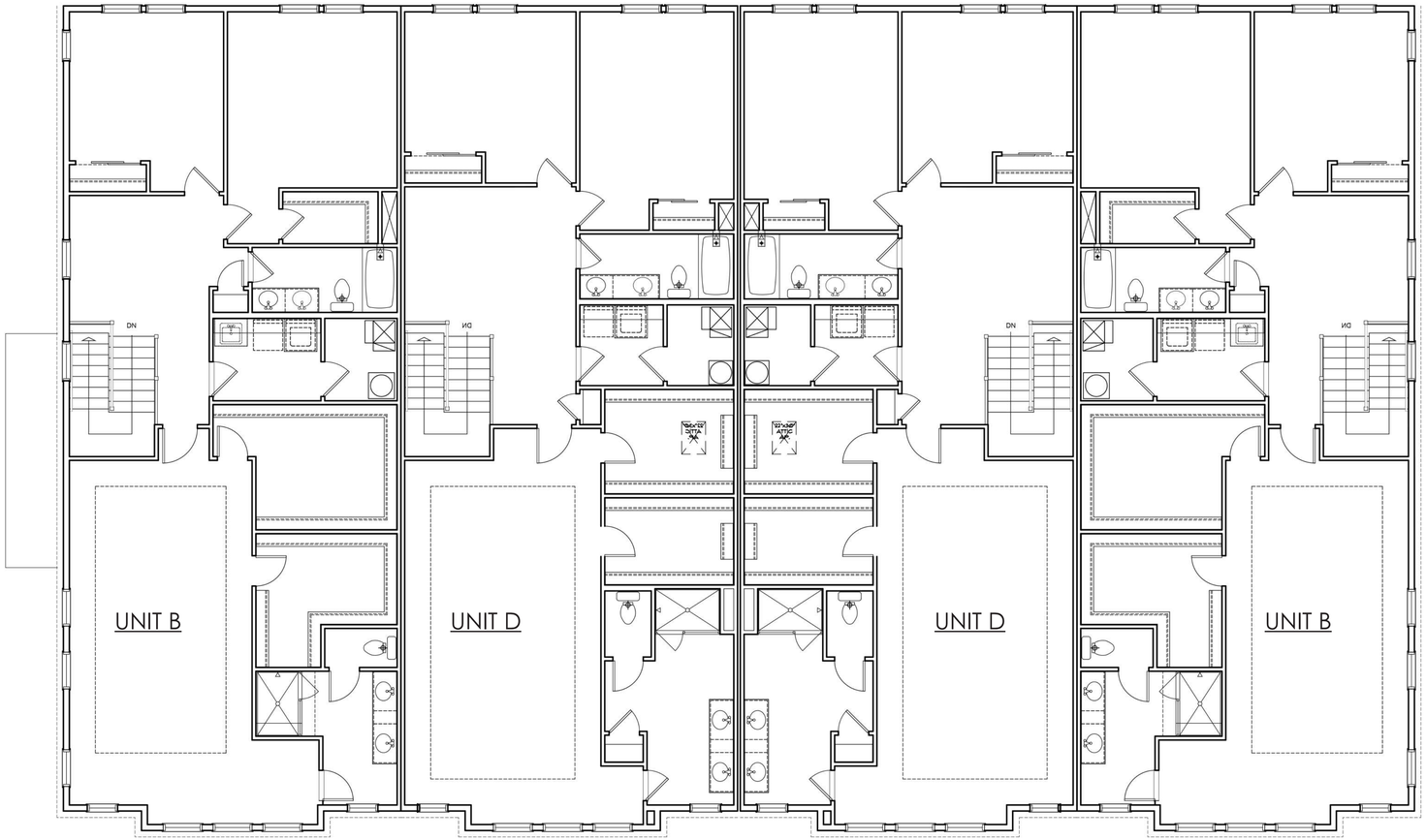
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12-16-2025	PREL|M & FINAL SITE PLAN
05-29-2026	PRELIM & FINAL SITE PLAN

A-04

BUILDING PLAN

17-0829-06

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01 THIRD FLOOR PLAN
SCALE: 3/16" = 1'-0"

STATE OF NEW JERSEY
JACK L. RANSOM
21693
REGISTERED ARCHITECT

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ROBBINSVILLE, MERCER COUNTY, NEW JERSEY

PREPARED FOR:
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ISSUE:	
DATE:	FOR:
12-16-2025	PRELIM & FINAL SITE PLAN
05-29-2026	PRELIM & FINAL SITE PLAN

A-05

BUILDING PLAN

17-0829-06

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02 EAST BUILDING ELEVATION

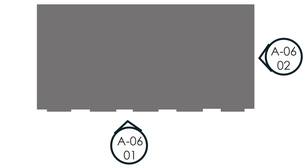
SCALE: 3/16" = 1'-0"



01 SOUTH BUILDING ELEVATION

SCALE: 3/16" = 1'-0"

KEY PLAN:



MATERIALS KEY:

01	BRICK VENEER
02	FIBER CEMENT PANEL 01
03	FIBER CEMENT PANEL 02
04	FIBER CEMENT PANEL 03
05	FIBER CEMENT LAP SIDING
06	ARCHITECTURAL VINYL WINDOW
07	ARCHITECTURAL METAL RAILING
08	ARCHITECTURAL METAL CANOPY
09	ARCHITECTURAL GARAGE DOOR
10	ASPHALT SINGLE

NOTES:

PRODUCTS AND MANUFACTURERS LISTED ARE SUBJECT TO CHANGE AND/OR SUBSTITUTED WITH EQUIVALENT AND COMPATIBLE OPTIONS.

LANDSCAPE BY OTHERS AND SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.

SIGNAGE SHOWN FOR ZONING COMPLIANCE AND APPROVAL ONLY. TEXT MAY CHANGE BASED ON FINAL BRANDING OF THE BUILDING.



PREPARED BY:
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DOWNTOWN ROBBINSVILLE
ROBBINSVILLE, MERCER COUNTY, NEW JERSEY

PREPARED FOR:
SHARBELL

ISSUE:	
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05-29-2026	PRELIM & FINAL SITE PLAN

A-06

BUILDING ELEVATIONS

17-0829-06

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02 WEST BUILDING ELEVATION

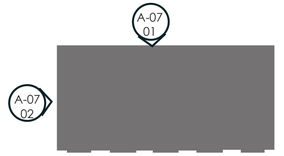
SCALE: 3/16" = 1'-0"



01 NORTH BUILDING ELEVATION

SCALE: 3/16" = 1'-0"

KEY PLAN:



MATERIALS KEY:

01	BRICK VENEER
02	FIBER CEMENT PANEL 01
03	FIBER CEMENT PANEL 02
04	FIBER CEMENT PANEL 03
05	FIBER CEMENT LAP SIDING
06	ARCHITECTURAL VINYL WINDOW
07	ARCHITECTURAL METAL RAILING
08	ARCHITECTURAL METAL CANOPY
09	ARCHITECTURAL GARAGE DOOR
10	ASPHALT SINGLE

NOTES:

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DOWNTOWN ROBBINSVILLE
ROBBINSVILLE, MERCER COUNTY, NEW JERSEY

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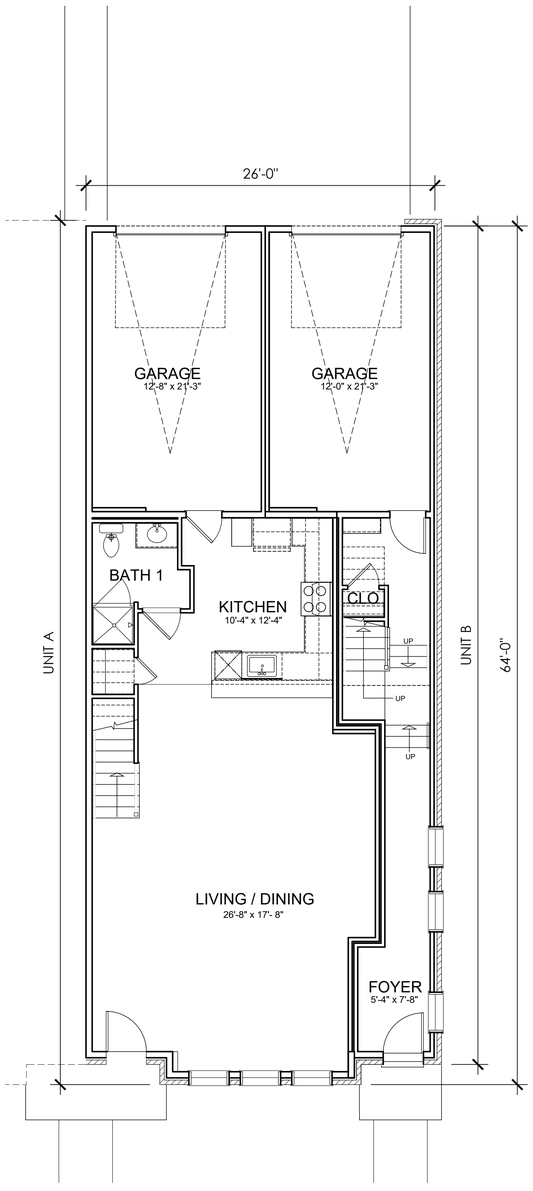
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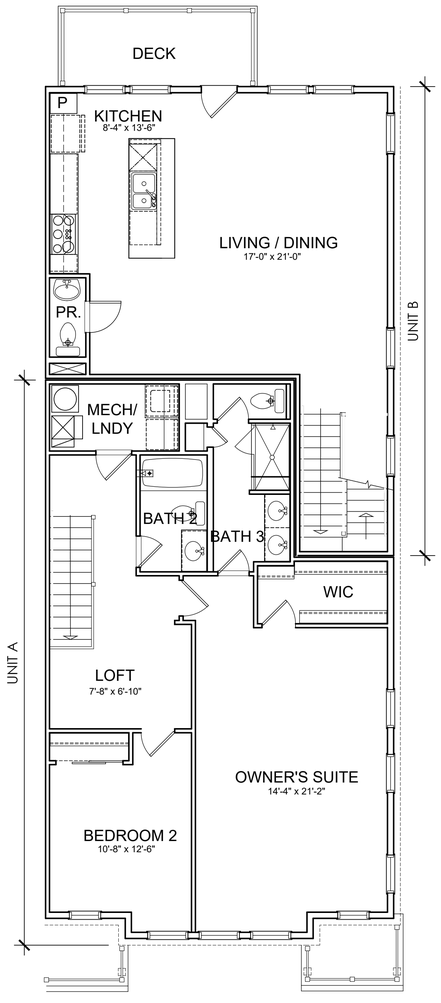
A-07

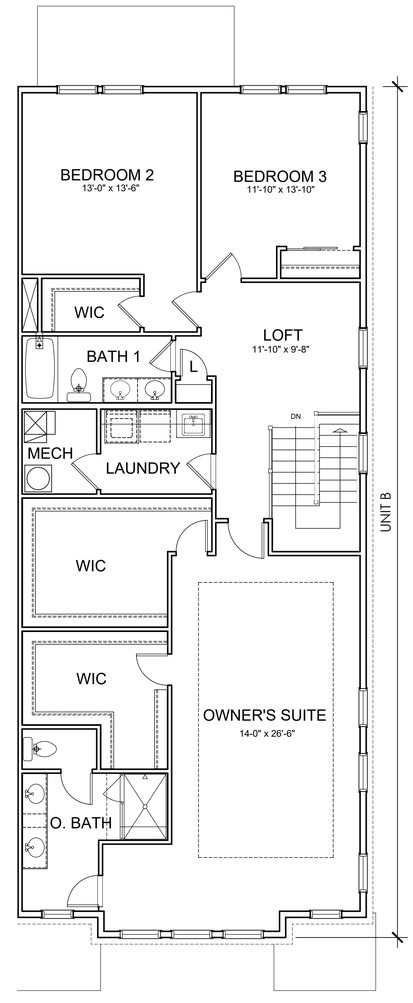
BUILDING ELEVATIONS

17-0829-06

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01 GROUND FLOOR PLAN - A&B
SCALE: 3/16" = 1'-0"

02 SECOND FLOOR PLAN - A&B
SCALE: 3/16" = 1'-0"

03 THIRD FLOOR PLAN - A&B
SCALE: 3/16" = 1'-0"

UNIT A
(1,775 SF)

UNIT B
(2,390 SF)

STATE OF NEW JERSEY
JACK L. RAKER
21893
REGISTERED ARCHITECT

PREPARED BY:
MINNO WASKO
ARCHITECTS AND PLANNERS
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GATEWAY TWO, SUITE 1700, NEWARK, NEW JERSEY 07102
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DOWNTOWN ROBBINSVILLE
ROBBINSVILLE, MERCER COUNTY, NEW JERSEY

PREPARED FOR:
SHARBELL

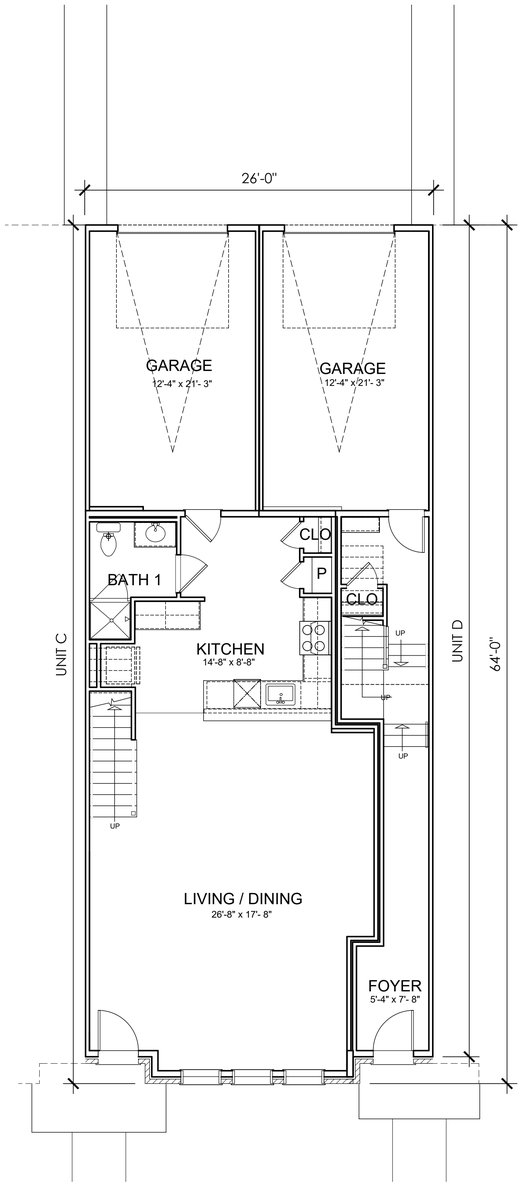
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DATE:	FOR:
12-16-2025	PRELIM & FINAL SITE PLAN
05-29-2026	PRELIM & FINAL SITE PLAN

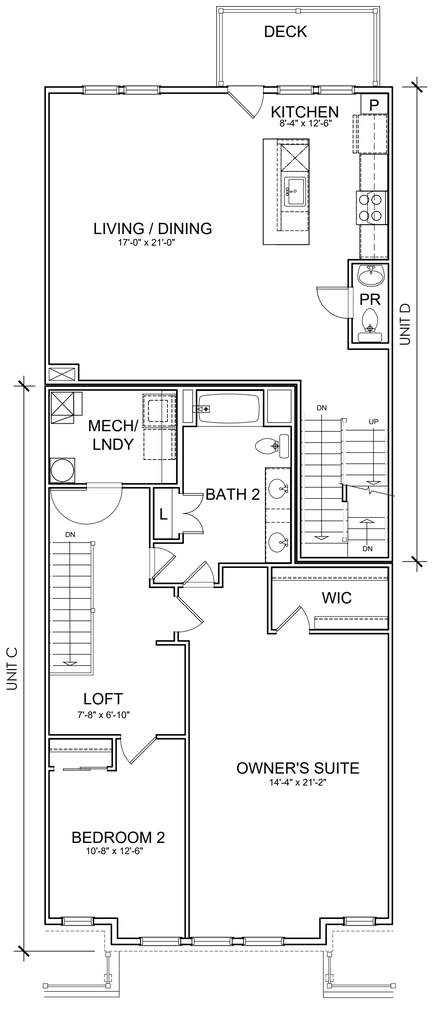
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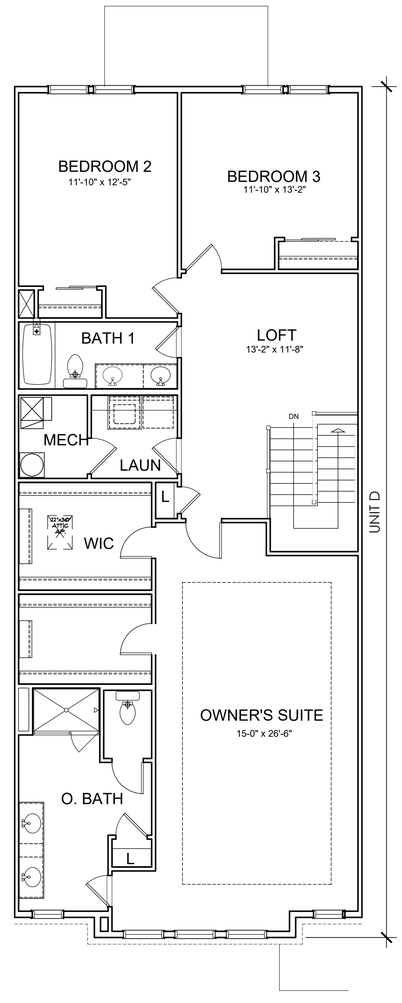
TYPICAL UNIT PLANS

17-0829-06

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01 GROUND FLOOR PLAN - C&D
SCALE: 3/16" = 1'-0"

02 SECOND FLOOR PLAN - C&D
SCALE: 3/16" = 1'-0"

03 THIRD FLOOR PLAN - C&D
SCALE: 3/16" = 1'-0"

UNIT C
(1,775 SF)

UNIT D
(2,390 SF)

STATE OF NEW JERSEY
JACK L. RAKER
21893
REGISTERED ARCHITECT

PREPARED BY:
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DOWNTOWN ROBBINSVILLE
ROBBINSVILLE, MERCER COUNTY, NEW JERSEY

PREPARED FOR:
SHARBELL

ISSUE:	
DATE:	FOR:
12-16-2025	PRELIM & FINAL SITE PLAN
05-29-2026	PRELIM & FINAL SITE PLAN

A-09

TYPICAL UNIT PLANS

17-0829-06

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Windfall LED Outdoor Wall Sconce - OR EQUAL

By: Visual Comfort Modern

LUMENS

Call Us (877) 445-4486

Product Options

Finish: Black
Height: 24 in
Voltage: 120 Volt

Details

- May be mounted vertically or horizontally
- For indoor and outdoor use
- Powder coat finishes
- Impact-resistant, UV stabilized frosted acrylic lensing

Dimensions

24 in Option Fixture; Width 6", Height 24", Depth 4", Weight 4.63Lbs

Lighting

Lamp Type:	LED Built-in	Lumens:	183.60
Total Wattage:	20.00	Voltage:	120
Color Temperature:	3000 (Soft White)	Cri:	80
Other Bulbs Compatible:	No	Average Life:	60,000
Energy Star Qualified:	No	Bulb Requirements:	Bulb Integrated
Integrated:	true		

Additional Details

Product URL: https://www.lumens.com/windfall-outdoor-led-by-visual-comfort-modern-LBL566201.html
Rating: IP 65

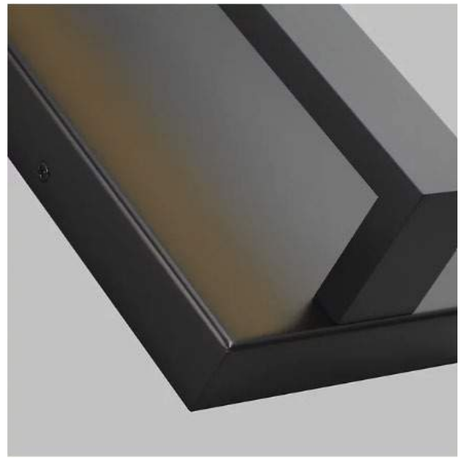
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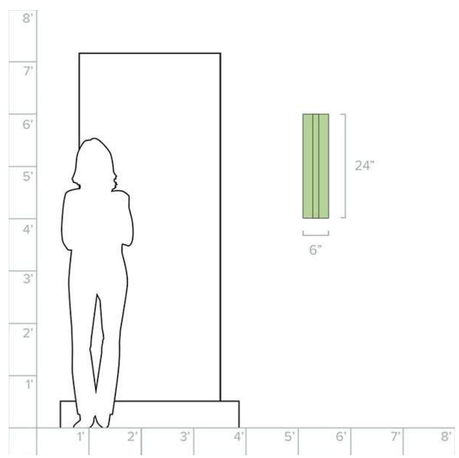


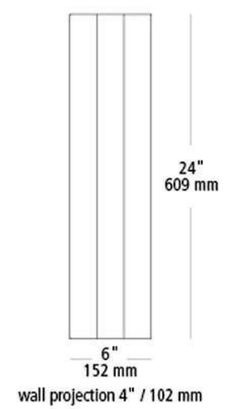




Windfall LED Outdoor Wall Sconce - Availability

Image	Finish	Height	Voltage	Item ID / MFR ID
	Black	24 in	120 Volt	LBL566201 / 700OWWNDB-LED
	Black	16 in	120 Volt/277 Volt	TEC2179468 / 700OWWND16B-LED930
	Black	8 in	120 Volt/277 Volt	TEC2179474 / 700OWWND8B-LED930





LIGHT FIXTURE - SPEC.
NTS



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PREPARED FOR:
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17-0829-06
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MASONARY BRICK VEENER - LIGHT GRAY 01

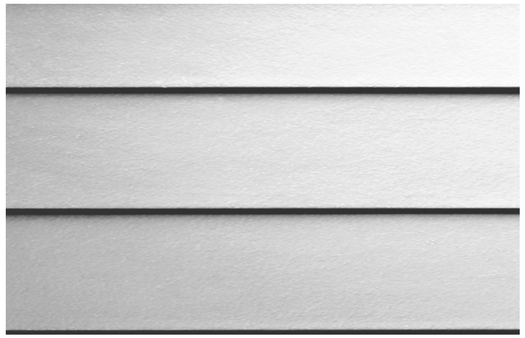
FIBER CEMENT PANEL - ARCTIC WHITE 02



FIBER CEMENT PANEL - GRAY SLATE 03



FIBER CEMENT PANEL - KHAKI BROWN 04



FIBER CEMENT LAP SIDING - LIGHT MIST 05



ARCHITECTURAL WINDOWS 06



ARCHITECTURAL METAL RAILING - BLACK 07



ARCHITECTURAL METAL CANOPY 08



ARCHITECTURAL GARAGE DOOR 09



ASPHALT SHINGLE_HOLLOW GRAY 10

MATERIALS BOARD



PREPARED BY:
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DOWNTOWN ROBBINSVILLE
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PREPARED FOR:
SHARBELL

ISSUE:	
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12-16-2025	PRELIM & FINAL SITE PLAN
05-29-2026	PRELIM & FINAL SITE PLAN

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17-0829-06

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3ROBBINSVILLE TOWNSHIP ZONING BOARD

RESOLUTION 2007-15

In the Matter of Sharbell Building Company, LLC for Preliminary and Final Site Plan Approval for 39 Age-Restricted Apartment/Condominiums and 63,448-Square-Foot Mixed-Use Building (Pharmacy and Offices).	**FINDINGS OF FACT AND CONCLUSIONS OF LAW** **Block 8, Lot 1.01** **Robbinsville Township, Mercer County** **Zone: TC-3, Town Center Three** **Application No. ZB 07-09-03** **Approval Date: December 5, 2007**

BE IT RESOLVED, by the Zoning Board of the Township of Robbinsville (Board) that the action of this Board on December 5, 2007, in this matter is hereby memorialized by the adoption of this written decision setting forth the Board's findings and conclusions.

RELIEF SOUGHT AND JURISDICTION

1. The applicant is seeking preliminary and final site plan approval in connection with a proposed mixed-use development for property in Town Center. The applicant was granted use, density and bulk variance approvals from the Zoning Board on June 6, 2007, to permit the construction of a four-story, 64,000-square-foot mixed-use building containing 15,000 square feet of commercial space, including a pharmacy with a drive-thru and 1,000 square feet of office-lobby space on the first floor, and 48,000 square feet of office space on the above three floors; and a four-story age-restricted apartment/condominium building with 45 units; and eight town home lots along Union Street. The variance approvals were conditioned upon the applicant obtaining the necessary subdivision and site plan approvals for the project. On November 7, 2007, the applicant received preliminary and final subdivision approval from the Zoning Board for the creation of eight town home lots, a commercial lot of 2.537 acres for the mixed-use building, and a residential lot of .90 acres for the age-restricted apartment/condominium building.

   In the present application, the applicant is seeking site plan approval to construct the aforementioned mixed-use building and the age-restricted apartment/condominium building on the property, together with streets, parking and other necessary site improvements. The applicant is proposing a mixed-use building of approximately 64,000 square feet and an age-restricted apartment/condominium building of 39 units.

   Additionally, the applicant requests four bulk variances pursuant to *N.J.S.A.* 40:55D-70(c):

   a. Variance from Chapter 142 of the Township of Robbinsville Land Use Code 5-3:37 to permit a maximum building depth of 95.2 feet for a mixed-use building rather than the required 80 feet, and 10 feet for an arcade.

b. A variance from Chapter 142 of the Township of Robbinsville Land Use Code 5-3:37 to permit a maximum front yard setback of 31.4 feet for the mixed-use building, rather than the required 5 feet.

c. A variance from Chapter 142 of the Township of Robbinsville Land Use Code 5-3.37 to permit a maximum building depth of 90 feet for the age-restricted apartment/condominium building, rather than the required 80 feet, and 10 feet for an arcade.

d. A variance from Chapter 142 of the Township of Robbinsville Land Use Code 5-3.37 to permit a maximum side yard setback of 30 feet for the age-restricted apartment/condominium building, rather than the required 15 feet.

2. The subject of this application is within the jurisdiction of this Board. Jurisdiction is correct, because the Board has already granted use variance approval to the applicant. The Board has acted within the time required by law.

3. The property has frontage along three different streets and is on a prominent corner of the Town Center development. Specifically, the pharmacy and commercial building will have frontage along Route 33 and Route 526, while the townhomes and condominiums will have frontage along Route 526 and Union Street. The fourth side of the property is bordered by previously-approved commercial use variances, including a lawyer's office.

4. Block 8, Lot 1.01 is located in the TC-3 zone as designated on the Robbinsville Township Zoning Map.

THE APPLICANT

5. The owner of the property is Sharbell Newtown, Inc., One Washington Blvd., Suite 9, Robbinsville, NJ 08691, and the applicant is Sharbell Building Company, LLC, One Washington Blvd., Suite 9, Robbinsville, NJ 08691.

6. The applicant/owner has certified that all property taxes for the subject property and all escrow fees required under the applicable ordinance(s) for such an application have been paid. This certification includes an agreement to pay all future monies due under the escrow ordinance for consultants and other professional work on the property.

7. The applicant/owner has submitted an Affidavit of Proof of Service of Notice published in the Trenton Times. The Proof of Service comports with the notice before the Board that this matter is of the character that the applicant has presented to the Board.

THE HEARINGS

8. One public hearing took place with regard to this application.

a. On December 5, 2007, a hearing took place before the Robbinsville Township Zoning Board at the Municipal Court Facility in Robbinsville, New Jersey 08691.

PLANS PRESENTED

9. The Board reviewed the following documents:

   a. "Preliminary and Final Major Site Plan for Sharbell Building Company, LLC, proposed Mixed-use Development, Block 8, Lot 1, Township of Washington, Mercer County, New Jersey," prepared by Dynamic Engineering Consultants, PC, 9/27/07, sheets 1-12.

   b. "Town Center III, Block 8, Lot 1.01, NJSH route 33 & Robbinsville-Edinburg Road, Township of Washington, Mercer County, New Jersey," prepared by Feinberg & Associates PC., September 26, 2007, sheets CS-1, A-1, A-2, A-3, A-4, A-5, A-6 and A-7.

OTHER DOCUMENTS REVIEWED BY THE ZONING BOARD

10. The Board reviewed the following documents submitted by the applicant:

   a. Preliminary Site Plan Checklist dated September 28, 2007.

   b. Application ZB 07-09-03.

   c. October 31, 2007 report by Roberts & Reymann, Engineering, LLC.

   d. Sanitary sewer review for proposed mixed-use development, Sharbell Building Company, LLC.

EXHIBITS PRESENTED

11. The following exhibits were presented to the Board:

   a. A-1, "Site Plan Rendering", dated December 3, 2007, prepared by Dynamic Engineering Consultants.

   b. A-1a, "Site Plan Rendering (Revised Dumpster Enclosure)", dated December 7, 2007, prepared by Dynamic Engineering Consultants.

   c. A-2, "Route 33 & Robbinsville-Edinburg Road CS-1 (Color Elevations)", dated December 4, 2007, prepared by Feinberg & Associates, showing the facades of the mixed-use building on two elevations.

   d. A-3, "Route 33 & Robbinsville-Edinburg Road A-1 (Color Elevations)", dated September 26, 2007, prepared by Feinberg & Associates, showing enlargement of the mixed-use building façade architecture.

   e. A-4, "Route 33 & Robbinsville-Edinburg Road A-2 (Conceptual Floor Plans)", dated September 26, 2007, prepared by Feinberg & Associates, showing first and upper floor plans for the mixed-use building.

f. A-5, "Route 33 & Robbinsville-Edinburg Road A-1a (Conceptual Overall Street Elevations)", dated September 26, 2007, prepared by Feinberg & Associates, showing a composite of the building facades for the mixed-use building and the senior housing as shown from the opposite corner.

g. A-6, "Route 33 & Robbinsville-Edinburg Road A-3 (Conceptual Elevations)", dated September 26, 2007, prepared by Feinberg & Associates, showing enlarged architectural rendering of the façade of the senior housing building.

h. A-7, "Route 33 & Robbinsville-Edinburg Road A-4 (Conceptual Floor Plans-Structured Parking)", dated September 26, 2007, prepared by Feinberg & Associates, showing parking plan for the condominiums indicating 41 spaces for the condominiums.

i. A-8, "Route 33 & Robbinsville-Edinburg Road A-5 (Conceptual Floor Plans-First/Ground Level Plan)", dated September 26, 2007, prepared by Feinberg & Associates.

j. A-9, Route 33 & Robbinsville-Edinburg Road A-6 (Conceptual Floor Plans-Second and Third Levels)", dated September 26, 2007, prepared by Feinberg & Associates.

k. A-10, "Route 33 & Robbinsville-Edinburg Road A-7 (Conceptual Floor Plans-Unit Type D and Unit Type A)", dated September 26, 2007, prepared by Feinberg & Associates.

l. A-11, "Route 33 & Robbinsville-Edinburgh Road A-8 (Signage Elevations)", dated December 4, 2007, prepared by Feinberg & Associates, showing signage on the mixed-use retail building.

m. A-12, "Route 33 & Robbinsville-Edinburgh Road A-9 (Signage Elevations)", dated December 4, 2007, prepared by Feinberg & Associates, showing the rear façade of the Rite Aid mixed-use building where the canopy element will be expanded.

n. A-13, "Washington Town Center (TC-1) – Affordable Units Plan", dated December 5, 2007, prepared by Sharbell Building Company, LLC, showing the affordable housing plan for the area.

o. A-14, "Apartment Vehicle Circulation Exhibit – Dumpster/Loading Area", dated December 7, 2007, by Dynamic Engineering Consultants, showing truck circulation around senior housing building.

p. A-15, "Apartment Vehicle Circulation Exhibit – Dumpster/Loading Area", dated December 7, 2007, by Dynamic Engineering Consultants, showing truck circulation to trash area and delivery movements for the mixed-use building.

TOWNSHIP EXPERT REPORTS

12. At the hearing, the Board considered the following reports presented by Township officials:

    a. Memorandum to Zoning Board from John M. West, P.E., Township Engineer, dated October 29, 2007.

    b. Remington & Vernick Engineers report dated November 1, 2007.

    c. Washington Township Division of Fire letter dated October 17, 2007.

    d. Edmund A. Wilson, Jr., NCARB, AIA, PP, report dated October 18, 2007.

TESTIMONY AND PUBLIC INPUT

13. The testimony given by and on behalf of the applicant was as follows:

    a. The applicant was represented by Thomas Letizia, Esq. of Pepper Hamilton LLP, who gave the Board an overview of the project and the site plan application. Mr. Letizia also reviewed the standards for any bulk variances requested.

        i. Mr. Letizia then introduced the applicant's representative, Thomas Troy, Senior Vice President of Sharbell Building Company, LLC. Mr. Troy reviewed with the Board the overall layout of the project and what was previously granted by the Board. Mr. Troy reviewed the history of the project and how it matched up with the Town Center concept. He stated that the applicant had reduced the number of age-restricted condominium units in the project from 45 to 39. Mr. Troy specifically reviewed the activities around the mixed-use building containing the pharmacy and how it would be used. He also stated that there has been some redesigning of parking spaces in order to provide better customer circulation. He stated that the pharmacy will most likely be operating from 8:00 a.m. to 10:00 p.m., with the drive-thru having similar hours.

        ii. Next to testify was Mark Cannuli, A.I.C.P. /P.P., Director of Development for Sharbell Building Company, LLC, who reviewed with the Board the proofs required for the bulk variances:

            (1) Variance from Chapter 142 of the Township of Robbinsville Land Use Code 5-3:37 to permit a maximum building depth of 95.2 feet for a mixed-use building rather than the required 80 feet, and 10 feet for an arcade.

            (2) A variance from Chapter 142 of the Township of Robbinsville Land Use Code 5-3:37 to permit a maximum front yard setback of 31.4 feet for the mixed-use building, rather than the required 5 feet.

(3) A variance from Chapter 142 of the Township of Robbinsville Land Use Code 5-3.37 to permit a maximum building depth of 90 feet for the age-restricted apartment/condominium building, rather than the required 80 feet, and 10 feet for an arcade.

(4) A variance from Chapter 142 of the Township of Robbinsville Land Use Code 5-3.37 to permit a maximum side yard setback of 30 feet for the age-restricted apartment/condominium building, rather than the required 15 feet.

Mr. Cannuli then reviewed the positive and negative criteria with regard to the variance application. He stated that the Municipal Land Use Law (MLUL) allows the Zoning Board to grant "c" variance when the deviation from the zoning ordinance and the benefits of the deviation would substantially outweigh any detriments.

Mr. Cannuli stated that the variances requested permit a development plan consistent with the vision of the overall Town Center design and that the design and orientation of the proposed buildings are not out of character with other commercial and office buildings in TC-1. He cited as an example the West Lake and Town Center Office Buildings which have deeper building depths because of their respective floor plans.

Mr. Cannuli also stated that the requested variances are in part due to the irregular shape of the subject parcel which is very narrow at the south western corner and is further limited by the site distance constraints and right-of-way at the intersection of Route 526 and Route 33. He stated that the adjacent block in TC-1 is much more regular in shape and more rectangular.

Mr. Cannuli concluded that the variance relief could be granted without substantial detriment to the public good and without substantial impairment to the master plan and zoning ordinance and that purposes i, k and l of Section 40:55D-2 of the MLUL would be promoted by the granting of the variances.

Mr. Cannuli also stated that the applicant met with the Affordable Housing Board prior to the Zoning Board meeting to review the COAH obligation generated by the proposed development. He presented Exhibit A-13 to the Board and stated that the Affordable Housing Board agreed to the applicant's proposal to accommodate the COAH units in one of the remaining mixed-use buildings in TC-1.

William Feinberg, of Feinberg & Associates presented the architectural exhibits to the Zoning Board. He stated that the proposed architecture for the age-restricted condominium building and mixed-use building would compliment each other as well as surrounding mixed-use buildings. He

building, on the corner of Robbinsville-Edinburg Road, Route 33 and Union Street in the TC-3 Zone. The residential lot is 0.90 acres and the commercial lot is 2.527 acres. The applicant had simultaneously submitted an application for preliminary and final major subdivision of the lots which was approved by the Board.

b. Resolution ZB 2007-05 granted a use variance, density variance and bulk variances for a four-story, 64,000-square-foot mixed-use building containing 15,000 square feet of commercial space, including a pharmacy with a drive- thru and 1,000 square feet of office/lobby space on the first floor, and 48,000 square feet of office space on the above three floors; and a four-story age-restricted apartment/condominium building with 45 units; and eight town houses.

c. The site is located in the TC-3 section of Town Center. The applicant received use and density variances for the site due to the fact that a drive-thru and a multi-family age-restricted apartment/condominium building are not principal permitted uses and that the residential density exceeded which was permitted in the TC-3 Zoning District.

d. The variance for the increased density was granted with the understanding that applicant should reduce the intensity of the commercial development and/or the residential density of the project at the time of site plan review to make certain that parking demands would be adequately met on site and not impact the surrounding neighborhood. The applicant is proposing to reduce the number of units from 45 to 39, reduce the office space from 49,000 sf to 48,051 sf while increasing the retail space from 15,000 sf to 15,397 sf, a net decrease of 552 square feet. With this, the applicant is proposing an increase in parking spaces from 246 spaces to 248 spaces. The minimum required parking spaces is 237.

e. The bulk zoning standards for commercial/office/retail/apartment, 2 to 4 story structures have been applied to this application for both buildings on the site.

f. The following variances will be required:

    i. A variance from Chapter 142 of the Township of Robbinsville Land Use Code 5-3:37 to permit a maximum building depth of 95.2 feet for a mixed-use building rather than the required 80 feet, and 10 feet for an arcade.

    ii. A variance from Chapter 142 of the Township of Robbinsville Land Use Code 5-3:37 to permit a maximum front yard setback of 31.4 feet for the mixed-use building, rather than the required 5 feet.

    iii. A variance from Chapter 142 of the Township of Robbinsville Land Use Code 5-3.37 to permit a maximum building depth of 90 feet for the age-restricted apartment/condominium building, rather than the required 80 feet, and 10 feet for an arcade.

iv. A variance from Chapter 142 of the Township of Robbinsville Land Use Code 5-3.37 to permit a maximum side yard setback of 30 feet for the age-restricted apartment/condominium building, rather than the required 15 feet.

18. Board findings:

a. The Board grants the proposed preliminary and final major site plan and bulk variances, finding that they are appropriate and de minimus in nature for the zoning of the property, that being Town Center. The Board cannot find any adverse impact by granting the variances to be public's health, safety and welfare, or to the local zoning ordinance or the Township master plan. The bulk variances are clearly in compliance with the Town Center concept development slated for the area. It must be noted that the applicant has reduced the density of the age-restricted residential development from 45 to 39 units.

CONDITIONS REQUIRED

19. The Board finds that in order to address the concerns expressed in the course of the hearing, and to limit the relief to that which is reasonably necessary to satisfy the applicant's legitimate requirements, the relief granted is subject to the following conditions:

a. As part of the original approval, the applicant shall provide a cross-access easement to the owner of Lot 50, Block 8 to permit vehicular access from the applicant's site into said owner's property. The exact location shall be approved by the Township Engineer. A note shall be added to the plans regarding the easement.

b. In lieu of payment of its pro-rata contribution to the town Center traffic improvement fund, the applicant has agreed to construct certain specific improvements to the south side of the intersection of Route 33 and Robbinsville-Edinburg Road as shown on the overall conceptual layout plan for NJ State Highway Route 33 and County Route 526, prepared by Maser Consulting P.A., dated January 2, 2007. The actual amount of the contribution will be determined by the Township Engineer using a cost estimate to construct the improvements shown on the original plan. A copy of the revised plan for the south side jug-handle at the intersection of Route 33 and County Route 526 shall be submitted during resolution compliance. However, the applicant shall only be responsible for its pro-rata share of this improvement as agreed to during the use variance application.

c. The "No Right Turn" sign shall be removed from the drive-thru exit.

d. "Stop" signs and bars shall be added at the northerly end of the parking aisle and at the end of the alley.

e. The "Stop" sign and bar shall be removed from the northbound lane in front of the apartment building.

f. The applicant shall apply to NJDOT for right-in and right-out out driveway access onto Route 33.

g. Transition areas between parking and commercial or residential uses shall be designed with textured paving, landscaping and street furniture approved by the Planning Board in the Town Center Design Guidelines.

   i. Scored concrete sidewalk is proposed at the mixed-use building. The stamped concrete paving shall continue across the handicap parking spaces to the ramp. Landscaping and street furniture shall be added to both entrances to the mixed-use building.

   ii. Four to six feet concrete sidewalk is proposed around the residential building. Textured paving and street furniture shall be added to the residential building.

h. Buffering and screening shall be provided to minimize direct views of parked vehicles from streets and sidewalks, avoid spillover light, glare and noise or exhaust fumes onto adjacent properties, in particular residential properties. The applicant will work with the Township Engineer and Planner on a design for a 4.5-foot-high, year-round visually impervious screen, hedge or wall shall be installed between the parking lot and the residential alley. The height of the buffering shall decrease where driveways approach sidewalks in order to provide adequate visibility.

i. The interior of all parking lots shall be landscaped to provide shade and visual relief. One deciduous shade tree shall be required in the parking lot for every five parking spaces in a six-foot planting diamond or equivalent. Choice of plant materials, buffer width, type of screening, location and frequency of tree planting shall be flexible. The applicant will work with the Township Engineer and Planner to determine where an additional 41 trees required by the ordinance will be accommodated on the site or within the existing TC-1 or TC-3 portions of the Town Center development.

j. The plans shall be revised to show the following:

   i. General note (4), Monmouth shall be replaced with "Mercer."

   ii. General note (5) shall read, required minimum building depth "36 feet + 10' arcade" and maximum "80 feet + 10' arcade."

   iii. The affordable housing data table on sheet two shall be changed to reflect the proposed units and square feet. The affordable units shall be calculated at the proposed numbers.

iv. Lot 1.06 shall be changed to 1.16 and Lot 1.07 shall be changed to 1.17.

v. A water line easement shall be provided for Lots 1.06 and 1.07.

vi. A sanitary sewer easement shall be provided for Lot 1.06.

vii. Elevations at corners of proposed structures and lot corners.

viii. Seasonal high water table.

ix. The note on sheet 4 indicating the proposed concrete NJDOT sidewalk by others shall be removed.

x. The height and material of the wall screening at the loading zone.

k. The 39 apartments/condos require five affordable units and the office and retail space combined require seven affordable units for a total of 12 units.

l. The reduced number of residential units lowered the total number of required affordable units by one. Resolution ZB 2007-05 allowed the applicant to provide their affordable housing obligation within one of the buildings located in the applicant's TC-1 commercial core development. The Affordable Housing Board agreed to the applicant's proposal to accommodate the COAH units generated by the development in one of the remaining mixed-use buildings in TC-1.

m. Four and five-foot-wide sidewalk is proposed around the residential building. The plans shall be revised to provide a minimum five-foot-wide sidewalk.

n. Additional sidewalk and crosswalks shall be provided across Union Street to access the residential and mixed-use buildings from the existing residential area.

o. Sidewalks must be textured patterned concrete, brick or a combination thereof. The applicant will work with the Township Engineer and Planner to determine an appropriate treatment for these improvements.

p. A property ID sign is proposed on Route 33. A detail shall be provided to the Township Engineer for review and approval.

q. Any additional signage that does not meet the ordinance requirements will require Zoning Board approval.

r. Garbage collection, recycling and other utility areas shall be screened around their perimeter by wood enclosures with a roof or by brick walls, with a minimum height of seven feet and shall extend on three sides, with a gate on the fourth.

s. A landscaped planting strip a minimum of three feet wide shall be located on three sides where landscaping does not interfere with other required improvements such as sidewalks and/or crosswalks.

t. The elevations for inlet #111A3 are inconsistent with the elevations for this inlet on the major subdivision plan, and shall be corrected.

u. A bike grid rack detail has been provided but does not show on the plans. The plans shall reflect the location of the bike rack. The design of the bike rack shall match and compliment the other structures used in the existing commercial sections of the Town Center.

v. A 4' bollard detail is provided but does not show on the site plan as indicated. The location of the required bollards shall be shown on the site plan or removed from the details.

w. A detail for the trash enclosures shall be provided.

x. A detail for the retaining wall shall be provided.

y. A detail for the decorative block retaining wall shall be provided.

z. All newly-created residential properties located in the Town Center zoning district shall be required to contribute to the Public Space Fund in an amount equal to the 1999 dollar values, adjusted at time of payment by the CPI, of $2,190.90 for apartments. The per unit costs for 2007 have increased as follows:

1999 CPI 173.5 – 2007 CPI 218.75		= 26.08%
$2,190.90 x 26.08% increase		= $2,762.28 per unit
Residential 39 units x 2,762.28		= $107,728.92
Retail	$2.21 x 15,397 sf x 26.08%	= $ 8,874.33
Office	$2.21 x 48,051 sf x 26.08%	= $ 25,188.71

aa. The applicant recently received Zoning Board approval for the major subdivision of the lots memorialized in Resolution ZB 2007-14. All conditions of the major subdivision approval relevant to these lots shall also be met.

bb. Per 142 Attachment 5-5:18, driveways which directly access the street shall be constructed of colored asphalt, scored concrete or decorative stamped concrete paving blocks. Applicant indicated that they will work with the Township Engineer to determine where driveway paving will be enhanced.

cc. The applicant provided testimony during the hearing that the pharmacy deliveries will generally take place during off-peak hours for drive-thru traffic so that deliveries will not interfere with vehicle access to the drive-thru window. The loading door shall be indicated on the plans.

dd. Truck turning templates shall be provided.

ee. Sight triangle easements shall be provided.

ff. Per 142 Attachment 5-4:21, parking lot layout shall take into consideration pedestrian circulation. Pedestrian crosswalks shall be provided where necessary and appropriate; shall be distinguished by textured paving, and shall be integrated into the wider network of pedestrian walkways. The applicant will provide additional crosswalks across the site driveway off or Route 33 and across the site access driveway between the age-restricted condominium building and the mixed-use building.

gg. The applicant shall provide a detail for the brick paver crosswalks shown on Sheet 10.

hh. The applicant shall provide details for the bicycle rack and other site furniture including benches and trash receptacles that match the site furnishings in the existing commercial sections of Town Center. The applicant shall also provide the number and location of each furnishing on the plans. In addition, the number of bicycle racks shall be based on the requirements of Section 142-48(2) and bike paths or travel lanes shall be specified.

ii. The applicant shall provide details for the proposed plaza, identifying the type of benches, trash receptacles and paving for this area.

jj. Per 142 Attachment 5-4:24G(10), plant material is to be maintained and guaranteed for a period of two years. Planting notes #11 and #13 shall be revised.

kk. The applicant has given testimony that street trees will be provided, pursuant to Section 142 Attachment 5-5:25H, along Route 33 if they are permitted by NJDOT. Trees have been provided along Route 33 frontage just behind the right-of-way.

ll. The street tree wells along Route 33 shall be planted with shrubs and perennials to match the existing trees along the frontage of mixed-use buildings A and B.

mm. Per Section 142-48G, one tree and one landscaped island shall be provided for every five parking spaces. The applicant shall revise the plans to show the number of trees required to illustrate compliance. These trees will be planted on-site, if possible, or used to supplement other landscaping in the parks located in TC-1 or TC-3.

nn. Per Section 142-48G(1), shrubs to be used to screen parking lots shall be installed at a height of no less than 24 inches.

oo. Evergreen buffer plantings shall be provided to screen the trash enclosures per 142 Attachment 5-4:24G(14).

pp. Planters shall be provided for the plaza area to soften hard architectural lines.

qq. Ornamental trees, given their low-branching habit, shall not be specified in the parking lot or adjacent to drive aisles. Shade trees shall be substituted.

rr. Plantings adjacent to parking spaces shall be set back at least three feet to avoid accidental damage by large vehicles and/or snow plows.

ss. Foundation plantings shall be specified for the townhouse units.

tt. In order to properly evaluate the proposed landscaping, sight triangles shall be added to the landscaping plan.

uu. Proposed shrub plantings shall be spaced a maximum of four feet on-center. Additional plantings shall be provided to fill in planting beds.

vv. Alternative plant selections shall be provided for Burning Bush and Spirea, given their invasive nature.

ww. The Eastern Red Cedar shall be specified as an ornamental cultivar, such as Emerald Sentinel.

xx. The proposed Pieris is a shade plant and may not thrive with western exposure. An alternative shrub shall be provided to the west of the first townhouse and shall effectively screen headlights of vehicles exiting the senior housing garage.

yy. Two plant symbols are identified as "PC" on the plan; however, this abbreviation does not appear on the plant list.

zz. The typical planting detail shall be revised to indicate four inches of mulch instead of three inches.

aaa. A note shall be added to the planting details or planting notes stating that all non-biodegradable materials shall be removed from the root balls.

bbb. Per 142 Attachment 5-5:21.A(18), cut-off fixtures shall be specified to minimize glare and provide down lighting.

ccc. It appears that the site is excessively lit. Lighting levels shall be revised to comply with Section 142-38A(9).

ddd. Lighting details shall be revised to include type of lamp and wattage in accordance with 142 Attachment 5-5:21.A(18).

eee. There appears to be conflicts between proposed street tree locations and street light locations. Plans shall be revised.

fff. No site identification signage is indicated on the plans. The applicant shall address whether any signs are to be proposed for this site. All proposed signage shall conform to 142 Attachment 5-5:23 or, if not, the applicant shall return to the Zoning Board for a waiver from the sign design guidelines.

ggg. Color and finish shall be specified for the concrete wall detail.

hhh. The Drainage Report Addendum indicates that original design assumed that 85% of impervious area maximum. The applicant shall submit the calculations showing the values of impervious and pervious areas on the site.

iii. It is not clear how the runoff from roof areas is discharged. The roof drains location shall be shown. There will be no discharge over the sidewalks.

jjj. The proposed grading shows the sheet flow from the south side of the site to be directed to the southern and southwestern corner of the site. The grading in the area between Route 33 and parking lot shall be revised to be a minimum of 1%. The applicant shall provide top of the curb spot elevations for the base of Curb (BC) along Route 33 and the applicant will confirm that the sheet flow will not be blocked by the curb to reach the inlets. The applicant shall confirm that the runoff from the raised plaza will reach the inlet at the corner of Route 33 and Robbinsville-Edinburg Road which is a type B or will revise the plans accordingly.

kkk. The applicant shall provide a detail for the scored concrete which is depicted on the sidewalk along Route 33. The cross section detail shall be added to the plan. Additionally, spot elevation shall be added for the raised plaza and building corners to show the flow pattern of run-off.

lll. The inlet details are not acceptable and should be revised as follows:

i. The concrete shall be revised to be 4,000 p.s.i. at 28 days of verification.

ii. The note states that grate shall be Pattern Number 2618 of Campbell Foundry, but the alternative street flow grate is depicted. The detail grate shall be revised to be bicycle safe grate.

iii. The curb piece shall be revised to be eco type "N."

iv. A crushed stone base to firm subgrade, at least six inches thick, shall be noted instead of four inches.

mmm. The manhole detail shall be revised. A frame and cover providing 30 inches of clear opening (Campbell Foundry Pattern Number 1012B or equal) shall be provided. A crushed stone base to firm subgrade, at least six inches thick, has been noted.

nnn. The plan shall note that concrete storm pipe is to have either rubber gasket or butyl tape joints and be covered with mortar and wrapped with fabric on the outside. All 36-inch and larger pipe shall have the inside of the joint mortared.

ooo. The applicant shall fulfill the COAH obligation generated by this development by accommodating the required number of affordable units in one of the remaining mixed-use buildings in TC-1 as approved by the Affordable Housing Board.

ppp. The applicant shall return to the Zoning Board for final approval of the architecture.

qqq. The applicant shall remove three parking spaces along the western side of the age-restricted condominium building in order to allay concerns with regard to the entrance into the site from Union Street.

rrr. The applicant shall comply with all requirements contained in the Memorandum, dated October 29, 2007, from Township Engineer John M. West, P.E., the Memorandum, dated November 1, 2007, from Remington & Vernick Engineers; the Letter, dated October 17, 2007, from the Washington Township Division of Fire; and the Report, dated October 18, 2007, from Edmund A. Wilson. Jr., NCARB, AIA, PP, except to the extent superseded or modified by the Zoning Board approval herein or by specific testimony made at the hearing.

sss. The plan may be subject to review and approval of the following:

i. Mercer County Planning Board

ii. Mercer county Soil Conservation District

iii. Washington Township

iv. New Jersey Department of Environmental Protection

v. Any others as may be necessary.

VARIANCES REQUESTED AND GRANTED

20. The following four bulk variances are requested pursuant to *N.J.S.A.* 40:55D-70(c):

a. Variance from Chapter 142 of the Township of Robbinsville Land Use Code 5-3:37 to permit a maximum building depth of 95.2 feet for a mixed-use building rather than the required 80 feet, and 10 feet for an arcade.

b. A variance from Chapter 142 of the Township of Robbinsville Land Use Code 5-3:37 to permit a maximum front yard setback of 31.4 feet for the mixed-use building, rather than the required 5 feet.

c. A variance from Chapter 142 of the Township of Robbinsville Land Use Code 5-3.37 to permit a maximum building depth of 90 feet for the age-restricted apartment/condominium building, rather than the required 80 feet, and 10 feet for an arcade.

d. A variance from Chapter 142 of the Township of Robbinsville Land Use Code 5-3.37 to permit a maximum side yard setback of 30 feet for the age-restricted apartment/condominium building, rather than the required 15 feet.

21. As stated above, the Board finds that the that the variances and waivers requested should be granted, as they are de minimus in nature, as well as the fact that the applicant has presented such special circumstances that are required to grant their approval.

CONCLUSION

Based upon the foregoing, the Robbinsville Township Zoning Board, at its December 5, 2007 meeting, voted to approve the application.

This Resolution of Memorialization was adopted on March 5, 2008 by a vote of the majority of the members present, who voted to approve the relief sought by the applicant.

The date of decision shall be December 5, 2007, except that the date of the adoption of this memorializing resolution is the date of decision for purposes of (1) mailing a copy of the decision to the applicant within ten (10) days of the date of the decision; (2) filing a copy of the decision with the administrative officer; and (3) publication of a notice of this decision. The date of the publication of the notice of decision shall be the date for the commencement of the vesting protection.

ROLL CALL VOTE ON APPLICANT'S
REQUEST FOR PRELIMINARY AND FINAL SITE PLAN APPROVAL
DECEMBER 5, 2007

Moved By: Mr. Kreig

Seconded By: Ms. Carbone

Those in Favor: Mr. Bihl, Mr. Kreig, Ms. Carbone, Mr. Lynch, Mr. Siekerka, Mr. Kirkpatrick, Mr. Gibeault

Those Opposed: None

Those Absent: Chair Perhacs, Mr. Griffin

ROLL CALL VOTE ON MOTION TO APPROVE
RESOLUTION OF MEMORIALIZATION, MARCH 5, 2008

Moved By: Mr. Kreig

Seconded By: Mr. Kirkpatrick

Those in Favor: Mr. Bihl, Mr. Kreig, Ms. Carbone, Mr. Lynch, Mr. Siekerka, Mr. Kirkpatrick, Mr. Gibeault

Those Opposed: None

Those Absent: None

CERTIFICATION

We do hereby certify that the foregoing resolution was adopted by the Washington Township Zoning Board at its regular meeting held on December 5, 2007. This resolution memorializes formal action taken by the Board at its regular meeting held on March 5, 2008.

Elide M. Post

Elide M. Post, Secretary
Robbinsville Township Zoning Board

THE TOWNSHIP OF WASHINGTON

Mercer County
1 Washington Boulevard, Suite 14, Robbinsville, N.J. 08691
PLANNING & ZONING DEPARTMENT
Telephone (609) 918-0002 Fax (609) 918-1553

John M. West, P.E., P.P.
Director of Community Development
Ext. 107
jackw@washington-twp.org

Elide M. Post
Planning Board Secretary/Land Use Coordinator
Ext. 123
elidep@washington-twp.org

MEMORANDUM

TO: Washington Township Zoning Board

FROM: John M. West JMW
Township Engineer

DATE: October 29, 2007

RE: Sharbell Building Company, LLC
ZB07-09-03
Block 8, Lot 1.01
Preliminary and Final Site Plan for a 39 Unit Age-Restricted Condominium /Apartment Building and 63,448 Square Feet Mixed-Use Commercial Building

---

The applicant is seeking preliminary and final site plan approval for thirty-nine age-restricted apartment/condominiums and a 63,448 square foot mixed-use building, on the corner of Robbinsville-Edinburg Road and Route 33 in the TC-3 Zone. The residential lot is 0.90 acres and the commercial lot is 2.527 acres. The applicant has simultaneously submitted an application for preliminary and final major subdivision of the lots.

Resolution ZB2007-05 granted a use variance, density variance and bulk variances for a 64,000 square foot, four-story mixed-use building consisting of 15,000 square feet of commercial space, including a pharmacy with a drive-thru and 1,000 square feet of office/lobby on the first floor and 48,000 square feet of office in the above three floors, a four story age restricted apartment/ condominium building and eight townhouses.

I. The following material was submitted:

- "Preliminary and Final Major Site Plan for Sharbell Building Company, LLC, proposed Mixed Use Development, Block 8, Lot 1, Township of Washington, Mercer County, New Jersey", prepared by Dynamic Engineering Consultants, 9/27/07, sheets 1 – 12.
- "Town Center III, Block 8, lot 1.01, NJSH Route 33 & Robbinsville-Edinburg Road, Township of Washington, Mercer County, NJ," prepared by Feinberg & Associates P.C., September 26, 2007, sheets CS-1, A-1, A-2, A-3, A-4, A-5, A-6 and A-7.

II. Completeness

The application was deemed complete by the Administrative Officer on October 29, 2007.

III. Zoning

a. The site is located in the TC-3 section of Town Center. The applicant received a use variance for the sites given that a drive-thru and a multi-family age-restricted apartment/condominium building are not principal permitted uses.
b. The bulk zoning standards for commercial/office/retail/apartment, 2 – 4 story structure have been applied to this application for both sites.
c. The following variance will be required:

Relief required	Required	Proposed
Front yard setback	5' maximum	19.6'
Building depth of residential lot	80' + 10' arcade max.	90'
Building depth of commercial lot	80' + 10' arcade max.	95.2'

IV. Final Major Subdivision Checklist Waivers Requested

Engineering
2. Construction cost estimate for on-site improvements
3. Construction cost estimate for off-site improvements
4. Easements
7. Developer's Agreement

The submission of the above items shall be made a condition of any approval.

V. General Comments

1. Density and Intensity
   a. The variance for the increased density was granted with the understanding that applicant should reduce the intensity of the commercial development and/or the residential density of the project at the time of site plan review to make certain that parking demands

would be adequately met on site and not impact the surrounding neighborhood. The applicant is proposing to reduce the number of units from 45 to 39, reduce the office space from 49,000 sf to 48,051 sf while increasing the retail space from 15,000 sf to 15,397 sf, a net decrease of 552 square feet. With this the applicant is proposing an increase in parking spaces from 246 spaces to 248 parking spaces. The minimum required parking spaces is 237.

2. As part of the original approval, the applicant shall provide a cross-access easement to the owner of lot 50, block 8, to permit vehicular access from the applicant's site. The exact location shall be approved by the Township Engineer. A note shall be added to the plans regarding the easement.

3. Traffic
   a. In lieu of payment of its pro-rata contribution to the Town Center traffic improvement fund, the applicant has agreed to construct certain specific improvements to the south side of the intersection of Route 33 and Robbinsville-Edinburg Road as shown on the overall conceptual layout plan for NJ State Highway Route 33 and County Route 526, prepared by Maser Consulting, P.A., dated January 2, 2007. The applicant shall address the status of the improvements. A copy of the plan shall be provided with this application.
   b. The "No Right Turn" sign shall be removed from the drive-thru exit.
   c. "Stop" signs and bars shall be added at the northerly end of the parking aisle and at the end of the alley.
   d. The "Stop" sign and bar shall be removed from the north bound lane in front of the apartment building.
   e. The applicant should explore the possibility of providing a right turn out of the driveway on Route 33.

4. Parking
   a. Transition areas between parking and commercial or residential uses shall be designed with textured paving, landscaping and street furniture approved by the Planning Board.
      i. Stamped concrete sidewalk is proposed at the mixed use building. The stamped concrete paving should continue across the handi-cap parking spaces to the ramp. Landscaping and street furniture shall be added to both entrances to the mixed use building.
      ii. Four to six feet concrete sidewalk is proposed around the residential building. Textured paving and street furniture shall be added to the residential building.
   b. Buffering and screening shall be provided to minimize direct views of parked vehicles from streets and sidewalks, avoid spillover light, glare, and noise or exhaust fumes onto adjacent properties, in particular residential properties. A 4.5 foot high, year-round visually impervious screen, hedge or wall shall be installed between the parking lot and the

alley. The height of the buffering shall decrease where driveways approach sidewalks in order to provide adequate visibility.

c. The interior of all parking lots shall be landscaped to provide shade and visual relief. One deciduous shade tree shall be required in the parking lot for every five parking spaces in a six-foot planting diamond or equivalent. Choice of plant materials, buffer width, type of screening, location, and frequency of tree planting shall be flexible. The applicant will need 41 trees.

5. The plans shall be revised to show the following:
   a. General note (4), Monmouth shall be replaced with "Mercer".
   b. General note (5) shall read, required minimum building depth "36 feet + 10' arcade" and maximum "80 feet + 10' arcade".
   c. The affordable housing data table on sheet two shall be changed to reflect the proposed units and square feet. The affordable units shall be calculated at the proposed numbers.
   d. Lot 1.06 shall be changed to 1.16 and lot 1.07 shall be changed to 1.17
   e. A water line easement shall be provided for lots 1.06 and 1.07.
   f. A sanitary sewer easement shall be provided for lot 1.06.
   g. Elevations at corners of proposed structures and lot corners.
   h. Seasonal high water table.
   i. The note on sheet 4 indicating the proposed concrete NJDOT sidewalk by others shall be removed.
   j. The height and material of the wall screening at the loading zone.

6. Affordable Housing
   a. The thirty-nine apartments/condos require five affordable units and the office and retail space combined require seven affordable units for a total of twelve units.
   b. The decreased number of residential units reduced the total number of required units by one. Resolution ZB2007-05 allowed the applicant to provide their affordable housing obligation within one of the buildings located in the applicant's TC-1 commercial core development.

7. Sidewalk and Circulation
   a. Planted parkways shall be provided, except where the road abuts the community green. The parkway shall be a minimum of five feet. Sidewalks shall have a minimum width of five feet, except along commercial uses where the sidewalk shall be larger.
   b. Four and five feet wide sidewalk is proposed around the residential building. The plans shall be revised to provide a minimum 5 feet wide sidewalk.
   c. Additional sidewalk and crosswalks shall be provided from Union Street across the residential building to the mixed use building.
   d. Sidewalks must be textured patterned concrete, brick, or combination thereof.

8. Signage
   a. A property ID sign is proposed on Route 33 although no detail has been provided. A detail shall be provided for review and approval.
   b. Any additional signage will require zoning approval.

9. Garbage and Recycling
   a. Garbage collection, recycling and other utility areas shall be screened around their perimeter by wood enclosures with a roof or by brick walls, with a minimum height of seven feet and shall extend on three sides and a gate on the fourth. Such a wall shall be capped on the top.
   b. A landscaped planting strip a minimum three feet wide shall be located on three sides.

10. Drainage
   a. The elevations for inlet #111A3 are inconsistent with the elevations for this inlet on the major subdivision plan.

11. Construction Details
   a. A bike grid rack detail has been provided but does not show on the plans. The plans shall reflect the location of the bike rack.
   b. A 4" bollard detail is provided but does not show on the site plan as indicated. The locations shall be shown.
   c. A detail for the trash enclosures shall be provided.
   d. A detail for the retaining wall shall be provided.
   e. A detail for the decorative block retaining wall shall be provided.
   f. A detail was provided for a concrete block wall while none was shown on the plans.

12. All newly created residential properties located in the Town Center Zone District shall be required to contribute to the Public Space Fund in an amount equal to the 1999 dollar values, adjusted at time of payment by the CPI, of $2,190.90 for apartments.

    $2,190.90 per unit increased to 2007 cost
    1999 CPI 173.5 - 2007 CPI 218.75 = 26.08%
    $2,190.90 x 26.08% increase = $2,762.28 per unit
    Residential 39 units x 2,762.28 = $107,728.92

    Retail $2.21 x 15,397 sf x 26.08% = $8,874.33
    Office $2.21 x 48,051 sf x 26.08% = $25,188.71

13. The applicant must receive zoning board approval for the major subdivision of the lots. All conditions of approval of the major subdivision application, ZB07-09-02, relevant to these lots shall also be met.

14. Other approvals as may be required:

a. Mercer County Planning
b. Mercer County Soil Conservation District
c. Washington Township Sewer Department
d. Washington Township Fire Department

cc: Michael Herbert, Esq.
Thomas Letizia, Esq.
Mark A. Cannuli, Sharbell
J.D. Spalt, Dynamic Engineering

} FAX 10/30/07

JMW/ab

U:\Zoning\2007\Sharbell_TC-3\site_plan_condo&retail&office_plan review.doc

cc: zoning board

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AND AFFILIATES

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CRAIG F. REMINGTON, PLS, PP, Vice President

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Pittsburgh, PA 15219
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(412) 263-2210 (fax)

Univ. Office Plaza, Bellevue Building
262 Chapman Road, Suite 105
Newark, DE 19702
(302) 266-0212
(302) 266-6208 (fax)

Remington, Vernick & Arango Engineers
243 Route 130, Suite 200
Bordentown, NJ 08505
(609) 298-6017
(609) 298-8257 (fax)

WASHINGTON TWP.
PLANNING & ZONING DEPT.
NOV 14 2007
RECEIVED

November 1, 2007

Township of Washington
Zoning Board of Adjustment
William Perhacs, Chairman
1 Washington Boulevard, Suite 14
Robbinsville, NJ 08691

Attention: Elide Post, Secretary

FILE COPY

Re: Preliminary and Final Site Plan
Sharbell Building Company, LLC
2370 Route 33
Block 8, Lot 1.01
Application #ZB07-09-03
Our file #11-12-Z-014

Dear Board Members:

We have reviewed a Preliminary and Final Site Plan submission, received October 10, 2007, consisting of the following:

Sheet	Title	Date	Latest Revised Date
1 of 12	Cover Sheet	09-27-07	
2 of 12	General Notes	09-27-07	
3 of 12	Demolition Plan	09-14-07	
4 of 12	Site Plan	09-14-07	
5 of 12	Grading Plan	09-14-07	
6 of 12	Drainage & Utility Plan	09-14-07	
7 of 12	Landscape Plan	09-14-07	
8 of 12	Lighting Plan	09-14-07	
9 of 12	Soil Erosion & Sediment Control Plan	09-14-07	
10 of 12	Construction Details	09-27-07	
11 of 12	Construction Details	09-27-07	
12 of 12	Construction Details	09-27-07	

Sheet	Title	Date	Latest Revised Date
CS-1	Cover Sheet	09-26-07	
A-1	Proposed Mixed-Use Building - Conceptual Elevations	09-26-07	
A-2	Proposed Mixed-Use Building - Conceptual Floor Plans	09-26-07	
A-3	Proposed Seniors Building - Conceptual Elevations	09-26-07	
A-4	Proposed Seniors Building - Conceptual Floor Plans	09-26-07	
A-5	Proposed Seniors Building - Conceptual Floor Plans	09-26-07	
A-6	Proposed Seniors Building - Conceptual Floor Plans	09-26-07	
A-7	Proposed Seniors Building - Conceptual Floor Plans	09-26-07	
----	Drainage Report Addendum	03-02	09-07

Sheets 1 of 12 through 6 of 12, sheets 8 of 12 through 12 of 12, and Drainage Report Addendum were prepared, signed, and sealed by J. D. Spalt, P.E., Dynamic Engineering Consultants, PC, 1904 Main Street, Lake Como, New Jersey 07719, (732) 974-0198.

Sheet 7 of 12 was prepared, signed, and sealed by D. L. Miller, C.L.A., Dynamic Engineering Consultants, PC.

Sheets CS-1 through A-7 were prepared, signed, and sealed by William Feinberg, R.A., Feinberg & Associates P.C., One Echelon Plaza, 227 Laurel Road, Suite 201, Voorhees, New Jersey 08043, (856) 782-0100.

I. GENERAL INFORMATION

Applicant: Sharbell Building Company, LLC
1 Washington Boulevard, Suite 9
Robbinsville, NJ 08691
(609) 918-2400

Owner: Sharbell Newtown, Inc.
1 Washington Boulevard, Suite 9
Robbinsville, NJ 08691
(609) 918-2400

Proposal: The applicant is proposing to construct a four-story mixed-use building with a pharmacy (16,000 square feet) with a drive-thru on the ground floor and 40,000 square feet of office space in the three (3) floors above. The applicant also proposes a four-story age-restricted apartment building with thirty-nine (39) units over parking.

Zoning: TC-3

II. ZONING REQUIREMENTS - MIXED USE BUILDING

Mixed Use Building

A. **Use:** The applicant was granted a use variance on June 6, 2007 for a drive-thru pharmacy. A mixed-use building is a permitted use in the TC zone.

B. **Area and Bulk Regulations:** 142 Attachment 5-3:37 (Town Center Building Regulating Plan) does not set forth standards for a mixed-use building with a drive-thru; however, the standards set forth for a "commercial/office/retail/ apartment 2-4 story" building are applicable and can help guide the Board in consideration of this application.

Code Reference	Item	Required	Proposed	Status
	Building Depth			
142 Attachment 5-3:37	Minimum Maximum	36 ft. and 10 ft. arcade 80 ft. and 10 ft. arcade	95.2 ft.	V
	Building Height			
142 Attachment 5-3:37	Minimum Maximum	2 stories 4.5 stories	4 stories	C
142 Attachment 5-3:37	Lot Depth	54 ft.	> 54 ft.	C
	Front Yard Setback			
142 Attachment 5-3:37	Minimum Maximum	0 ft. 5 ft.	2.8 ft./ 31.4 ft.	C/V
	Rear Yard Setback			
142 Attachment 5-3:37	Minimum Maximum	10 ft. Sufficient to accommodate parking	±198 ft.	C

Code Reference	Item	Required	Proposed	Status
	Side Yard Setback			
142 Attachment 5-3:37	Minimum Maximum	0 ft. 15 ft. w/alley rear yard	 10.2 ft.	 C

C - Conformance.
V - Variance required.

C. **Comments:** Since the proposed mixed use building is situated on the same parcel as the associated parking lot, the lot exceeds many of the maximum standards within the Town Center (TC-3) zone. Applicant should provide testimony to the Board addressing how the layout is consistent with the rest of Town Center.

Senior Apartment/Condominium Building

A. **Use:** The applicant was granted a use variance for a forty-five (45) unit Senior Apartment/Condominium building on June 6, 2007. The applicant has reduced the number of units and is proposing thirty-nine (39) units.

B. The Town Center Building Regulating Plan does not include specific standards for a multi-story residential apartment building. 142 Attachment 5-3:37 sets forth standards for a multi-story mixed use (commercial/office/retail/apartment 2-4 story) building which is the most similar building type permitted in Town Center and will be used to guide the area and bulk analysis for this application.

Code Reference	Item	Required	Proposed	Status
	Building Depth			
142 Attachment 5-3:37	Minimum Maximum	36 ft. and 10 ft. arcade 80 ft. and 10 ft. arcade	 90 ft.	 V
	Building Height			
142 Attachment 5-3:37	Minimum Maximum	2 stories 4.5 stories	 4 stories	 C
142 Attachment 5-3:37	Lot Depth	54 ft.	> 54 ft.*	C

Code Reference	Item	Required	Proposed	Status
	Front Yard Setback			
142 Attachment 5-3:37	Minimum Maximum	0 ft. 5 ft.	5 ft.	C
	Rear Yard Setback			
142 Attachment 5-3:37	Minimum Maximum	10 ft. Sufficient to accommodate parking	Sufficient to accommodate parking	C
	Side Yard Setback			
142 Attachment 5-3:37	Minimum Maximum	0 ft. 15 ft. w/alley rear yard	30 ft.	V

C - Conformance.
V - Variance required.
*Applicant should provide dimension.

III. PERFORMANCE STANDARDS

A. Streets and Parking

1. A variance was granted for relief from 142 Attachment 5-4:17F.32 which requires on-street parking with commercial uses.

2. Per 142 Attachment 5-4:16, two hundred thirty-seven (237) parking spaces are required for the entire site. Two hundred forty-eight (248) spaces are provided. The plan conforms.

3. Per 142 Attachment 5-4:16, parking spaces reserved for employees shall be designated as such by means of striping and signage. The applicant should indicate which parking spaces are designated for employees.

4. The required parking for the senior apartment building is fifty-five (55) spaces. Forty-one (41) spaces are provided within the building and nineteen (19) spaces are provided adjacent to the building. The applicant should indicate if the adjacent nineteen (19) spaces will be

restricted to residents and/or visitors of the apartment building. Additionally, 142 Attachment 5-4:16 states that total on and off-street parking is 1.65 spaces per 2-bedroom apartment, but if on-street parking is not available, additional off-street spaces shall be provided. It appears that only five (5) extra off-street spaces are provided. Applicant should address.

5. Per Section 142-42C(1), parking spaces shall be nine (9) feet by eighteen (18) feet. The plan conforms.

6. Per Section 142-42B(1), off-street parking lots and loading areas shall not occupy more than forty percent (40%) of the lot area. It appears a waiver may be required. Applicant should address.

7. No dimensions are provided for the loading area for the mixed-use building. Section 142-42G requires loading spaces to be at least fourteen (14) feet by sixty (60) feet. The proposed pharmacy requires two (2) loading spaces. Applicant should address. Applicant should also address loading needs for proposed office areas. *Applicant has indicated that they will provide testimony at the meeting addressing these issues.*

8. Per 142 Attachment 5-5:18, driveways which directly access the street shall be constructed of a colored asphalt, scored concrete, or decorative stamped concrete paving blocks. Applicant should address. *The applicant has indicated that they will work with the Township.*

9. The applicant should provide testimony indicating the delivery hours for the Rite Aid. It appears that drive-thru would have to be closed in order for delivery trucks to safely access the loading area. The loading door should be indicated on the plans. *Applicant has indicated that they will provide testimony at the meeting addressing these issues.*

10. Truck turning templates should be provided.

11. Sight triangle easements should be provided.

B. **Pedestrian Circulation and Connectivity**

1. Per 142 Attachment 5-4:21, parking lot layout shall take into consideration pedestrian circulation. Pedestrian crosswalks shall be

provided, where necessary and appropriate, shall be distinguished by textured paving, and shall be integrated into the wider network of pedestrian walkways. The applicant has provided four (4) crosswalks; however, no crosswalks are provided across driveway accessed via Route 33 and between the senior building and the Rite Aid.

2. The applicant should consider extending crosswalk across the driveway between the senior building and the mixed use building.

3. The detail for the brick paver crosswalks on sheet 10 states that a herringbone pattern is proposed; however, the detail does not depict this type of pattern. Applicant should address.

4. A bicycle rack detail has been provided, however, the style does not match that given in 142 Attachment 5-5:21.A(20). In addition, its location appears to be missing on the plans. The number of bicycle racks should be based on the requirements of Section 142-48I(2). Bike paths or travel lanes should be specified.

5. Benches and trash cans are proposed for the plaza area, but details should be provided for review and comment. Details should match the styles shown in 142 Attachment 5-5:21.A(20). In addition, paving selections in this area should be identified.

C. **Planting Design**

1. Per 142 Attachment 5-4:24.G(10), plant material is to be maintained and guaranteed for a period of two (2) years. Planting notes #11 and #13 should be revised.

2. No street trees are proposed along Route 33. Per 142 Attachment 5-4:25H, street trees are required. *Applicant will provide testimony indicating that street trees are not currently permitted along Route 33; however, applicant has agreed to provide street trees when and if they are allowed. Applicant will provide adequate space for trees in design.*

3. The tree pit at the corner of Route 33 and Robbinsville-Edinburgh Road should be planted with a street tree. *Applicant will provide testimony indicating that street trees are not currently permitted along Route 33; however, applicant has agreed to provide street trees when and if they are allowed. Applicant will provide adequate space for trees in design.*

4. Tree grates should be shown and details should match those provided in 142 Attachment 5-5:21.A(20).

5. Per Section 142-48G, one (1) tree and one (1) landscaped island should be provided for every five (5) parking spaces. Plans should be revised or a chart should be provided to illustrate compliance.

6. Per Section 142-48G(1), shrubs to be used to screen parking lots shall be installed at a height of no less than twenty-four (24) inches.

7. Evergreen buffer plantings should be provided to screen the two (2) trash enclosures located at the northeast corner of the property per 142 Attachment 5-4:24.G(14).

8. Planters should be provided for the plaza area to soften hard architectural lines.

9. Ornamental trees, given their low-branching habit, should not be specified in the parking lot or adjacent to drive aisles. Shade trees should be substituted.

10. Plantings adjacent to parking spaces should be set back at least three (3) feet to avoid accidental damage by large vehicles and/or snow plows.

11. A tree inventory plan should be provided and compensatory plantings should be addressed.

12. Foundation plantings should be specified for the townhouse units.

13. In order to properly evaluate the proposed landscaping, sight triangles should be added to the landscaping plan.

14. Proposed shrub plantings should be spaced a maximum of four (4) feet on-center. Additional plantings should be provided to fill in planting beds.

15. Our office recommends that alternative plant selections be provided for Burning Bush and Spirea, given their invasive nature.

16. The Eastern Red Cedar should be specified as an ornamental cultivar, such as Emerald Sentinel.

application. The Stormwater Report including the proposed and already build system shall be submitted to our office for review.

2. The Drainage Report Addendum indicates that original design assumed the 85% of impervious area maximum. The applicant shall submit the calculations showing the values of impervious and pervious area on the site. The summary stating that" construction would result in the total impervious coverage of 0.42 acres of impervious area" is not accurate. Please provide the clarification.

3. It is not clear how the runoff from roof areas is discharged. The roof drains location shall be shown. We suggest to not proposing discharge over the sidewalks.

4. The proposed grading shows the sheet flow from the south side of the site to be directed to the southern and southwestern corner of the site. The grading in the area between the Route 33 and parking lot shall be revised to be minimum 1%. The grading appears to be to flat. Only the Base of Curb (BC) is noted along the Route 33 and the applicant shall provide top of the curb spot elevations. We have concern that sheet flow can be blocked by the curb and will never reach the inlets. Additionally we note that existing inlet located at the corner of Route 33 and Robbinsville-Edinburg Road is a type B and the runoff from raised plaza will not reach the inlet. Please revise accordingly.

5. The applicant shall add to the legend description of what is depicted along the Route 33. It is not clear if it is either the decoration tile or pavers. The cross section detail shall be added to the plan. Additionally we request the spot elevation to be added to the raised plaza and buildings corners to show the flow pattern.

6. The inlet details are not acceptable:

   a. The concrete shall be revised to be 4,000 p.s.i. at 28 days of verification.

   b. The note states that grate shall be Pattern number 2618 of Campbell Foundry, but the alternative stream flow grate is depicted. The detail grate shall be revised to be bicycle safe grate.

   c. The curb piece shall be revised to be eco type "N".

d. A crushed stone base to firm subgrade, at least six (6) inches thick shall be noted instead of four (4) inches.

7. The manhole detail shall be revised. A frame and cover providing 30-inches of clear opening (Campbell Foundry pattern number 1012B or equal) shall be provided. A crushed stone base to firm subgrade, at least six (6) inches thick has been noted.

8. The plan should note that concrete storm pipe is to have either rubber gasket or butyl tape joints and be cover with mortar and wrapped with fabric on the outside. All 36-inch and larger pipe shall have the inside of the joint mortared.

9. The plan should note that a television inspection of the storm drain system will be required prior to final acceptance by the municipality.

I. **Traffic**

1. The plans were revised to provide more efficient movements for trucks accessing the loading and trash enclosure area.

2. We are concerned that patrons entering the site from Union Street will not expect to encounter a driver completing a backing maneuver from the parking stalls located along the main drive aisle. The plans should be revised as required to eliminate this potential conflict.

3. The plans were revised to reduce the horizontal deflection associated with the proposed "asphalt alley way".

J. **Site Safety**

The applicant and owner are reminded that site safety is their responsibility. The plan should note that "The owner, or his representative, is to designate an individual responsible for construction site safety during the course of site improvements pursuant to N.J.A.C. 5:23-2.21 (e) of the N.J. Uniform Construction Code and CFR 1926.32 (f) (OSHA Competent Person."

K. **COAH**

The applicant should provide testimony regarding conformance with COAH requirements. The applicant should meet with the Affordable Housing Board and should submit a plan for meeting their obligation prior to appearing before the Board.

IV. SUMMARY OF VARIANCES AND WAIVERS

Variances:	142 Attachment 5-3:37 -	Lot width.
	142 Attachment 5-3:37 -	Front yard setback.
	142 Attachment 5-3:37 -	Side yard setback.
Waivers:	Section 142-42B(1) -	Off-street parking lots and loading areas.

V. APPROVAL PROCESS

If the Zoning Board should grant final approval to this project, the following is applicable:

1. The applicant's engineer must make appropriate revisions to the site plan pursuant to the Zoning Board action.

2. The applicant is notified that an inspection escrow and performance bond is required for this application and an estimate for all on/off site improvements (excluding structures) must be reviewed and approved by the Zoning Board Engineer. The inspection escrow must be posted prior to the issuance of any building permits.

3. The applicant must contact the Zoning Board office to settle any outstanding review escrow accounts prior to the issuance of building permits.

VI. OUTSIDE AGENCY APPROVALS

This plan may be subject to the review and approval of the following outside agencies, if not already received. Evidence of these approvals must be submitted to the Township Zoning Department and this office prior to the final signature of plans:

1. Mercer County Planning Board.
2. Mercer County Soil Conservation District.
3. Washington Township.
4. New Jersey Department of Environmental Protection.
5. Any others as may be necessary.

When plans are resubmitted, they are to be accompanied with a point by point response to all underlined items.

If you have any questions regarding this matter, please do not hesitate to call.

Sincerely yours,

REMINGTON, VERNICK & ARANGO ENGINEERS, INC.

Abbe V. Kooper, P.P., AICP

Richard G. Arango, P.E., C.M.E.
Executive Vice President

AVK/KT/ID/mcb

cc: Sharbell Building Company, LLC
Sharbell Newtown, Inc.
J. D. Spalt, P.E.
D. L. Miller, C.L.A.
William Feinberg, R.A.
Thomas Letizia, Esq.
Michael Herbert, Esq.
Greg Busa, Tax Assessor

cc: Zoning board

Washington Township Division of Fire

1149 Route 130
Robbinsville, NJ 08691
(609) 259-7814

FILE COPY

WASHINGTON TWP
PLANNING / ZONING DEPT.
OCT 17 2007
RECEIVED

October 17, 2007

The Township of Washington
Mercer County
1 Washington Boulevard, Suite 14
Robbinsville, NJ 08691

RE: ZB07-09-03—Sharbell Building Company, LLC.

To whom it may concern:

I have reviewed the above mentioned plans and have the following recommendations:

1. Provide proper "fire lanes" as per Title 39 and the NJ Uniformed Fire Code for parking enforcement. Proper signage, yellow curbing and yellow pavement striping will be required. Meet with fire chief and police chief as per N.J.A.C. 5:70-3.1 (a)3, F-311.1 to establish fire lanes.
2. Increase turning radius so fire apparatus can access all areas of buildings possible. R40 minimum required for mutual aid ladder trucks. Ladder truck has a jack spread of 15 feet road widths need to be increased for set up of a ladder truck and still have access to the roadway to bring in additional equipment.
3. Provide hose connections/hose cabinets in each stairwell and on all levels of the building.
4. Provide truss roof and floor signs for all buildings.
5. Provide proper numbering for building and number each suite with its proper letter or number for quick identification.
6. Provide fire department "Knox boxes" for all buildings.
7. Provide remote fire department sprinkler connections out of collapse zone of building. The fire department connection shall be of a 5" Storz type.
8. Provide hydrants on property near entrances and remote fire department connections.

If you have any questions please contact me at 609-259-7814.

Sincerely,

Kevin Brink
Fire Chief

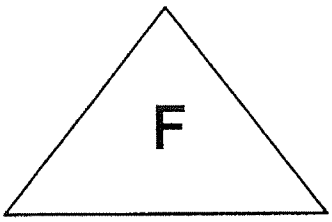
Tom Tf-7
c: Mark Cannuli (Sharbell).
Thomas Letizia, Esq.
Jeffrey Splat
Jane West
Alice Keegan
Michael Hanbest.

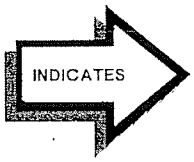
Done
10/19/07

TRUSS BUILDING

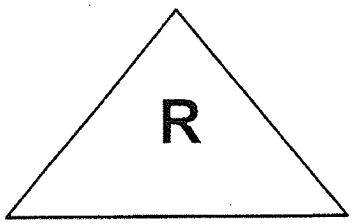
IDENTIFYING EMBLEMS

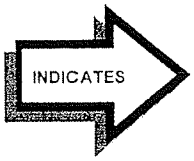
N.J.A.C. 5:70-2.20(a)1.
"The emblem shall be of a bright and reflective color, or made of reflective material. The shape of the emblem shall be an isosceles triangle and the size shall be 12 inches horizontally by 6 inches vertically. The following letters, of a size and color to make them conspicuous, shall be printed on the emblem, as shown in diagram below."



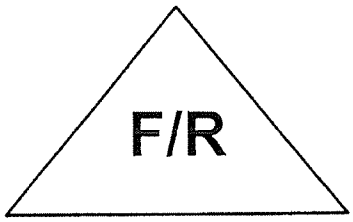


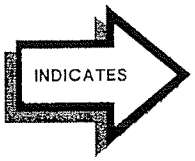
TRUSS FLOOR





TRUSS ROOF





TRUSS FLOORS & ROOF

N.J.A.C. 5:70-2.20(a)2.
"The emblem shall be permanently affixed to the left of the main entrance door at a height between 4 and 6 feet above the ground and shall be installed and maintained by the owner of the building."

Department of Community Affairs
Division of Fire Safety
PO Box 809, Trenton, New Jersey 08625-0809
609.633.6132
609.633.6330 (FAX)


FDC
Sign "FDC" 3" letter
can also read:
Fire Department Conn

Edmund A. Wilson, Jr., NCARB, AIA, PP
5 Stonewall Circle
Princeton, NJ 08540
609.924.2462
edawiljnr@patmedia.net

MEMORANDUM

To: Zoning Board of Adjustment
Township of Washington, Mercer County, NJ

From: Ed Wilson, NCARB, AIA, PP
Township Architectural Consultant

Date: October 18, 2007

Ref: Town Center III
Sharbell Building Company, LLC

I have reviewed an eight (8) sheet set of conceptual architectural floor plans and elevations (the Building Plans), which were prepared by Feinberg & Associates P.C., Voorhees, NJ and are dated September 26, 2007. I also have reviewed, for reference, copies of site plan drawings (the Site Plans) prepared by Dynamic Engineering Consultants PC, Lake Como, NJ and other, related documentation. Following are the results of the subject review.

1. The applicant is seeking approval of Preliminary & Final Site Plans in order to be permitted to construct the following on Block 8, Lot 1.01 (the Site) in the TC-3 Zone District (Zone).
   a. A new three-story "Seniors Building," which comprises thirty-nine (39) residential dwelling units and is situated above one (1) level of structured parking with elevator service to the three residential floors. The entrances to the structured parking are at and near its north end; at its south end the structured parking appears to be essentially below grade.
   b. A new four-story, 62,720 square foot (SF) mixed-use building, comprising a "Rite-Aid Pharmacy" on the ground floor and three (3) upper floors of office suites.
   c. From the Site Plans it appears that the Site also is intended to accommodate eight (8) townhouse units with "rear-loaded" garages, although said townhouses don't appear to be a subject of this application.
2. In my opinion the proposed Seniors Building is architecturally very handsome and is appropriate to its location in the TC-3 Zone. While they are not labeled on the Building Plans, the primary exterior finishes appear to be a combination of brick, stucco or a stucco-like material such as EIFS, pre-cast concrete or EIFS window lintels, an attractive and appropriately-scaled cornice, which I suspect will be EIFS, "wrought-iron" balcony railings and "tower-like" façade projections that are shown, with the exception of window openings, finished entirely with brick. Further, if EIFS is, in fact, to be the

stucco-like exterior finish, it is in my opinion shown suitably located essentially above the first floor level and nowhere below the first floor window sill elevation. In addition, the main entrance expression, with its arched opening supported by appropriately-scaled brick piers is very sensitively designed. Few if any of these elements are literal neo-traditional forms, of course, although in my opinion they are very well-designed interpretations thereof.

3. My comments regarding the mixed-use building, were it not in such close proximity to the Seniors Building, would be similar to my Seniors Building comments above; alone it is, again in my opinion, a handsome structure. Because of said proximity, however, its size and scale appear, to me, to somewhat overwhelm the Seniors Building and, possibly, to be slightly out-of-character with the multi-story mixed-use building across Robbinsville-Edinburg Road. I believe this is due largely to the apparently-proposed extensive use of large, multi-story "all-glass" curtain-wall fenestration in combination with the more massive belt course and cornice treatments. In addition, I suspect that the mixed-use building's floor-to-floor heights are taller than those of the Seniors Building, thereby visually exaggerating the mixed-use building's one additional story of height and contributing to its appearing, again at least to me, to overwhelm the Seniors Building to some extent.
    a. I realize, of course, that the mixed-use building is intended to serve very different uses from the Seniors Building and I fully respect the importance of "recognizing the corner" at the intersection of Robbinsville-Edinburg Road and NJ Route 33, which I believe the proposed, glass curtain-wall "tower element" is intended to accomplish. On those bases, and if the Board concurs, I'd appreciate the applicant and architect giving consideration to the following suggestions:
        - Continue to recognize the corner, possibly with a somewhat taller corner tower element if the Board agrees, even if such larger tower might require a minor height variance. (Because the building elevations that are part of the Building Plans are not dimensioned, it isn't feasible for me to comment on the possible magnitude of such a variance at this time)
        - Such an expanded tower element could continue to be a glass curtain-wall, or it might be comprised of a combination of brick piers and glass curtain-wall similarly to other "tower element" expressions currently shown on the mixed-use building.
        - Moving away from the corner tower in the direction of the Seniors Building, change to smaller-scale windows that could effectuate a transition between the mixed-use building's fenestration and the Seniors Building windows. These might be a combination of windows and windows & spandrels similar to those at the multi-story mixed-use building across Robbinsville-Edinburg Road and the bank headquarters building a short distance west along NJ Route 33.
        - In conjunction with the above suggestions, reconsider the sizes of the mixed-use building's belt course and cornice elements, possibly matching their sizes with those at the multi-story mixed-use building across Robbinsville-Edinburg Road if they don't already match. (Without dimensioned elevations it's difficult to be certain)
4. I suggest that the applicant submit exterior finish samples and colors to the Board for review, so that the Board can ascertain that the proposed colors will be compatible with surrounding buildings in close proximity to the subject, proposed buildings. This could be accomplished as a condition of approval if the Board concurs. Further, I will be pleased to review such samples if the Board so requests.
5. I also suggest that the applicant submit to the Board samples and/or catalog cuts of proposed, exterior building-mounted lighting fixtures, so that the Board can confirm that

such fixtures will be compatible with the proposed buildings in terms of design, scale & light source. I will be pleased to review these samples and/or cuts also if the Board so requests.

6. In addition to the architectural design issues discussed under "3." above, I suggest that the Board consider a condition of approval that would prohibit paper and other advertising applied to the pharmacy windows – at least temporary such advertising. In preparation for the comments contained in this memo I visited a nearby, well-designed new pharmacy and found such "storefront" advertising to be the only significant detraction from an otherwise very nice building.

The above comments deal only with architectural and contextual considerations and do not address any site design issues.

Further, the above comments are in regard to architectural aesthetic design only and do not address issues such as, but not limited to, structural design, construction details and building code compliance.

Please feel free to contact me if there are any questions regarding the above.

Respectfully submitted,
Ed Wilson, NCARB, AIA, PP

cc: Zoning board

WASHINGTON TOWNSHIP ZONING BOARD
RESOLUTION ZB2007-05

In the Matter of Sharbell Building Company for Use Variance, Density Variance and Bulk Variance Approvals of a Four-Story, Mixed Use Building (15,000 Square-Foot Commercial Space, Including a Drive-Thru Pharmacy) and 49,000 Square Feet of Office Space, Along with a Three-Story Age-Restricted Apartment/ Condominium Building Over a One-Story Parking Garage, as well as Eight Townhouse Lots	**FINDINGS OF FACT AND CONCLUSIONS OF LAW** **Block 8, Lot 1.01** **Washington Township, Mercer County** **Zone: TC-3, Town Center Three** **Application No. ZB 06-09-01** **Approval Date: June 6, 2007**

BE IT RESOLVED, by the Zoning Board of the Township of Washington (Board) that the action of this Board on June 6, 2007, in this matter is hereby memorialized by the adoption of this written decision setting forth the Board's findings and conclusions.

RELIEF SOUGHT AND JURISDICTION

1. The applicant is seeking use, density and bulk variance approvals for the construction of: (a) a four-story mixed-use building with a total of 15,000 square feet of commercial space, including a pharmacy with a drive-thru and 1,000 square feet of office-lobby space on the first floor and 48,000 square feet of office space in the above three floors; (b) a four-story age-restricted apartment/condominium building with forty-five (45) units; and (c) eight townhouse lots in the TC-3 Zone District at the intersection of County Route 526 and NJSH Route 33 and Union Street.

2. The subject of this application is within the jurisdiction of this Board. The Board has acted within the time required by law.

3. The property has frontage along three different streets and is on a prominent corner of the Town Center development. Specifically, the pharmacy and commercial building will have frontage along Route 33 and Route 526, while the age-restricted condominium/apartment building will have frontage along Route 526 and Union Street. The townhouses will have frontage along Union Street. The easterly side of the property is bordered by a previously-approved commercial property (not owned by the applicant)

which received a use variance to include a lawyer's office in an existing residential house.

4. Block 8, Lot 1.01 is located in the TC-3 Zone District as designated on the Washington Township Zoning Map.

THE APPLICANT

5. The owner of the property is Sharbell Newtown, Inc., One Washington Blvd., Suite 9, Robbinsville, NJ 08691, and the applicant is Sharbell Building Company, LLC., One Washington Blvd., Suite 9, Robbinsville, NJ 08691.

6. The applicant/owner has certified that all property taxes for the subject property and all escrow fees required under the applicable ordinance(s) for such an application have been paid. This certification includes an agreement to pay all future monies due under the escrow ordinance for consultants and other professional work on the property.

7. The applicant/owner has submitted an Affidavit of Proof of Service of Notice published in the Trenton Times. The applicant/owner has also submitted an Affidavit of Poof of Service that notice was given to property owners within 200 feet in all directions of the property and to other governmental agencies as required by law. The affidavits comport with the notice before the Board that this matter is of the character that the applicant has presented to the Board.

THE HEARINGS

8. One public hearing took place with regard to this application.

    a. On June 6, 2007, a hearing took place before the Washington Township Zoning Board at the Township Municipal Court building in Robbinsville, New Jersey 08691.

PLANS PRESENTED

9. The Board reviewed the following documents:

    a. Use Variance Plan for Sharbell Building Company, LLC, Proposed Mixed Use Development, Block 8, Lot 1.01, Tax Map sheet 5.01, NJSH Route 33 and Robbinsville-Edinburg Road, Township of Washington, Mercer County, New Jersey," prepared by Dynamic Engineering Consultants, PC, dated March 12, 2007, sheets 1 through 3.

b. Landscape Plan and Site Plan prepared by J.D. Spalt, P.E., Dynamic engineering Consultants, P.C., 1904 Main Street, Lake Como, New Jersey 07719.

OTHER DOCUMENTS REVIEWED BY THE ZONING BOARD

10. The Board reviewed the following documents submitted by the applicant:

a. March 16, 2007 letter from Sharbell Building Company, Inc., enclosing the General Land Application for the project.

b. March 27, 2007 letter from Washington Township Fire Department, reviewing the site.

c. March 16, 2007 letter from Thomas Letizia, Esq., of Pepper Hamilton, amending the application and providing a list of the five variances sought.

d. May 16, 2007 letter from Dynamic Engineering Consultants, P.C., Jeffrey D. Spalt, P.E., enclosing exhibit plan for the site.

e. Application No. ZB07-03-03.

EXHIBITS PRESENTED

11. The following exhibits were presented to the Board:

a. A-1, colorized site plan.

b. A-2, Town Center density plan.

c. A-3, example of similar townhomes built by the applicant.

d. A-4, architectural rendering of the age-restricted condominium and office plan.

e. A-5, plan for the intersection of Route 33 and Route 526 showing widening and upgrades.

f. A-6, diagram showing existing conditions at that intersection.

g. A-7, exhibit showing density throughout the Town Center project.

h. A-8, color photos of other townhomes located along Union Street.

i. A-9, traffic study for the site.

TOWNSHIP EXPERT REPORTS

12. At the hearing, the Board considered the following reports presented by Township officials:

a. Memorandum to Zoning Board from John M. West, P.E., Township Engineer, dated April 26, 2007.

b. Remington Vernick Engineers report dated June 5, 2007.

TESTIMONY AND PUBLIC INPUT

13. The testimony given by and on behalf of the applicant was as follows:

a. The applicant was represented by Thomas Letizia, Esq., of Pepper Hamilton LLP who gave the Board an overview of the project and the requested variances. Mr. Letizia also reviewed the standards for review of the requested variances. Mr. Letizia stated that if the applicant's requested relief were granted, the applicant would subsequently request site plan approval for the project. Mr. Letizia stated to the Board that the applicant wishes to be responsive to the desires of the surrounding neighbors, as long as the Board is in concurrence. He went on to state that the applicant is very sensitive to traffic in the area, as is evidenced by its production of a traffic report and is willing to upgrade the intersection of Route 526 and Route 33.

Specifically, Mr. Letizia reviewed the various "d" variances needed for the site, including: (i) use or d.(1) variances to permit the construction of the multi-family condominium/apartment building and the drive-thru for the proposed pharmacy which are not listed as permitted uses in the TC-3 Zoning District; and (ii) a density or d.(5) variance for exceeding the maximum residential density in the TC-3 section of the Town Center established by the Ordinance which allows a maximum of 132 units whereas a total of 177 units are proposed. Mr. Letizia noted that the additional units from this application would result in an overall density of 4 units per acre in the TC-3 section of Town Center which is consistent with the permitted density in the TC-1 section of Town Center. Mr. Letizia explained the "c" or bulk variances needed, including townhouse minimum lot width variances for lots D and E, which are required to be 23 feet, where 20 feet is proposed; and maximum lot width variances for lots A and H, where a maximum lot width of 32 feet is permitted and 36 feet and 39.9 feet respectively are proposed. Mr. Letizia further explained that another c(2) variance is required as the applicant has not provided on-street parking in front of the proposed commercial buildings as

required by the Ordinance. Mr. Letizia emphasized to the Board that this is a bifurcated application, by which the applicant is first seeking the variance relief and will then return to the Board at a later time for site plan approval.

At the end of his testimony, Mr. Letizia argued to the Board that this was a legitimate use and density variance case in that the project fits in with the overall Town Center design and was providing much-needed housing for residents of Washington Township who are 55 years of age and older.

b. Mr. Letizia then presented four witnesses, as follows:

i. Thomas F. Troy, who is Senior Vice-President of Sharbell Building Company. Mr. Troy reviewed with the Board Exhibits A-1 through A-4 as to the general layout of the project and the external appearance of the residential units being offered. He stated that construction on the project was not anticipated to begin until sometime in 2008. Specifically, he stated that approximately one half of the parking for the age-restricted units would be underneath the building, with an additional twenty-three (23) spaces provided in the surface lot. The site would be accessed from one of three driveways; Route 33 with likely a right-in entrance only or from Route 526 and Union Street which are proposed to permit full access. He stated that the applicant is currently applying to the New Jersey Department of Transportation for access permits consistent with the plan provisions. He then reviewed landscaping with the Board, anticipating that there would be extensive plantings throughout the site.

Mr. Troy stated that the age-restricted units would not generate high traffic volumes during rush hour, nor would they generate any school children. He stated that the affordable housing obligation of 14 units generated by the development would be satisfied within one or more of the buildings located in the applicant's TC-1 commercial core development.

ii. Jeffrey Spalt, P.E., of Dynamic Engineering Consultants. Mr. Spalt reviewed the site plan with the Board, stating that the specifics of the site plan will be better illuminated when the applicant returns to the Board with a site plan application should the Board grant the variances requested. He reviewed ingress and egress to the site, which included the previously-mentioned Route 33 entrance along with an entrance along Route 526 and Union Street. The entrance on Route 526 (Robbinsville-Edinburg Road) and the Union Street driveway are proposed to be full access ingress and egress. With regard to landscaping, Mr. Spalt testified that the applicant proposes to utilize the landscaping treatments being used in the rest of the Town Center development. He stated that stormwater from the site will be accommodated in the existing stormwater detention system located nearby

in other sections of TC-3 being developed by the applicant. With regard to the drive-thru pharmacy, he stated that a two-lane drive-thru is being proposed with possibly one of the lanes serving as a by-pass lane. He reviewed the parking with the Board and stated that the 247 spaces proposed to be located on site, including those located in the parking garage, were adequate to serve the proposed development.

iii. Maurice Rached, P.E., of Maser Consulting, P.A., testified as the traffic engineer for this project. He reviewed with the Board exhibits A-5 and A-6 which show the existing conditions at the intersection as well as the proposed improvements. Mr. Rached testified to the Board that the plan would result in a significant improvement to the intersection, facilitating better traffic circulation, even when full build-out of the site occurs.

iv. Mark Cannuli, P.P., Director of Development for Sharbell Building Company LLC, testified as a licensed planner for applicant. He reviewed with the Board the proofs required under d(1) use variances, stating that this concept would promote several purposes of the New Jersey Municipal Land Use Law (MLUL), satisfying the "special reasons" requirement of the MLUL. He also stated the variance relief could be granted without causing substantial detriment to the public good and without substantial impairment to the master plan and zoning ordinance.

Mr. Cannuli stated that the Washington Township Master Plan and the 2007 Reexamination Report contemplated a similar concept at the site. Mr. Cannuli continued to testify that by allowing senior citizen housing at the proposed density, in a multiple-use land plan, the housing demands for varying age groups, families and income levels could be met. He further testified that the proposed density was actually very similar to the density of the adjacent TC-1 Commercial Core and that the density variance should be approved, since the project promotes much-needed age-restricted housing in the area. He also stated that this application supported various town center concepts as the proposed development would provide a pedestrian-friendly facility where older persons could use nearby amenities as part of the project. He then reviewed exhibits A-4 and A-8 with the Board, stating that the proposed development of the townhouses along Union Street would promote a desirable visual environment by completing the context of the southern end of the neighborhood and providing a logical transition from the proposed senior housing and non-residential parking area to the adjacent residential neighborhood.

14. The following Township staff gave advice to the Board:

a. Township Planner Abbe Kooper, P.P., of Remington Vernick testified with regard to the project and reviewed her June 5, 2007 letter with the Board. In addition to comments outlined in her memorandum, Mrs. Kooper stated that senior housing may increase the burden upon emergency services, but that due to the design of the site, there will clearly be a reduction in the need for police and fire coverage.

b. John M. West, P.E., Township Engineer. Mr. West reviewed his April 26, 2007 memorandum with the Board. Mr. West testified with regard to his memorandum and clarified that the design waiver he cited therein pertaining to more than one principal dwelling on a lot was not necessary in this case because that requirement has been interpreted as not applying to the Town Center. Mr. West and Ms. Kooper agreed with the applicant that the development would provide additional housing types needed to further promote the town center concept.

c. Michael W. Herbert, Esq., Zoning Board Attorney. Mr. Herbert described to the Board the standards for approval of the use, density and bulk variances.

15. Members of the public who testified with regard to the application:

a. Samie Kaplan, of 212 Union Street, raised concerns regarding traffic from the site using Union Street and how it would affect her children. She does not believe that a drive-thru is a good idea because it was not part of the Town Center vision she anticipated when she bought her home.

b. Paul Rubin, Esq., of 2376 and 2378 Route 33, Robbinsville, was in favor of the concept but was concerned that there might be a back-up of traffic entering the site from Route 33 on the right turn-in. Mr. Rubin also requested that there be an access easement between his property and the site to address his perceived traffic problem. The applicant agreed to offer a cross-access easement to connect the two properties, which will be provided by the applicant during the Site Plan review.

c. Joanne Lasky, of 19 Malsbury Street, was concerned about the visual impacts of the existing utility poles located along Robbinsville-Edinburg Road (Route 526) which could be a danger to traffic and requested that these utility lines be buried under Route 526. Mr. West responded that the Township has had numerous meetings with the utility company with regard to moving utilities line and/or placing them underground and the utility company has thus far not been willing to honor this request.

16. Board members statements:

a. A number of Zoning Board members were concerned about the density of the project. They expressed the view that the variance for increased density should be granted, but that the applicant should agree to reduce the intensity of the commercial development and/or the residential density of the project at the time of site plan review to make certain that parking demands would be adequately met on site and not impact the surrounding neighborhood. The Board members asked that the applicant address the intensity and potential density reduction at the hearing on the site plan application. It was agreed that a reduction in either the number of residential units and/or commercial square footage should not be specified at this time, as there would have to be review of the site plan design, but that the applicant would seek ways to reduce the parking impact.

FINDINGS AND CONCLUSIONS REGARDING APPROVAL OF USE VARIANCE

17. Nature of the application:

a. Mixed-Use Building:

i. The proposed uses (ground floor retail and office uses on the upper stories) are permitted principal uses in the TC-3 zone. The applicant is proposing a pharmacy with a drive-thru. Although the pharmacy use is permitted, a use variance is required for the drive-thru. The applicant shall provide the necessary proofs including "special reasons" and satisfy the negative criteria to support the use variance for the drive-thru facility. The applicant must also demonstrate that the requested relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

b. Age-restricted Apartment/Condominium Building:

i. The proposed multi-family Age-restricted Apartment/Condominium Building is not in conformance with the permitted principal uses in the TC-3 Zone District. A use variance is required. The applicant has the burden of demonstrating "special reasons" and satisfying the negative criteria for granting the variance and demonstrating that the requested relief can be granted without substantial detriment to the public good and will not substantially impair the intend and purpose of the zone plan and zoning ordinance.

c. Townhouses:

i. The applicant's proposed use is in conformance with the permitted principal uses of the TC-3 zone. Lot width variances are requested for townhouse lots A, D, E and H as described in Section 14a hereof.

d. Overall Site

i. Per Section 142 Attachment 5-3:4.1, the maximum number of residential units permitted in the TC-3 Zone District is 132 residential units. There are currently 124 residential units approved in the TC-3 Zone District. The applicant is proposing 53 additional residential units, creating 177 residential units in total, 45 units in excess of the maximum number. A density variance is required. The applicant has the burden of demonstrating "special reasons" for granting the variance and, in light of the recent court decision in *Grubbs vs. Slothower* (389 N.J. Super. 377), show that the subject property can accommodate problems that may be associated with a greater density than what the ordinance allows. The *Grubbs* decision holds that an applicant for a density variance is not required to satisfy the heightened burden of proof for "special reasons" as set forth in *Medici v. BPR Co.* The applicant must also demonstrate that the requested relief can be granted without substantial detriment to the public good and will not impair the intent and purpose of the zone plan.

ii. The Ordinance requires the provision of on-street parking to serve the proposed commercial building. Given there are only county-owned or state-owned roads adjacent to this site which do not allow on-street parking, the applicant is unable to satisfy this ordinance requirement.

18. Board findings:

a. The Board grants the proposed use and density variances, finding that they are de minimus variance from the zoning for the property, that being Town Center. Moreover, the Board finds that the property is unique due to its location, and special circumstances require the issuance of the variances. Finally, the Board cannot find any adverse impact to the granting of the variances to the public's health, safety and welfare, nor to local zoning or to the Township master plan. The use variances are clearly in compliance with the Town Center concept development slated for the area. It must be noted that while the Board grants the density variance for the project, the applicant has agreed to reduce the intensity of the commercial development and/or the residential density of the project at the time of site plan review to make certain that parking demands would be adequately met on site and not impact the

surrounding neighborhood. The applicant has agreed to work with the Township for a full review of all parking demands at the site.

b. The Board grants the requested townhouse lot width variances and on-street parking variance.

CONDITIONS REQUIRED

19. The Board finds that in order to address the concerns expressed in the course of the hearing, and to limit the relief to that which is reasonably necessary to satisfy the applicant's legitimate requirements, the relief granted is subject to the following conditions:

a. Applicant must comply with conditions contained in March 27, 2007 letter from Washington Township Fire Department, reviewing the site.

b. The applicant agreed that it will offer a cross-access easement to the owner of Lot 50, Block 8 to permit vehicular access from the applicant's site to serve the current commercial use on Lot 50.

c. While the density variance is approved by the Board, the applicant must work to reduce the intensity of the commercial development and/or the residential density of the project at the time of site plan review to make certain that parking demands would be adequately met on site and not impact the surrounding neighborhood.

d. The owner/applicant must obtain major subdivision and site plan approval from the Zoning Board for its development.

e. The applicant agreed as a condition of the approval to revise the plans in accordance with the professional staff memoranda or deferred to resolve the site plan related issues during the site plan application process. The applicant agreed as follows:

i. The applicant agreed to all of the comments in the Memorandum to Zoning Board from John M. West, P.E., Township Engineer, dated April 26, 2007, with the exception of the following:

Pg. 2, Comment IV. 1. Affordable Housing. (Refer to Section 19. f through j. of this Resolution for clarification on this comment).

ii. The applicant agreed to the comments in a Memorandum to Zoning Board Remington Vernick Engineers report dated June 5, 2007, except the following:

Pg. 5, Comments V. 1 through 5. These will be addressed during the site plan application.

f. The proposed forty-five (45) age-restricted apartment/condominium units generate an obligation of 5.625 affordable units.

g. The non-residential component of the development generates an obligation of 6.84 affordable units.

h. The eight townhouses require one affordable unit per eight market rate units produced.

i. The Board agrees that the total affordable housing obligation of 14 units generated by the development shall be satisfied within one or more of the buildings located in the applicant's TC-1 commercial core development.

j. The applicant shall meet with the Affordable Housing Committee for approval of the income and bedroom mix of the affordable units required.

k. Major subdivision approval shall be a condition of any approval.

l. In lieu of payment of its pro-rata contribution to the Town Center traffic improvement fund, the applicant has agreed to construct certain specific improvements to the south side of the intersection of Route 33 and Robbinsville-Edinburg Road as shown on the overall conceptual layout plan for NJ State Highway Route 33 and County Route 526, prepared by Maser Consulting, P.A., dated January 2, 2007. The general limits of construction are defined on the attached exhibit labeled "Exhibit A" and will be finalized between the applicant and Township Engineer during resolution compliance.

VARIANCES REQUESTED AND GRANTED

20. The following variances are requested:

a. Applicant proposes to construct a four-story (three-story of residential over one-story of parking) age-restricted apartment/condominium building. Such residential use is not permitted in the TC-3 District. Use variance is requested under *N.J.S.A.* 40:55D-70(d)(1).

b. Applicant proposes a drive-thru pharmacy in first floor of a mixed use commercial building. Drive-thru pharmacy is not a permitted use in TC-3 District. Use variance is requested under *N.J.S.A.* 40:55D-70(d)(1).

c. Applicant proposes to construct an additional 45 age-restricted units and eight townhomes in the TC-3 District, where a maximum density of 132 units is permitted. Applicant has current approvals for 124 residential units in the TC-3 District. In proposing 53 additional residential units, a total of 177 units will be proposed in the TC-3 District, 45 in excess of the maximum allowed. Density variance is requested under *N.J.S.A.* 40:55D-70(d)(5).

d. Proposed townhouse lots D and E have a lot width of 20 feet, where 23 feet is the minimum required. Proposed townhouse lots A and H have a lot width of 39.9 feet and 36 feet respectively, where 32 feet is the maximum allowed. Bulk variances are requested under *N.J.S.A.* 40:55D-70(c)(2).

e. No on-street parking is provided in front of the commercial buildings. A variance is requested under *N.J.S.A.* 40:55D-70(c)(2).

21. As stated above, the Board finds that the aforementioned variances requested should be granted, as they are de minimus in nature, as well as the fact that the applicant has presented such special circumstances that require their approval. The applicant shall work with the Township in order to present a site plan application that will not have a substantial negative impact upon the surrounding neighborhood and the Township.

CONCLUSION

Based upon the foregoing, the Washington Township Zoning Board, at its June 6, 2007 meeting, voted to approve the application.

This Resolution of Memorialization was adopted on September 5, 2007 by a vote of the majority of the members present, who voted to approve the relief sought by the applicant.

The date of decision shall be June 6, 2007, except that the date of the adoption of this memorializing resolution is the date of decision for purposes of (1) mailing a copy of the decision to the applicant within ten (10) days of the date of the decision; (2) filing a copy of the decision with the administrative officer; and (3) publication of a notice of this decision. The date of the publication of the notice of decision shall be the date for the commencement of the vesting protection.

ROLL CALL VOTE ON APPLICANT'S
REQUEST FOR VARIANCES
JUNE 6, 2007

Moved By: Mr. Kreig
Seconded By: Ms. Dabrowski
Those in Favor: Mr. Siekerka, Mr. Kreig, Ms. Dabrowski, Mr. Gibeault, Mr. Griffin, Chair Perhacs
Those Opposed: Ms. Carbone

Those Absent: Mr. Bihl

ROLL CALL VOTE ON MOTION TO APPROVE
RESOLUTION OF MEMORIALIZATION, SEPTEMBER 5, 2007

Moved By: Mr. Kreig
Seconded By: Mr. Siekerka
Those in Favor: Mr. Siekerka, Mr. Kreig, Mr. Gibeault, Mr. Griffin
Those Opposed: None
Those Absent: Chair Perhacs

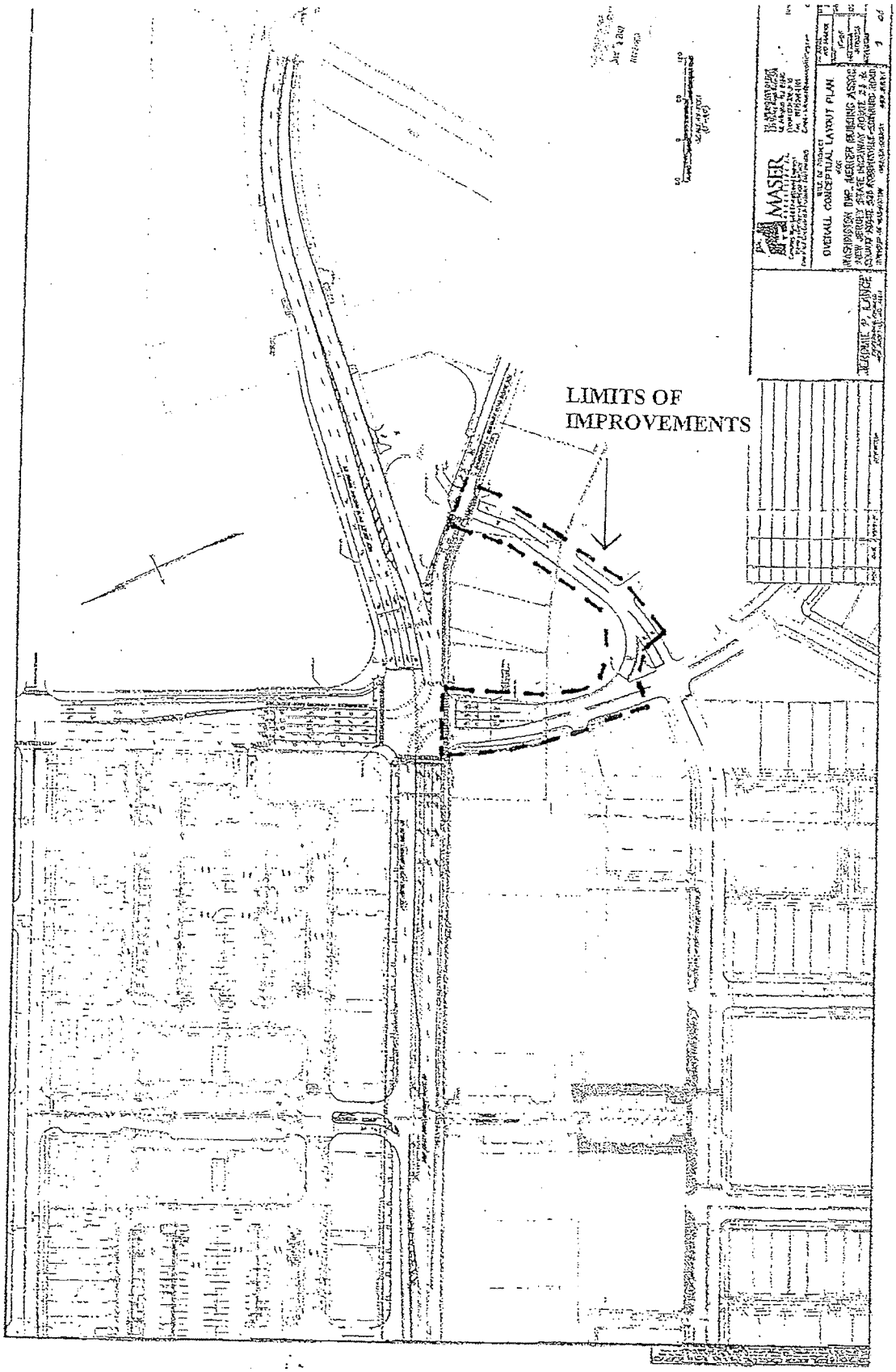
CERTIFICATION

We do hereby certify that the foregoing resolution was adopted by the Washington Township Zoning Board at its regular meeting held on June 6, 2007. This resolution memorializes formal action taken by the Board at its regular meeting held on September 5, 2007.

Elide M. Post

Elide M. Post, Secretary
Washington Township Zoning Board

EXHIBIT A



Washington Township Fire Department

1149 Route 130
Robbinsville, NJ 08691
(609) 259-7814

FILE COPY
WASHINGTON TWP.
PLANNING & ZONING DEPT.
MAR 30 2007
RECEIVED

March 28, 2007

The Township of Washington
Planning and Zoning Department
1 Washington Blvd.
Robbinsville, NJ 08691

RE: ZB07-03-03---Sharbell Building Company, LLC.

To Whom It May Concern:

I have reviewed the above referenced plans and have the following comments:

1. Mark with signs and yellow stripes on entrances/exits and around buildings and through parking areas "Fire Lane No Parking" Provide proper signs as per NJ Uniform Fire Code and Title 39 of the motor vehicle code. File proper paperwork with State of NJ and Washington Township Police Department for enforcement of fire lane violations.
2. Provide truss roof/floor markers on all buildings requiring such signage as per NJ Uniformed Fire Code.
3. Provide fire sprinklers in the parking deck of building.
4. Provide fire department hose connections on all levels in stairwells of all buildings.
5. Provide for "Ambulance Parking Only" for Senior Apartment Buildings. File proper paperwork for enforcement of no parking in this area.
6. Provide sprinkler connections for fire department access and they shall be 5" Stortz type fittings.
7. Fire department Knox Boxes to be installed on both buildings.

If you have any questions please call me at 609-259-7814.

Sincerely,

Kevin Brink
Fire Chief

THE TOWNSHIP OF WASHINGTON

Mercer County
1 Washington Boulevard, Suite 14, Robbinsville, N.J. 08691
PLANNING & ZONING DEPARTMENT
Telephone (609) 918-0002 Fax (609) 918-1553

John M. West, P.E., P.P.
Director of Community Development
Ext. 107
jackw@washington-twp.org

Elide M. Post
Planning Board Secretary/Land Use Coordinator
Ext. 123
elidep@washington-twp.org

MEMORANDUM

TO: Washington Township Zoning Board

FROM: John M. West JMW
Township Engineer

DATE: April 26, 2007

RE: Sharbell Building Company, LLC
ZB 07-03-03
Block 8, Lot 1.01

The applicant is seeking a use and density variance for the construction of a four story mixed-use building with a total of 15,000 square feet of commercial space, including a pharmacy with a drive-thru, and 1,000 square feet of office/lobby on the first floor and 48,000 square feet of office in the above three floors. The proposal includes a four story age restricted apartment/condominium building and eight town houses in the TC-3 Zone at the intersection of County Route 526 and NJSH Route 33 and Union Street.

I. The following material was reviewed:

- "Use Variance Plan for Sharbell Building Company, LLC, Proposed Mixed Use Development, Block 8, Lot 1.01, Tax Map Sheet 5.01, NJSH Route 33 & Robbinsville – Edinburg Road, Township of Washington, Mercer County, New Jersey", prepared by Dynamic Engineering consultants, PC, dated 3/12/2007, sheets 1 through 3.

II. Completeness

The application was deemed complete by the Administrative Officer on March 30, 2007.

III. Variances / Waivers Requested

1. Use Variances

   a. A use variance is required since the proposed apartment/condominium building is not a permitted use in the TC-3 zone.

   b. A use variance is also required for the drive-thru pharmacy since it is not a permitted use in the TC-3 zone.

2. Density Variance

   a. The total density allowed in the TC-3 zone is 132 units, of which 8 units remain. The applicant is proposing 8 town house units and 45 apartment/condo units, having a total of 177 units, or 45 units over the maximum density.

3. Design Waiver

   a. Ordinance 142-43 permits no more than one principal dwelling or building on any one lot. The applicant is proposing two structures on the same lot. A waiver is required. OK

IV. General Comments

1. Affordable Housing

   a. The enhanced density for the zone is including units developed when affordable units are developed at a ratio of 4:1. It is recommended that affordable units be made available on site at the rate of 4:1 for any increase in density. The additional 45 units would require 11 affordable units. The applicant shall meet with the Affordable Housing Committee for approval of any affordable units required.

   b. The eight town houses require one affordable unit per eight market rate units produced. The eight town houses would require one additional unit, bringing the total units to 12.

2. The applicant is proposing a total of 64,000 square feet of office and retail space and meets the maximum 65,000 square feet allowed.

3. The applicant shall provide a traffic analysis for the site.

4. Site Plan

a. Major Subdivision approval shall be a condition of any approval.

b. Site Plan approval for the commercial building and the age restricted apartment/condo complex shall be a condition of any approval. Since this type of use is not permitted, there are no bulk requirements for this structure. Who shall set the bulk standards for the residential structure?

c. The town house lots shall be a minimum of 23 feet wide and a maximum of 32 feet wide. Lots A, D, E and H do not meet this requirement. A variance will be required.

d. The minimum required lot area of 2,000 square feet shall be provided for town houses. Lots D and E do not meet this requirement and therefore a variance will be required.

cc: Michael Herbert, Esq.
Thomas Letizia, Esq.
Mark A. Cannuli, Sharbell

JMW/ab

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Remington & Vernick Engineers
Remington, Vernick & Vena Engineers
Remington, Vernick & Beach Engineers
Remington, Vernick & Arango Engineers
Remington, Vernick & Walberg Engineers

EDWARD VERNICK, P.E., C.M.E., President
CRAIG F. REMINGTON, P.L.S., P.P., Vice President

EXECUTIVE VICE PRESIDENTS
Michael D. Vena, P.E., P.P., C.M.E.
Edward J. Walberg, P.E., P.P., C.M.E.
Thomas F. Beach, P.E., C.M.E.
Richard G. Arango, P.E., C.M.E.

DIRECTOR OF OPERATIONS
CORPORATE SECRETARY
Bradley A. Blubaugh, B.A., M.P.A.

SENIOR ASSOCIATES
John J. Cantwell, P.E., P.P., C.M.E.
Alan Dittenhofer, P.E., P.P., C.M.E.
Frank J. Seney, Jr., P.E., P.P., C.M.E.
Terence Vogt, P.E., P.P., C.M.E.
Dennis K. Yoder, P.E., P.P., C.M.E.
Charles E. Adamson, P.L.S., A.E.T.
Kim Wendell Bibbs, P.E., C.M.E.
Marc DeBlasio, P.E., P.P., C.M.E.
Leonard A. Faiola, P.E., C.M.E.

Remington & Vernick Engineers
232 Kings Highway East
Haddonfield, NJ 08033
(856) 795-9595
(856) 795-1882 (fax)

15-33 Halsted Street
East Orange, NJ 07018
(973) 323-3065
(973) 323-3068 (fax)

Remington, Vernick & Vena Engineers
9 Allen Street
Toms River, NJ 08753
(732) 286-9220
(732) 505-8416 (fax)

3 Jocama Boulevard, Suite 2
Old Bridge, NJ 08857
(732) 955-8000
(732) 591-2815 (fax)

Remington, Vernick & Walberg Engineers
845 North Main Street
Pleasantville, NJ 08232
(609) 645-7110
(609) 645-7076 (fax)

4907 New Jersey Avenue
Wildwood City, NJ 08260
(609) 522-5150
(609) 522-5313 (fax)

Remington, Vernick & Beach Engineers
922 Fayette Street
Conshohocken, PA 19428
(610) 940-1050
(610) 940-1161 (fax)

102 West Allen Street
Mechanicsburg, PA 17055
(717) 766-1775
(717) 766-0232 (fax)

U.S. Steel Tower
600 Grant Street, Suite 1251
Pittsburgh, PA 15219
(412) 263-2200
(412) 263-2210 (fax)

Univ. Office Plaza, Commonwealth Bldg.
260 Chapman Road, Ste. 104F
Newark, DE 19702
(302) 266-0212
(302) 266-6208 (fax)

Remington, Vernick & Arango Engineers
243 Route 130, Suite 200
Bordentown, NJ 08505
(609) 298-6017
(609) 298-8257 (fax)

June 5, 2007

Township of Washington
Zoning Board
William Perhacs, Chairman
1 Washington Boulevard, Suite 14
Robbinsville, NJ 08691

Attention: Elide Post, Secretary

WASHINGTON TWP.
PLANNING & ZONING DEPT.
JUN - 7 2007
RECEIVED

Re: **Use Variance**
Sharbell Building Company, LLC
Route 33, Robbinsville, NJ
Block 8, Lot 1.01
Application #ZB07-03-03
Our file #11-12-Z-006

Dear Board Members:

We have reviewed a Use Variance submission, received March 20, 2007, consisting of the following:

Sheet	Title	Date	Latest Revision Date
1 of 3	Cover Sheet	03-12-07	---
2 of 3	Site Plan	03-12-07	05-10-07
3 of 3	Landscape Plan	03-12-07	---

The plans were prepared, signed, and sealed by J.D. Spalt, P.E., Dynamic Engineering Consultants, P.C., 1904 Main Street, Lake Como, New Jersey 07719, (732) 974-0198.

I. GENERAL INFORMATION

Applicant: Sharbell Building Company, LLC
One Washington Boulevard, Suite 9
Robbinsville, New Jersey 08691
(609) 918-2400

applicant has the burden of demonstrating "special reasons" for granting the variance and demonstrating that the requested relief can be granted without detriment to the public good and will not impair the intent and purpose of the zone plan.

III. GENERAL COMMENTS

1. We question if sufficient information has been submitted for the Board to make a determination for granting the use variance. The applicant should address the impact of the application on surrounding properties and circulation systems, compatibility of the proposed uses and mitigating factors to offset the use variance.

2. Architectural elevations should be submitted for review and consideration.

3. It appears that two (2) of the proposed townhomes do not meet the minimum permitted lot width and two (2) of the townhomes exceed the maximum permitted lot width. Variances would be required. These variances should be addressed at this time due to use variance consideration.

4. Per 142 Attachment 5-4:16, a minimum of 246 spaces are required. The plans have been revised to show that 247 spaces.

5. Per 142 Attachment 5-4:17.F.3, on-street parking shall be provided to serve customers of commercial uses. Commercial on-street parking shall be provided as curbside, parallel, or angle parking located along both sides of the streets on all blocks upon which commercial uses front. It does not appear that on-street parking is provided. A variance is required.

6. In order to determine the best method to meet the generated COAH obligation, the applicant should meet with the Affordable Housing Board prior to appearing before the Zoning Board.

7. Any approval that the Board may deem appropriate to grant should be conditioned upon the applicant obtaining preliminary and final site plan approval. The need for additional area and bulk variances or waivers should be addressed at that time.

IV. LANDSCAPING COMMENTS

1. The applicant has submitted a Landscape Plan for review. We offer th following general comments at this time: however, we receive the right to make additional comments at the time of site plan approval.

2. Per Section 4-F.9.b, parking lots should be screened by a 4.5-foot-high visually impervious screen, hedge or wall. The applicant proposes deciduous shrubs. Plans should be revised to provide evergreen shrubs and trees.

3. Per Section 4-F.9.c, one (1) shade tree shall be planted in the parking lot for every five (5) spaces. The applicant proposes 246 spaces, of which 40 are underground, leaving 206 surface spaces. Forty-one (41) trees are required, whereas it appears that thirty-five (35) are proposed. Our office recommends landscaped islands in the center of bays in the middle of the parking lot.

4. Ornamental trees should not be used where branching will overhang parking stalls or walkways due to tree shape and canopy. Shade trees should be specified.

5. Per Section 4-G.9, shrubs shall be two (2) feet high at the time of planting.

6. Planting details and notes, including guarantee, should be provided per Section 4-G.10.

7. Per Section 4-H.1, street trees should be provided along Union Street and Robbinsville-Edinburgh Road between the curb and sidewalk.

8. The applicant proposes large shade trees with five (5) feet of buildings. Our office is concerned with the potential of tree roots and branches negatively impacting the building. The Bloodgood London Planetree, for instance, has a mature spread of 60-70 feet.

9. Foundation plantings should be provided for the townhouses.

10. Given its weak-wooded nature, our office recommends an alternative species be provided in lieu of the proposed Pear tree.

11. Azaleas are proposed in parking lot islands, where they will be subjected to full sun and de-icing salts. Our office recommends that another shrub be substituted for the azaleas, which will not perform well under these conditions.

12. The existing conditions (including the presence of any mature trees) should be provided.

V. TRAFFIC COMMENTS

1. We recommend that the plans be revised to provide a by-pass lane for the pharmacy drive-thru area. Additionally, the drive-thru lane adjacent to the building should be increased to 11 feet.

2. It appears that trucks accessing the loading and trash enclosure areas will adversely affect the on-site traffic circulation. We recommend that this area be revised to ensure safe and efficient vehicular movements in this area.

3. We are concerned that patrons entering the site from Union Street will not expect to encounter a driver completing a backing maneuver from the parking stalls located along the main drive aisle. The plans should be revised as required to eliminate this potential conflict. Additionally, we recommend relocating the parking stalls along the Robbinsville – Edinburg Road driveway in order to reduce potential conflicts in this area.

4. The plans should be revised as required to eliminate the horizontal deflection associated with the proposed "asphalt alley way".

5. It appears the proposed "asphalt alley way" will support a one-way traffic pattern. The plans should be revised to identify the direction of travel and provide the appropriate signage to ensure the desired traffic pattern is maintained.

When plans are resubmitted, they are to be accompanied with a point by point response to all underlined items.

If you have any questions regarding this matter, please do not hesitate to call.

Sincerely yours,

REMINGTON, VERNICK AND ARANGO ENGINEERS, INC.

Abbe V. Kooper, P.P., AICP

AVK/KT/kn

cc: Sharbell Building Company, LLC; J.D. Spalt, P.E.; Thomas Leticia, Esq.; Michael Herbert, Esq.; Greg Busa, Tax Assessor

ROBBINSVILLE TOWNSHIP ZONING BOARD
RESOLUTION ZB2007-14

In the Matter of Sharbell Building Company, L.L.C. for Preliminary and Final Major Subdivision Approval of Ten Lots on the Corner of Route 33 and Route 526 and Union Street, Together with Bulk Variances	**FINDINGS OF FACT AND CONCLUSIONS OF LAW** **Block 8, Lot 1.01** **Robbinsville Township, Mercer County** **Zone: Town Center - Three (TC-3)** **Application No. ZB07-09-02** **Approval Date: November 7, 2007**

BE IT RESOLVED, by the Zoning Board of the Township of Robbinsville (Board) that the action of this Board, on November 7, 2007, in this matter is hereby memorialized by the adoption of this written decision setting forth the Board's findings and conclusions.

RELIEF SOUGHT AND JURISDICTION

1. The applicant is seeking preliminary and final major subdivision approval and bulk variances for ten lots, including eight townhouse lots, one commercial lot and one age-restricted apartment/condominium lot, on the corner of Robbinsville-Edinburg Road, Route 33 and Union Street in the TC-3 Zone. The eight townhouse lots vary in size from 2,000 square feet to 4,590 square feet, the commercial lot is 2.527 acres, and the apartment/condominium lot is 0.90 acres.

   Resolution ZB2007-05 granted a use variance, density variance and bulk variances for a 64,000-square-foot, four-story, mixed-use building consisting of 15,000 square feet of commercial space, including a pharmacy with a drive-thru and 1,000 square feet of office/lobby on the first floor and 48,000 square feet of office space in the above three floors, a four-story age-restricted apartment/condominium building and eight townhouses.

2. The subject of this application is within the jurisdiction of this Board. The Board has acted within the time required by law.

3. The property has frontage along three different streets and is on a prominent corner of the Town Center development. Specifically, the pharmacy and commercial building will

have frontage along Route 33 and Route 526, while the condominiums and townhomes will have frontage along Route 526 and Union Street, respectively. The easterly side of the property is bordered by previously-approved commercial use variances, including a lawyer's office.

4. Block 8, Lot 1.01 is located in the TC-3 zone as designated on the Washington Township Zoning Map.

THE APPLICANT

5. The owner of the property is Sharbell Newtown, Inc., One Washington Blvd., Suite 9, Robbinsville, NJ 08691, and the applicant is Sharbell Building Company, LLC. One Washington Blvd., Suite 9, Robbinsville, NJ 08691.

6. The applicant/owner has certified that all property taxes for the subject property and all escrow fees required under the applicable ordinance(s) for such an application have been paid. This certification includes an agreement to pay all future monies due under the escrow ordinance for consultants and other professional work on the property.

7. The applicant/owner has submitted an Affidavit of Proof of Service of Notice published in the Trenton Times. The Proof of Service comports with the notice before the Board that this matter is of the character that the applicant has presented to the Board.

THE HEARINGS

8. One public hearing took place with regard to this application.

    a. On November 7, 2007, a hearing took place before the Robbinsville Township Zoning Board at the Municipal Court facility in Robbinsville, New Jersey 08691.

PLANS PRESENTED

9. The Board reviewed the following documents:
    a. "Final Plat – Major Subdivision for Washington Town Center TC-3 Phase 3, Block 8, Lot 1, Township of Washington, Mercer County, New Jersey," prepared by Maser Consulting, 09/13/2007, sheets 1-2.
    b. "Preliminary and Final Major Subdivision for Sharbell building Company, LLC, Block 8, Lot 1.01, Tax map Sheet #5.01, NJSH Route 33 and Robbinsville-Edinburg Road, Township of Washington, Mercer County, NJ," prepared by Dynamic Engineering Consultants, PC, 9/14/07, sheets 1-7.

c. "Drainage report Addendum for Washington Town Center TC-3, Preliminary and Final Major Subdivision, Block 8, Lot 1.01, NJSH route 33 & Robbinsville-Edinburg road, Township of Washington, Mercer County, New Jersey, " by Dynamic Engineering Consultants, PC, September 2007.

OTHER DOCUMENTS REVIEWED BY THE ZONING BOARD

10. The Board reviewed the following documents submitted by the applicant:
    a. Sheet 1 of 7, cover sheet, 09/14/01.
    b. Sheet 2 of 7, overall plan, 09/14/07.
    c. Sheet 3 of 7, site and landscape plan, 09/14/01.
    d. Sheet 4 of 7, grading plan & alley & sanitary sewer profile, 09/14/01.
    e. Sheet 5 of 7, drainage and utility plan, 09/14/01.
    f. Sheet 6 of 7, soil erosion & sediment control plan, 09/14/01.
    g. Sheet 7 of 7, construction details & storm sewer profiles, 09/14/01.
    h. Sheet 1 of 2, final plat – major subdivision, 09/13/01.
    i. Sheet 2 of 2, final plat – major subdivision, 09/13/07
    j. Drainage report addendum, 02-02, revised 09-07.

EXHIBITS PRESENTED

11. The following exhibits were presented to the Board:
    a. A-1, final plat of the major subdivision with highlights of the subdivision lines, dated September 13, 2007.
    b. A-2, photo of the brick pier fencing.
    c. A-3, rendering of overall layout of the townhouse lots, from Dynamic Engineering, dated November 5, 2007.
    d. A-4, rendering of a close-up of townhome lots layout, dated November 5, 2007.

TOWNSHIP EXPERT REPORTS

12. At the hearing, the Board considered the following reports presented by Township officials:

    a. Memorandum to Zoning Board from John M. West, P.E., Township Engineer, dated October 23, 2007.

    b. Remington Vernick Engineers report dated November 1, 2007.

TESTIMONY AND PUBLIC INPUT

13. The testimony given by and on behalf of the applicant was as follows:

    a. The applicant was represented by Thomas Letizia, Esq., of Pepper Hamilton LLP, who gave the Board an overview of the project and the subdivision application. Mr. Letizia also reviewed the standards for any bulk variances requested. Mr. Letizia reviewed with the Board the townhome lots, specifically with regard to the lot area and lot width, and presented A-1 to the Board, which showed the overall subdivision plan.

        i. Mr. Letizia then introduced the applicant's representative, Thomas Troy, Senior Vice President of Sharbell Building Company, LLC. Mr. Troy reviewed with the Board the overall layout of the project and what was previously granted by the Board. Mr. Troy reviewed the history of the project and how it matched up with the Town Center concept. He stated that the applicant had reduced the number of age-restricted condominium units in the project from 45 to 39.

        ii. Next to testify was Mark Cannuli, P.P., Director of Development, Sharbell Building Company, LLC, who reviewed with the Board the proofs acquired for the subdivision and bulk variances. Specifically, Mr. Cannuli stated that there were a total of four variances required pertaining to certain of the townhouse lots, two for lot area and two for lot width. Mr. Cannuli stated that lot area variances were required for Lots 1.11 and 1.12 to permit a lot size of 2,000 square feet where 2,300 square feet is required. Mr. Cannuli also testified that Lots 1.08 and 1.15 required variances for lot width. He stated that the applicant proposed a lot width of 45.9 feet for lot 1.08 and 46 feet for Lot 1.15, where a maximum of 32 feet is permitted by the Ordinance. He stated that the side yard variance for Lot 1.15 was no longer necessary since the applicant was revising the

plan to increase its width by 10 feet at the request of the Township's professional staff. He stated that the variances were consistent with other previously approved townhouse lots in TC-1 and TC-3. He also provided testimony that the benefits of granting the variances would outweigh any substantial detriment to the public good and that the relief could be granted without substantial impairment to the Master Plan or Zoning Ordinance.

iii. Finally, the applicant offered to provide additional testimony from John Palus, P.E., of Dynamic Engineering Consultants with regard to the specific engineering issues; however, no additional information was requested by the Board.

14. The following Township staff gave advice to the Board:

a. John M. West, P.E., Township Engineer. Mr. West reviewed his October 23, 2007 memorandum with the Board and also the Remington & Vernick November 1, 2007 letter to the Board.

b. Michael W. Herbert, Esq., Zoning Board Attorney. Mr. Herbert described to the Board the standards for approval of the use and bulk variances.

15. Members of the public who testified with regard to the application:

a. None.

16. Board members statements:

a. Board Member Jim Kreig reviewed the November 1, 2007 Remington & Vernick letter with Mr. West and asked further questions with regard to the 6-1/2 foot grassy strip located along Lot 1.15 and whether or not it should be made part of that lot. Mr. West responded that the Township asked that it be done so that the homeowner would maintain that strip, and not the Township.

FINDINGS AND CONCLUSIONS REGARDING MAJOR SUBDIVISION APPROVAL WITH BULK VARIANCES

17. Nature of the application:

a. Major Subdivision.

1. The applicant is seeking preliminary and final major subdivision approval and bulk variances for ten lots, including eight townhouse lots, one commercial lot and one age-restricted apartment/condominium lot, on the corner of Robbinsville-Edinburg Road, Route 33 and Union Street in the TC-3 Zone. The eight townhouse lots vary in size from 2,000 square feet to approximately 4,600 square feet, the commercial lot is 2.527 acres, and the apartment/condominium lot is 0.90 acres.

b. Bulk Variances.

1. The site is located in the TC-3 section of Town Center. The following variances/design waivers will be required:

Relief Required	Required	Proposed
Minimum lot size, Lots 1.11 and 1.12	2,300 sf	2,000 sf
Maximum lot width, Lot 1.08	32 feet	45.9 feet
Maximum lot width, Lot 1.15	32 feet	46 feet

2. Two variances were granted for not meeting the minimum lot area of 2,300 square feet for Lots 1.11 and 1.12. Each of these lots will be 2,000 square feet in area.

3. Two variances were granted for exceeding the maximum lot width of 32 feet for proposed Lots 1.08 and 1.15, where 45.9 feet and 46 feet, respectively, were proposed.

18. Board findings:

a. The Board grants the proposed major subdivision and bulk variances, finding that they are appropriate and de minimus in nature for the zoning of the property, that being Town Center. The Board cannot find any adverse impact by granting the variances to the public's health, safety and welfare, nor to the local zoning or the Township master plan. The bulk variances are clearly in compliance with the Town Center concept development slated for the area. It

must be noted that the applicant has reduced the density of the condominium component of this application from 45 to 39 units.

CONDITIONS REQUIRED

18. The Board finds that in order to address the concerns expressed in the course of the hearing, and to limit the relief to that which is reasonably necessary to satisfy the applicant's legitimate requirements, the relief granted is subject to the following conditions:

(1) With regard to the plans on file:

a. Title block shall be changed from Lot 1 to Lot 1.01.

b. Proposed Lot 1.06 shall be changed to Lot 1.16 and Lot 1.07 shall be changed to Lot 1.17.

c. A residential lane shall have a 20-foot right-of-way. The applicant is proposing 30 feet. The plans shall be revised to provide a 20-foot right-of-way.

d. With the right-of-way being revised to 20 feet, ownership and maintenance of "the shaded portion of 10-foot-wide water line easement granted to Washington Township (to be extinguished)" shall be addressed by the applicant.

e. A cross-access easement for the owner of Lot 50, Block 8 was discussed as part of Resolution ZB 2007-05. The applicant shall address the status of any agreement.

f. The plans shall be changed in several locations to read "Zoning Board" from "Planning Board."

g. The plans shall be revised from "2002" to "2007."

h. General note (1) shall read, Lot "1.01," Sheet Number "1.18.

i. General note (3) shall read, "4.2" acres and revise square feet.

j. General note (5) shall read, required minimum building depth "36 feet + 10' arcade" and maximum building depth "80 feet + 10 arcade."

k. General note (5) shall read, required minimum lot depth "54 feet" and no

required maximum.

l. General note (5) shall read, required maximum front yard setback "5 feet."

m. General note (5) shall read, required maximum rear yard setback "7 feet."

n. General note (5) shall read, required minimum side yard setback for the corner "(one), 5 feet."

(2) With regard to the application in general:

a. The variance for the increased density was granted with the condition that the applicant should reduce the intensity of the commercial development and/or the residential density of the project at the time of site plan review to make certain that parking demands would be adequately met on site and not impact the surrounding neighborhood.

b. The applicant has submitted an application for preliminary and final site plan approval for the apartment/condominium and the mixed-use building. The applicant is proposing to reduce the number of units from 45 to 39, reduce the office space from 49000 sf to 48,051 square feet while increasing the retail space from 15,000 square feet to 15,397 square feet, a net decrease of 552 square feet. With this the applicant is proposing an increase in parking spaces from 246 parking spaces to 248 parking spaces. The minimum required parking spaces is 237.

c. As part of the original approval, the applicant shall provide a cross-access easement to the owner of Lot 50, Block 8, to permit vehicular access from the applicant's site. The exact location shall be approved by the Township Engineer. A note shall be added to the plans regarding the easement.

(3) With regard to traffic:

a. In lieu of payment of its pro-rata contribution to the Town Center traffic improvement fund, the applicant has agreed to construct certain specific improvements to the south side of the intersection of Route 33 and Robbinsville-Edinburg Road as shown on the overall conceptual layout plan for NJ State Highway Route 33 and County Route 526, prepared by Maser Consulting, P.A., dated January 2, 2007. The applicant shall address the status of the improvements. A copy of the plan shall be provided with this application.

(4) Regarding subdivision plans, the following shall be reviewed:

a. Setback dimensions of all proposed structures.

b. Minimum 5 foot front yard setback, 5 foot minimum side yard setback for one corner lot and 35 foot rear yard setback for principal structure shall be shown on each lot.

c. Minimum 7 foot rear setback and 3 foot side yard setback for garages shall be shown on each lot.

d. Minimum side yard setback for the end of corner lots: 5 feet.

e. Elevations at corners of proposed structures and lot corners.

f. Location of existing sanitary manhole D-1+65.

g. A crosswalk from the sidewalk apron on the easterly corner of Carson Street to the sidewalk in front of proposed Lot 1.12.

h. Seasonal high water table for each lot.

(5) Regarding COAH obligation:

a. The eight town houses require one affordable unit per eight market rate units produced. The eight town houses would require one affordable unit, which is consistent with the previous approval, Resolution ZB 2007-05. The affordable unit will be within one of the buildings located in the applicants TC-1 commercial core development.

(6) Regarding other matters:

a. Sidewalks shall have a minimum width of five feet in width and must be textured patterned concrete, brick, or combination thereof. Four-foot wide concrete sidewalks are proposed but no detail is provided. The applicant shall provide a sidewalk detail.

b. Interior lots shall be divided by a 5' to a 7' high wood fence, hedge, wrought iron fence, brick or stone wall or combination thereof. Portion of fencing below five feet in height shall be made of solid material to provide privacy and above five feet in height must be made of pickets, lattice or other semi transparent material. The applicant shall provide the location and details for

the interior edge treatment.

c. For corner lots, subject to the specific architecture of the unit, rear yard fencing may extend along the side street and may be between 5' and 7' high only from the rear property line to a point that is either half of the depth of the unit or the location of the side entry, where provided. Location of fencing shall be provided on the plans.

(7) Regarding drainage:

a. The Drainage and Utility Plan, sheet 5, shall have grading at 1 foot intervals and at corners of structures.

b. The elevations for proposed B inlet #111 A3 conflict with the site plans for the proposed mix use development. The applicant shall clarify if the inlet is being constructed with this application.

c. The plans show a proposed drainage easement on proposed lot 1.08, but none is shown on the final plat. The applicant shall address this.

d. The plans shall show the connection of the sump pump drain to the storm drain system.

(8) Construction Details to be provided:

a. A detail shall be provided for the car port aisles, concrete patio, sidewalk, handicap ramp, Belgian block depressed curb, crosswalk, directional arrows, stop bar and stop sign.

b. The detail for the typical residential lane cross section shall be revised to a 12 foot cart way with a two foot concrete edge stripping and two feet of grass on each side.

(9) All newly created residential properties located in the Town Center Zone District shall be required to contribute to the Public Space Fund in an amount equal to the 1999 dollar values, adjusted at time of payment by the CPI, of $3,115.50 for townhouse lots.

$3,115.50 per unit increased to 2007 cost	
1999 CPI 173.5-2007 CPI 218.75	= 26.08%
$3,115.50 x 26.08% increase	= $3,928.02 per unit
8 units x 3,928.02	= $31,424.16

(10) Other approvals as may be required:

a. Mercer County Planning Board;
b. Mercer County Soil Conservation District;
c. Washington Township Sewer Department;
d. Washington Township Fire Department.

(11) Applicant shall comply with all requirements contained in the Remington & Vernick memorandum of November 1, 2007 as well as the October 23, 2007 memorandum of John M. West, Township Engineer.

(12) Applicant shall be bound by all testimony before the Board, including the revision to Lot 1.15 to incorporate the adjacent 10 foot wide water service easement as part of the property.

(13) Applicant shall also be bound by representation that the brick pier edge treatment will be constructed as part of the townhomes similar to what is found in other areas of Town Center.

(14) These buildings will also have the same type of brick veneer facades as found in the rest of Town Center.

VARIANCES REQUESTED AND GRANTED

19. The following variances are requested:

a. Bulk Variances.

1. The site is located in the TC-3 section of Town Center. The following variances/design waivers will be required:

Relief Required	Required	Proposed
Minimum lot size, Lots 1.11 and 1.12	2,300 sf	2,000 sf
Maximum lot width, Lot 1.08	32 feet	45.9 feet
Maximum lot width, Lot 1.15	32 feet	46 feet

2. Two variances were granted for not meeting the minimum lot area for Lots 11.11 and 1.12.

3. A variance was granted for exceeding the maximum lot width of 32 feet for proposed Lots 1.08 and 1.15, where 45.9 feet and 46 feet, respectively, were proposed.

20. As stated above, the Board finds that the that the variances and waivers requested should be granted, as they are de minimus in nature, as well as the fact that the applicant has presented such special circumstances that require their approval. The applicant shall work diligently with its neighbors and with the Township in order to present a site plan application that will have minimal negative impact upon the neighbors and the Township.

CONCLUSION

Based upon the foregoing, the Washington Township Zoning Board, at its November 7, 2007 meeting, voted to approve the application.

This Resolution of Memorialization was adopted on December 5, 2007 by a vote of the majority of the members present, who voted to approve the relief sought by the applicant.

The date of decision shall be November 7, 2007, except that the date of the adoption of this memorializing resolution is the date of decision for purposes of (1) mailing a copy of the decision to the applicant within ten (10) days of the date of the decision; (2) filing a copy of the decision with the administrative officer; and (3) publication of a notice of this decision. The date of the publication of the notice of decision shall be the date for the commencement of the vesting protection.

ROLL CALL VOTE ON APPLICANT'S
REQUEST FOR PRELIMINARY AND FINAL MAJOR SUBDIVISION
NOVEMBER 7, 2007

Moved By: Mr. Kreig

Seconded By: Mr. Lynch

Those in Favor: Mr. Lynch, Mr. Kreig, Mr. Gibeault, Mr. Griffin, Mr. Perhacs

Those Opposed: None

Those Absent: Mr. Siekerka, Ms. Carbone, Mr. Bihl, Mr. Kirkpatrick

ROLL CALL VOTE ON MOTION TO APPROVE
RESOLUTION OF MEMORIALIZATION, DECEMBER 12, 2007

Moved By: Mr. Kreig

Seconded By: Mr. Gibeault

Those in Favor: Mr. Lynch, Mr. Kreig, Mr. Gibeault, Mr. Griffin, Chair Perhacs

Those Opposed: None

Those Absent : Mr. Siekerka

CERTIFICATION

We do hereby certify that the foregoing resolution was adopted by the Washington Township Zoning Board at its regular meeting held on December 12, 2007. This resolution memorializes formal action taken by the Board at its regular meeting held on November 7, 2007.

Elide M. Post

Elide M. Post, Secretary
Washington Township Zoning Board

H:wash tp zon bd-Sharbell subdivision resol

#9115166 v2 (122168.100

THE TOWNSHIP OF WASHINGTON

Mercer County
1 Washington Boulevard, Suite 14, Robbinsville, N.J. 08691
PLANNING & ZONING DEPARTMENT
Telephone (609) 918-0002 Fax (609) 918-1553

John M. West, P.E., P.P.
Director of Community Development
Ext. 107
jackw@washington-twp.org

Elide M. Post
Planning Board Secretary/Land Use Coordinator
Ext. 123
elidep@washington-twp.org

TO: Washington Township Zoning Board

FROM: John M. West JMW
Township Engineer

DATE: October 23, 2007

RE: Sharbell Building Company, LLC
ZB07-09-02
Block 8, Lot 1.01
Preliminary and Final Major Subdivision for Ten Lots
on Route 33, Route 526 and Union Street

The applicant is seeking preliminary and final major subdivision approval and bulk variances for ten lots, including 8 townhouse lots, one commercial lot and one age-restricted apartment/condominium lot, on the corner of Robbinsville-Edinburg Road, Route 33 and Union Street in the TC-3 Zone. The eight townhouse lots vary in size from 2,000 square feet to 4,590 square feet, the commercial lot is 2.527 acres and the apartment/condominium lot is 0.90 acres.

Resolution ZB2007-05 granted a use variance, density variance and bulk variances for a 64,000 square foot, four-story, mixed-use building consisting of 15,000 square feet of commercial space, including a pharmacy with a drive-thru and 1,000 square feet of office/lobby on the first floor and 48,000 square feet of office in the above three floors, a four-story age restricted apartment/ condominium building and eight townhouses.

I. The following material was submitted:

- "Final Plat – Major Subdivision for Washington Town Center TC-3 Phase 3, Block 8, Lot 1, Township of Washington, Mercer County, New Jersey", prepared by Maser Consulting, 09/13/2007, sheets 1 – 2.
- "Preliminary and Final Major Subdivision for Sharbell Building Company, LLC, Block 8, Lot 1.01, Tax Map Sheet #5.01, NJSH Route 33 and Robbinsville-

Edinburg Road, Township of Washington, Mercer County, NJ", prepared by Dynamic Engineering Consultants, PC, 9/14/07, sheets 1 – 7.

- "Drainage Report Addendum for Washington Town Center TC-3, Preliminary and Final Major Subdivision, Block 8, Lot 1.01, NJSH Route 33 & Robbinsville-Edinburg Road, Township of Washington, Mercer County, New Jersey", prepared by Dynamic Engineering Consultants, PC, September 2007.

II. Completeness

The application was deemed complete by the Administrative Officer on October 25, 2007.

III. Zoning

a. The site is located in the TC-3 section of Town Center. The following variances/design waivers will be required:

Relief required	Required	Proposed
Minimum lot size, lots: 1.11 and 1.12	2,300 sf	2,000 sf
Side yard setback lot 1.15	5 feet	4.9 feet
Maximum lot width, lot 1.08	39.9[d] feet	45.9 feet

b. Two variances were granted for not meeting the minimum lot width of 23 feet for proposed lots 1.11 and 1.12. Both lots are to be 20 feet. Both lots comply with the 20 foot variance.
c. A variance was granted for exceeding the maximum lot width of 32 feet proposed lot 1.15, where 36 feet was proposed. This lot complies.
d. A variance was granted for exceeding the maximum lot width of 32 feet for proposed lot 1.08, where 39.9 feet was proposed. The applicant is proposing a lot width of 45.9 feet. A variance is required.

IV. Preliminary Major Subdivision Checklist Waivers Requested

Health
2. Location of all existing sewage disposal systems on the site and within 200 feet of the site.

There are no engineering concerns with granting a waiver for the above item.

Engineering
21 Location of soil borings and seasonal high water table
23 Cut and fill calculation and plan
42 Architectural plans

There are no engineering concerns with granting a waiver items 23 and 42. Location of soil borings and seasonal high water table shall be made a condition of any approval.

V. Final Major Subdivision Checklist Waivers Requested

Engineering
2. Construction cost estimate for on-site improvements
3. Construction cost estimate for off-site improvements
4. Easements
7. Developer's Agreement

The submission of the above items shall be made a condition of any approval.

VI. General Comments

1. Final Plat
   a. Title block shall be changed to lot 1.01.
   b. Proposed lot 1.06 shall be changed to lot 1.16 and lot 1.07 shall be changed to lot 1.17.
   c. A residential lane shall have a 20 foot right-of-way. The applicant is proposing 30 feet. The plans shall be revised to provide a 20 foot right-of-way.
   d. With the right-of-way being revised to 20 feet, ownership and maintenance of "the shaded portion of 10' wide water line easement granted to Washington Township (to be extinguished)" shall be addressed by the applicant.
   e. A cross-access easement for the owner of lot 50, block 8 was discussed as part of resolution ZB2007-05. The applicant shall address the status of any agreement.
   f. The plans shall be changed in several locations to read "Zoning Board" from "Planning Board".
   g. The plans shall be revised from "2002" to "20___".
   h. General note (1) shall read, lot "1.01", sheet "1.18"
   i. General note (3) shall read, "4.2" acres and revise square feet.
   j. General note (5) shall read, required minimum building depth "36 feet + 10' arcade" and maximum "80 feet + 10' arcade".
   k. General note (5) shall read, required minimum lot depth "54 feet" and no required maximum.
   l. General note (5) shall read, required maximum front yard setback "5 feet".
   m. General note (5) shall read, required maximum rear yard setback "(7)".
   n. General note (5) shall read, required minimum side yard setback for the corner "(one), 5 feet".

2. Density and Intensity
   a. The variance for the increased density was granted with the condition that the applicant should reduce the intensity of the commercial development and/or

the residential density of the project at the time of site plan review to make certain that parking demands would be adequately met on site and not impact the surrounding neighborhood.

b. The applicant has submitted an application for preliminary and final site plan approval for the apartment/condominium and the mixed-use building. The applicant is proposing to reduce the number of units from 45 to 39, reduce the office space from 49,000 sf to 48,051 sf while increasing the retail space from 15,000 sf to 15,397 sf, a net decrease of 552 square feet. With this the applicant is proposing an increase in parking spaces from 246 parking spaces to 248 parking spaces. The minimum required parking spaces is 237.

3. As part of the original approval, the applicant shall provide a cross-access easement to the owner of lot 50, block 8, to permit vehicular access from the applicant's site. The exact location shall be approved by the Township Engineer. A note shall be added to the plans regarding the easement.

4. Traffic
   a. In lieu of payment of its pro-rata contribution to the Town Center traffic improvement fund, the applicant has agreed to construct certain specific improvements to the south side of the intersection of Route 33 and Robbinsville-Edinburg Road as shown on the overall conceptual layout plan for NJ State Highway Route 33 and County Route 526, prepared by Maser Consulting, P.A., dated January 2, 2007. The applicant shall address the status of the improvements. A copy of the plan shall be provided with this application.

5. The plans shall be revised to show the following:
   a. Setback dimensions of all proposed structures
   b. Minimum 5 foot front yard setback, 5 foot minimum side yard setback for one corner lot and 35 foot rear yard setback for principal structure shall be shown on each lot
   c. Minimum 7 foot rear setback and 3 foot side yard setback for garages shall be shown on each lot
   d. Minimum side yard setback for the end of corner lots: 5 feet
   e. Elevations at corners of proposed structures and lot corners
   f. Location of existing sanitary manhole D-165
   g. A crosswalk from the sidewalk apron on the easterly corner of Carson Street to the sidewalk in front of proposed lot 1.12.
   h. Seasonal high water table for each lot

6. Affordable Housing
   a. The eight town houses require one affordable unit per eight market rate units produced. The eight town houses would require one affordable unit, which is consistent with the previous approval, Resolution ZB2007-05. The affordable unit will be within one of the buildings located in the applicant's TC-1 commercial core development.

7. Property edges
   a. Sidewalks shall have a minimum width of five feet in width and must be textured patterned concrete, brick, or combination thereof. Four-foot wide concrete sidewalks are proposed but no detail is provided. The applicant shall provide a sidewalk detail.
   b. Interior lots shall be divided by a 5' to a7' high wood fence, hedge, wrought iron fence, brink or stone wall or combination thereof. Portion of fencing below five feet in height shall be made of solid material to provide privacy and above five feet in height must be made of pickets, lattice or other semi transparent material. The applicant shall provide the location and details for the interior edge treatment.
   c. For corner lots, subject to the specific architecture of the unit, rear yard fencing may extend along the side street and may be between 5' and 7' high only from the rear property line to a point that is either half of the depth of the unit or the location of the side entry, when provided. Location of fencing shall be provided on the plans.

8. Drainage
   a. The Drainage and Utility Plan, sheet 5, shall have grading at 1 foot intervals and at corners of structures.
   b. The elevations for proposed B inlet #111A3 conflict with the site plans for the proposed mix use development. The applicant shall clarify if the inlet is being constructed with this application.
   c. The plans show a proposed drainage easement on proposed lot 1.08, but none is shown on the final plat. The applicant shall address this.
   d. The plans shall show the connection of the sump pump drain to the storm drain system.

9. Construction Details
   a. A detail shall be provided for the car port aisles, concrete patio, sidewalk, handicap ramp, Belgian block depressed curb, crosswalk, directional arrows, stop bar and stop sign.
   b. The detail for the typical residential lane cross section shall be revised to a 12 foot cartway with a two foot concrete edge stripping and two feet of grass on each side.

10. All newly created residential properties located in the Town Center Zone District shall be required to contribute to the Public Space Fund in an amount equal to the 1999 dollar values, adjusted at time of payment by the CPI, of $3,115.50 for townhouse lots.

    $3,115.50 per unit increased to 2007 cost
    1999 CPI 173.5 - 2007 CPI 218.75 = 26.08%
    $3,115.50 x 26.08% increase = $3,928.02 per unit
    8 units x 3,928.02 = $31,424.16

11. Other approvals as may be required:
    a. Mercer County Planning
    b. Mercer County Soil Conservation District
    c. Washington Township Sewer Department
    d. Washington Township Fire Department

cc: Michael Herbert, Esq.
Thomas Letizia, Esq.
Mark A. Cannuli, Sharbell
Leonardo E. Ponzio, Maser Consulting
J.D. Spalt, Dynamic Engineering

JMW/ab

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November 1, 2007

WASHINGTON TWP.
PLANNING & ZONING DEPT.
NOV – 5 2007
RECEIVED

Township of Washington
Zoning Board of Adjustment
William Perhacs, Chairman
1 Washington Boulevard, Suite 14
Robbinsville, NJ 08691

Attention: Elide Post, Secretary

Re: Preliminary and Final Major Subdivision
Sharbell Building Company, LLC
2370 Route 33
Block 8, Lot 1.01
Application #ZB07-09-02
Our file #11-12-Z-013

Dear Board Members:

We have reviewed a Preliminary and Final Major Subdivision submission, received October 9, 2007, consisting of the following:

Sheet	Title	Date	Latest Revised Date
1 of 7	Cover Sheet	09-14-07	
2 of 7	Overall Plan	09-14-07	
3 of 7	Site & Landscape Plan	09-14-07	
4 of 7	Grading Plan & Alley & Sanitary Sewer Profile	09-14-07	
5 of 7	Drainage & Utility Plan	09-14-07	
6 of 7	Soil Erosion & Sediment Control Plan	09-14-07	
7 of 7	Construction Details & Storm Sewer Profiles	09-14-07	
1 of 2	Final Plat - Major Subdivision	09-13-07	
2 of 2	Final Plat - Major Subdivision	09-13-07	
----	Drainage Report Addendum	03-02	09-07

Sheets 1 of 7 through 7 of 7 and the Drainage Report Addendum were prepared, signed, and sealed by J. D. Spalt, P.E., Dynamic Engineering Consultants, PC, 1904 Main Street, Lake Como, New Jersey 07719, (732) 974-0198.

Sheets 1 of 2 and 2 of 2 were prepared, signed, and sealed by Leonardo E. Ponzio, P.L.S., Maser Consulting P.A., One River Centre - Building 2, 331 Newman Springs Road, Red Bank, New Jersey 07701, (732) 383-1950.

I. GENERAL INFORMATION

Applicant: Sharbell Building Company, LLC
1 Washington Boulevard, Suite 9
Robbinsville, NJ 08691
(609) 918-2400

Owner: Sharbell Newtown, Inc.
1 Washington Boulevard, Suite 9
Robbinsville, NJ 08691
(609) 918-2400

Proposal: The applicant is proposing to subdivide Block 8, Lot 1.01 into ten (10) lots, including eight (8) residential townhouse lots, one (1) commercial lot, and one (1) senior condominium apartment lot.

Zoning: TC-3

II. ZONING REQUIREMENTS

A. **Use:** The applicant received use variance and bulk density approvals from the Zoning Board on June 6, 2007.

B. **Area and Bulk Requirements: Townhome Lots**

Code Reference	Item	Required	Proposed	Status
142 Attachment 5-3:26	Lot Area	2,300 sf	2,000 sf	V
142 Attachment 5-3:26	Lot Depth	100 ft.	100 ft.	C
142 Attachment 5-3:26	Lot Width (Min.-Max.)	23 ft.- 32 ft.	20 ft.	V*
142 Attachment 5-3:26	Building Coverage	68%	NS	TBD

Code Reference	Item	Required	Proposed	Status
142 Attachment 5-3:26	Impervious Coverage	80%	NS	TBD
142 Attachment 5-3:26	Building Height (Min.-Max.)	1.5 stories-3.5 stories	NS	
	Principal Bldg. Setback			
142 Attachment 5-3:26	Front Yard (Min.-Max.)	5 ft.-11 ft.	10 ft.	C
142 Attachment 5-3:26	Rear Yard	35 ft.	35 ft.	C
142 Attachment 5-3:26	One Side Yard (corner)	5 ft.	4.9 ft.	V
142 Attachment 5-3:26	One Side Yard (interior)	0 ft.		
	Accessory Bldg. Setback			
142 Attachment 4:21	Rear Yard	7 ft.	7 ft.	C
142 Attachment 4:21	One Side Yard	3 ft. if do not share a common property line	3 ft.	C
142 Attachment 4:16	Off-Street Parking	1 garage space per first bedroom plus 1 space for more than 1 bedroom	2	C

C - Conformance.
NS - Not shown.
TBD - To be determined.
V - Variance required.
*The variance granted for lot width for proposed Lots 1.08 and 1.15 were 39.9 feet and 36.6 feet. The proposed subdivision plans show lot width for Lot 1.08 as 45.90 feet and 36.0 feet for Lot 1.15. A variance is required.

C. **Comments:**

1. Per 142 Attachment 5-3:26, the minimum lot area is 2,300 square feet. It appears that proposed Lots 1.11 and 1.12 do not meet this requirement. Applicant should provide lot area dimensions for each lot.

2. Per 142 Attachment 5-2:5 (the Street Regulating Plan), a twenty-five (25) foot curb radius is required at intersections where two residential lanes intersect. Applicant should provide testimony indicating curb radius.

3. Per 142 Attachment 5-2:3, Union Street is classified as an Avenue-Type 2 which requires five (5) foot sidewalk and an eight (8) foot grass area. A four (4) foot sidewalk and a seven (7) foot grass area are proposed in front of the townhomes. Applicant should address.

4. A cross-section of sidewalk and landscaping along Union Street area should be provided.

5. Per 142 Attachment 5-2:2, sidewalks shall have a minimum width of five (5) feet. Applicant should provide or request waiver.

B. **Fences**

Per 142 Attachment 5-5:17, all lots should have a front yard clearly defined by landscaping, hedging, picket fencing, or a wall that defines the transition from public to private front yard space. Applicant should address.

C. **General Comments**

1. As part of the use variance approval, the applicant agreed to provide a cross-access easement to the owner of Lot 50, Block 8 to permit vehicular access from the applicant's site. Applicant should provide note on plans regarding easement.

2. The plans should be revised to depict all required setbacks and dimensions.

D. **COAH**

Applicant is required to meet its affordable housing obligation. Applicant is encouraged to submit a plan for meeting this obligation prior to the Zoning Board meeting.

E. **Stormwater**

(Note: The applicant submitted the same Drainage Report Addendum for this application and the major site plan application. Our comments are the same for both applications.)

1. The Applicant notes that additional calculations regarding the impervious coverage will be submitted at the time of Site Plan application. The Stormwater Report including the proposed and already build system shall be submitted to our office for review.

2. The Drainage Report Addendum indicates that original design assumed the 85% of impervious area maximum. The applicant shall submit the calculations showing the values of impervious and pervious area on the site. The summary stating that "construction would result in the total impervious coverage of 0.42 acres of impervious area" is not accurate. Please provide the clarification.

3. It is not clear how the runoff from roof areas is discharged. The roof drains location shall be shown. We suggest to not propose discharge over the sidewalks.

4. The proposed grading shows the sheet flow from the south side of the site to be directed to the southern and southwestern corner of the site. The grading in the area between the Route 33 and parking lot shall be revised to be minimum 1%. The grading appears to be too flat. Only the Base of Curb (BC) is noted along the Route 33 and the Applicant shall provide top of the curb spot elevations. We have concern that sheet flow can be blocked by the curb and will never reach the inlets. Additionally we note that existing inlet located at the corner of Route 33 and Robbinsville-Edinburg Road is a type B and the runoff from raised plaza will not reach the inlet. Please revise accordingly.

5. The applicant shall add to the legend description of what is depicted along the Route 33. It is not clear if it is either the decoration tile or pavers. The cross section detail shall be added to the plan. Additionally we request the spot elevation to be added to the raised plaza and buildings corners to show the flow pattern.

6. The inlet details are not acceptable:

   - The concrete shall be revised to be 4,000 p.s.i. at 28 days of verification.

   - The note states that grate shall be pattern number 2618 of Campbell Foundry, but the alternative stream flow grate is depicted. The detail grate shall be revised to be bicycle safe grate.

- The curb piece shall be revised to be eco type "N".

- A crushed stone base to firm subgrade, at least six (6) inches thick shall be noted instead of four (4) inches.

7. The manhole detail shall be revised. A frame and cover providing 30-inches of clear opening (Campbell Foundry pattern number 1012B or equal) shall be provided. A crushed stone base to firm subgrade, at least six (6) inches thick, has been noted.

8. The plan should note that concrete storm pipe is to have either rubber gasket or butyl tape joints and be cover with mortar and wrapped with fabric on the outside. All 36-inch and larger pipe shall have the inside of the joint mortared.

9. The plan should note that a video inspection of the storm drain system will be required prior to final acceptance by the municipality.

IV. SUMMARY OF VARIANCES

Variances:	142 Attachment 5-3:26 -	Lot area.
	142 Attachment 5-3:26 -	Lot width (min.-max.)
	142 Attachment 5-3:26 -	One side yard setback (corner).

V. APPROVAL PROCESS

If the Zoning Board should grant final approval to this project, the following is applicable:

1. The applicant's engineer must make appropriate revisions to the subdivision plan pursuant to the Zoning Board action.

2. Ten (10) copies of the final subdivision plan should be submitted to our office for review, approval and signature.

3. The applicant is notified that an inspection escrow and performance bond is required for this application and an estimate for all on/off site improvements (excluding structures) must be reviewed and approved by the Zoning Board Engineer. The inspection escrow must be posted prior to the issuance of any building permits.

052611

ROBBINSVILLE TOWNSHIP ZONING BOARD
RESOLUTION ZB2011-03

IN THE MATTER OF SHARBELL BUILDING COMPANY, LLC, FOR AMENDED PRELIMINARY AND FINAL SITE PLAN APPROVAL PURSUANT TO THE AGE CONVERSION ACT, *N.J.S.A.* 45:22A-46.8.6 *et seq.* TO CONVERT 39 PREVIOUSLY-APPROVED AGE-RESTRICTED UNITS. TO 39 NON AGE-RESTRICTED UNITS OF WHICH 8 SHALL BE AFFORDABLE UNITS.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Block 8, Lots 1.17 and 1.18
Robbinsville Township, Mercer County
Zone: Town Center Zoning District

Application No. ZB07-03-03 Amended
Approval Date: April 7, 2011

BE IT RESOLVED, by the Robbinsville Township Zoning Board ("**Board**") that the action taken by this Board on April 7, 2011, in this matter is hereby memorialized by the adoption of this written decision setting forth the Board's findings and conclusions.

RELIEF SOUGHT AND JURISDICTION

1. The Applicant is seeking approval pursuant to *N.J.S.A.* 45:22A-46.3 *et seq.* ("Conversion Statute"), *"Legislative findings and declarations; conversion of age-restricted developments to converted developments,"* for 39 previously approved age-restricted residential dwellings to be converted to 39 non-age restricted residential dwellings of which 8 will be set aside as affordable units. The thirty nine units are to be located at the intersection of Routes 526 and 33 in the Town Center - 3 Zoning of the Town Center District and designated on the Township Tax Maps as Blocks 8, Lots 1.17 and 1.18. The 39 non age-restricted units are to be constructed in one (1) four-story multifamily building with 41 parking spaces under the building on Lot 1.17 (±0.90 acres) together with 16 additional parking spaces on said Lot.

   In addition, the Applicant is requesting approval for an amended preliminary and final site plan to reduce the size of the previously approved four-story mixed use building to be constructed on Lot 1.18 (2.31± acres) from 63,448 square feet (15,397 square feet of commercial retail space and 48,051 square feet of office space) to 48,648 square feet (maintaining the 15,397 square feet of commercial retail space and reducing office space to 33,251 square feet, with 819 square feet of office space on the first floor, and 16,216 square feet of office space on each of second and third floors) together with 160 surface parking spaces on said Lot, including 21 parking spaces for the use of the occupants of the 39 unit condominium

The Applicant received preliminary and final site plan approval for construction of a 4 story 39 age-restricted apartment/condominium building and a four-story, 64,000 square foot mixed use building with a pharmacy drive-thru, and 8 town homes along Union Street with variances and waivers per Resolution 2007-15 dated December 5, 2007, a copy of which is attached hereto. The Applicant received approval for preliminary and final major subdivision approval and bulk variances for 10 lots, including 8 townhouse lots, one commercial lot and one age-restricted apartment/condominium lot per Resolution ZB2007-14 dated November 7, 2007, a copy of which is attached hereto. The Applicant received use variances for the drive-thru on the mixed use building and the multi-family age-restricted apartment/condominium building, a density variance for exceeding the maximum number of dwelling units in the TC-3 zone, bulk variances for the single-family lots, and on-street parking in front of the commercial lot, per Resolution ZB2007-05 dated June 6, 2007, a copy of which is attached hereto.

2. The subject of the application's jurisdiction in front of the Zoning Board was questioned by the Board as to whether the State Conversion Statute requires that the original property that was part of the application be vacant for the new conversion application. The townhome portion of the previous approval already has been built, which the Board thought may be in violation of the Conversion Statute. Moreover, the Board questioned whether or not the grant of a use/density variance for the original application deprived the Applicant of jurisdiction under the *N.J.S.A.* 45:22A-46.3. However, the Board allowed the application to move forward at applicant's own risk, given the caveat that jurisdiction was questionable, and could be challenged at a later date. The Applicant challenged the arguments raised by the Board and countered that the Conversion Act does not include any such limitations to jurisdiction as raised by the Board.

3. The property is located on the Northeast corner of Route 33 and Robbinsville-Edinburg Road, Robbinsville, New Jersey 08691.

4. Block.8, Lots 1.17 and 1.18 are located in the TC-3, Town Center Zone as designated on the Robbinsville Township Zoning Map.

THE APPLICANT

5. The Applicant is Sharbell Building Company, LLC, 1 Washington Blvd., Suite 9, Robbinsville, New Jersey 08691.

6. The owner is Sharbell Washington, Inc., 1 Washington Blvd., Suite 9, Robbinsville, New Jersey 08691.

7. The Applicant/owner has certified that all property taxes for the subject property and all escrow fees required under the applicable ordinance(s) for such an application have been paid. This certification includes an agreement to pay all future monies due under the escrow ordinance for consultants and other professional work on the property.

8. The Applicant/owner has submitted an Affidavit of Proof of Service of Notice published in the Trenton Times. The Proof of Service comports with the notice before the Board that this matter is of the character that the Applicant has presented to the Board.

THE HEARINGS

9. Two public hearings took place with regard to this application.
   a. On March 3 and April 7, 2011, hearings took place before the Robbinsville Township Zoning Board at the Township Senior Center building in Robbinsville, New Jersey 08691.

PLANS PRESENTED

10. The Board reviewed the following documents:
   a. "Amended Preliminary and Final Major Site Plan, Block 8, Lots 1.17 and 1.1.8, Tax Map Sheet 5.01, NJSH Route 33 & Robbinsville-Edinburg Road, Robbinsville Township, Mercer County, New Jersey," prepared by Dynamic Engineering, revised through 11/10/10, sheets 1—15.

OTHER DOCUMENTS REVIEWED BY THE ZONING BOARD

11. The Board reviewed the following documents submitted by the applicant:
   a. Traffic Assessment, Sharbell Building Company, LLC, Robbinsville Town Center 3, Block 8, Lots 1.17 & 1.18, Township of Robbinsville, Mercer County, NJ, prepared by KZA Engineering, PA., 12/09/2010.
   b. Amended Drainage Report Addendum for Washington Town Center TC-3, Block 8, Lots 1.08 - 1.15, 1.17 and 1.18, NJSH Route 33 & Robbinsville-Edinburg Road, Township of Robbinsville, Mercer County, New Jersey, prepared by Dynamic Engineering Consultants, PC., revised through November 2010.
   c. Infrastructure Requirements for Sharbell Building Company, LLC, Block 8, Lots 1.17 & 1.18, Robbinsville Township, Mercer County, NJ, prepared by Dynamic Engineering Consultants, PC. December 9, 2010.
   d. Planner's Report for Conversion of 39 Approved Age-Restricted Multi-Family Units to Non-Age-Restricted Units, Washington Town Center (TC-3), Route 33 and Robbinsville-Edinburg Road, Robbinsville Township, Mercer County, NJ, Block 8, Lots 1.17 & 1.18, prepared by Sharbell Building Company, LLC, December 9, 2010.
   e. Community Impact Statement, For Conversion of 39 Approved Age-Restricted Multi-Family Units to Non Age-restricted Units, Washington Town Center (TC-3), Route 33 and Robbinsville-Edinburg Road, Robbinsville Township, Mercer County, NJ, Blocks, Lots 1.17 & 1.18, prepared by Sharbell Building Company, LLC. December 9, 2010.

f. Architectural Elevations and Floor Plans, prepared by Feinberg Associates, revised through October 11, 2010, sheets A-B through A-7c.

EXHIBITS PRESENTED

12. The following exhibits were presented to the Board:
    a. A-1, PowerPoint presentation composed of 28 slides dated March 3, 2011 (hard copy of slides showing various aerials of project, site plans, photos, schematic plans, parking exhibits, architecturals and floor plans).

TOWNSHIP EXPERT REPORTS

13. At the hearing, the Board considered the following reports presented by Township officials:

    a. Memorandum to Zoning Board from Ann Bell, Administrative Officer, dated February 3, 2011.
    b. Report to Zoning Board from Abbe Kooper, P.P., AICP., Remington & Vernick Engineers, dated February 24, 2011.
    c. Transmittals dated December 28, 2010 from the Environmental Commission, Police Chief and Fire Company, Tax Assessor and Construction Official, all offering no observation with regard to the application.
    d. Edmund A. Wilson, Jr., AIA, architectural review dated January 25, 2011, updated March 2, 2011.

TESTIMONY AND PUBLIC INPUT

14. The testimony given by and on behalf of the Applicant was as follows:

    March 3, 2011 hearing:

    a. The Applicant was represented by Michelle Lamar, Esq., of Sterns & Weinroth, 50 West State Street, Suite 1400, Trenton, NJ 08607-1298. Ms. Lamar presented five witnesses for the applicant.
        i. Thomas Troy, a principal of Sharbell Building Company, LLC ("**Sharbell**").
        ii. Mark Cannuli, AICP, P.P., Director of Development at Sharbell, who testified as the applicant's planner.
        iii. Jeffrey Spalt, P.E., P.P., of Dynamic Engineering of Lake Como, New Jersey, testified as applicant's engineer.
        iv. Nicholas Verderese, P.E., of KZA Engineering, P.A., of Manasquan, New Jersey, who testified as the applicant's traffic engineer.
        v. William Feinberg, AIA, of Feinberg and Associates, who testified as the applicant's architect.
    b. Ms. Lamar introduced the application and previous approvals for the site which took place in 2007. She reviewed Resolutions 2007-14 and 2007-15,

which granted preliminary subdivision approval as well as site plan approval with various bulk variances. Ms. Lamar then introduced the PowerPoint presentation which was placed into the record as evidence under Exhibit No. A-1. The presentation reviewed various site plans and subdivision plans as well as aerial photo maps of the area, along with architectural plans for the project itself.

c. Ms. Lamar then introduced her first witness, Thomas Troy, a principal of Sharbell, who reviewed the conversion project with the Board. He stated that most of the units would not change except for some adjusting of floor plans for the affordable housing units. He stated that there would be elevator access for all floors, and reviewed the site plan with the Board. He stated that there was a need for the conversion due to the overabundance of senior units in the area and he did not believe that senior housing units could be sold. He stated that the site plan was being readjusted slightly to allow 21 more parking spaces and that about 11,000 square feet of office space would be lost to allow for the 21 new parking spaces for the housing units.

d. Next to testify was Mark Cannuli, Applicant's planner. He reviewed with the Board the community impact statement as well as the standards of the Conversion Act, as stated above. He stated that in his professional opinion Sharbell's conversion application complied with all the Conversion Statue pre-conditions for approval as set forth in N.J.S.A. 45:22A-46. And the site improvement and infrastructure requirement regarding recreation improvements and other amenities as set forth in N.J.S.A. 45:22A-46.6(2). He reviewed the history of the site when preliminary and final site plan was granted. He then turned to the affordable housing units, infrastructure improvements and recreation requirements. He stated that the recreation requirement of the Conversion Statute was satisfied by the off-site recreation center across the street from the property, as well as the existing open space, public parks, two tot-lots and walking/bike paths located throughout the Washington Town Center development.

e. Reviewing the standards set forth in the Conversion Law, he stated that the designation of 8 of the proposed 39 units as affordable satisfied Sharbell's affordable housing obligation and that compliance with those requirements required only a minor reduction in the non-residential part of the application to accommodate more parking. He stated that in his professional opinion there would not be a substantial impact upon the public good and that the conversion would not substantially impair the purpose and intent of the zoning ordinance and various Master Plan documents.. He further stated that in his professional opinion there would not be a negative impact upon the nearby neighborhood and that the application satisfied several Township land use goals.

f. He stated that the Board had approved density and a use variance for the drive-thru pharmacy and for the overall site so that the site could fit into its mixed-use purpose.

g. He stated that there was adequate transportation, as the site is located on two main roads with a bus line running by the location. He then turned to some new variances that were required due to a new entrance required by the NJDOT. He stated that the Applicant would comply with the memoranda by the Board professionals dated February 3, 2011 from Ann Bell and January 31, 2011, updated on February 24, 2011, from Abbe Kooper, P.P., of Remington & Vernick. He also stated that there was another bulk variance needed for the northwest portion of the site where the building setback was slightly off (11 feet) and a bulk variance was required. This condition was shown on the approved site plan for the 39 unit multi-family building.

h. Next to testify was Jeffrey Spalt, P.E., the site engineer, who reviewed the site design and previous approvals with the Board. He stated that in his professional opinion Sharbell's conversion application complied with all the Conversion Statue site improvement and infrastructure requirements as set forth in N.J.S.A. 45:22A-46.6(1)(3)(4)(5)(6) and (7). With reference to the RSIS parking requirements. The project was initially approved with 39 residential senior housing units and a commercial component with total square footage of 63,465 square feet and 188 parking spaces that would be provided, where 182 were required. The revised plan provides for 39 residential units and a commercial component of 48,648 square feet. He then turned to the NJDOT requirements for the entrance changes and showed how they would be accomplished. He reviewed the COAH units with the Board, stating that they would comply. Next he turned to sewer and waste water capacity, which he said was not a problem, and that the impervious land requirements were also met. Finally, he reviewed pedestrian circulation and stated that the Board wanted the sidewalks built along the NJDOT-required entrance and that the Applicant would build it.

i. The hearing then continued with Nicholas Verderese, P.E., who spoke as the applicant's traffic engineer. He reviewed his December 9, 2010 traffic assessment of the site showing trip generation and pro rata share for the development. He stated that the Applicant would comply with all parking requirements and that, in his professional opinion, access to the site was not a problem, although the Applicant would work to mitigate any increase in traffic.

j. Board traffic expert Michael Angelastro, P.E., agreed with Mr. Verderese's analysis and stated that there would be an insignificant increase in traffic from the site and therefore, approval of the conversion application should not be a problem.

k. Next to testify was William Feinberg, AIA, Applicant architect, who reviewed with the Board the various elevations, including the proposed mixed-use building, side elevations, end elevations, floor plans for the COAH units and overall floor plans for the mixed-use site. This would continue to be a mixed-use site, and the conversion should not require much of a change.

l. Board architect Edmund Wilson also reviewed the architecture with the Board, stating that the mixed-use building should not be made with synthetic brick, it should be made of real brick. Otherwise, he approved the architectural plans. The Applicant agreed to use real brick.

15. Members of the public who testified on March 4 with regard to the application:
    a. Vincent Costanza, 21 Union Street, lives in a nearby townhome. He was worried about how the traffic using the public road right-of-way entering the site form Rt. 33 would affect his home. He was assured that it would not.
    b. Paul Rubin, 28 Hampton Court East, who owns property at 2376 Highway 22, the business next to the site. He wanted to know how he would have access to his cross-easement when the property's elevations had been changed. The Applicant indicated that a cross access easement is no longer required as Mr. Rubin's property now has direct access to a public right-of- way.

16. April 7, 2011 hearing:
    a. At this hearing, various issues from the March hearing were discussed, including:
        i. the fact that townhomes from the original application were already sold, which the Zoning Board felt might be in violation of the conversion statute;
        ii. that lighting must be brought into compliance with requirements of the ordinances;
        iii. that sidewalks had to be built along the NJDOT-required entrance from Route 33;
        iv. that there was a need for an additional front yard setback variance along Union Street; and
        v. that a 4-1/2-foot fence had already been built along the alleyway, and a six-foot fence is required.
    b. Ms. Lamar then introduced herself again to the Board and reviewed the issues with Mark Cannuli who stated that all technical issues raised by the Board professionals would be addressed and satisfied and that the Applicant met the requirements for the variance.
    c. Board Planner Abbe Kooper, then reviewed her February 24, 2011 letter report, saying that the Applicant had complied with most of the issues brought up in the report, but that the Applicant would comply with the outstanding issues.

17. Members of the public who testified on April 7 with regard to the application:
    a. Joanne Panone, 215 Meadowbrook Road, stated that she opposes the application and the site should be left for open space.
    b. David Wilson, 314 Meadowbrook Road, opposed the senior housing conversion.

c. Vincent Costanza, 21 Union Street, lives in a nearby townhome. He continued to be worried about how the traffic entering the site through the public access road from Route 33 would affect his home. The turning restrictions and roadway geometry were explained to Mr. Costanza, and the Applicant assured him that it would not be a problem.

18. The following Township staff gave advice to the Board:

a. Abbe Kooper, P.P., AICP, and Christopher Brown, of Remington & Vernick, who testified as the Board's planners and reviewed the February 24, 2011 report.

b. Michael Angelastro, of Remington & Vernick, who served as the Board's traffic engineer, also reviewed the February 24, 2011 report. (Mr. Angelastro was not in attendance at the April 7, 2011 meeting.)

c. Michael Citerone, functioned as the Board Engineer and reviewed the Remington & Vernick February 24, 2011 report and February 3, 2011 report of Ann Bell, Administrative Officer.

d. Edmund A. Wilson, Jr., AIA, testified as the Board's architect and reviewed his report dated January 25, updated March 2, 2011. (Mr. Wilson was not in attendance at the April 7, 2011 meeting.)

e. Michael W. Herbert, Esq., Zoning Board Attorney. Mr. Herbert reviewed his February 17, 2011 and March 18, 2011 memoranda with the Board. Mr. Herbert stated that Sharbell was granted a use variance on June 6, 2007, for a drive-thru pharmacy, and was granted site plan approval for mixed use buildings at the site. These buildings included a pharmacy and office building. Also approved was a 45-unit senior apartment/condominium building. Mr. Herbert further stated the following:

Pursuant to *N.J.S.A.* 45:22A-46.1 - 46.15 (the "Conversion Law"), the developer has now made an application to reduce the number of units to 39 non-age-restricted units, including eight affordable units.

The Conversion Law allows a developer to apply for amended site plan or subdivision approvals to convert a previously-approved age-restricted development to a non-age-restricted development. There are certain requirements for conversion under the 2009 law. Specifically, that first the age-restricted development received preliminary and final approval prior to July 2, 2009; second, that the developer has not sold, entered into a contract to sell, or accepted a deposit for any dwelling unit within the development, and third, that 20% of the units in the converted development are provided as affordable units in accordance with the Council on Affordable Housing's (COAH) regulations and the requirement of the Fair Housing Act.

Other requirements in the statute, specifically *N.J.S.A.* 45:22A-46.6(b), require the following. First, that the site meets the RSIS parking

requirements for converted units. Second, that recreational improvements and other amenities to be constructed on the site have been revised as needed to meet the needs of the converted development. Third, that the water supply is adequate to meet the needs of the converted development. Fourth, that the sanitary sewer system is adequate to meet the projected flow requirements of the converted development. Fifth, if additional parking is needed, that it does not increase the impervious coverage by more than 1%.

If the above requirements are met, then under *N.J.S.A.* 45:22A-46.6(c), the Board must then determine if the conversion application can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinance. This is the same requirement that a board reviews in granting a variance as part of the "negative criteria."

Pursuant to *N.J.S.A.* 45:22A-46.7 and 46.8, the following conditions and limitations also apply. First, every unit in the development must conform to all requirements of the Uniform Construction Code and any requirements for and limitations on size and square footage imposed as part of the prior approval for the revision of floor plans within the dwelling unit. Second, as the Conversion Statute states, the"layout of a subdivision or site plan approved pursuant to the Municipal Land Use Law ...may be reasonably revised to accommodate additional parking, different recreation improvements and other amenities, infrastructure enhancements, a needed reduction in number of units, height requirements, revision to dwelling footprints ....or a needed change to construct the affordable housing units as attached housing." N.J.S.A. 45:22A-46.8. Third, the affordable units may be constructed in separate sections of the development with a separate management entity. Finally, the developer may decrease but not increase the size, height, floor area ratio, number of bedrooms and total square footage of the buildings established as part of the preliminary and final approval of the age-restricted development, except in the affordable housing units, which may have a bedroom increase.

As far as evaluating the public good, the Board may review any buffering requirements between the development and nearby neighbors as well as the overall impact the development will have upon those neighbors. Also, with regard to the Township overall master plan, it should be noted that the Board of Education has sought to plan its schools with regard to potential residential family build-out and that this development will have a minimal impact upon that because it will now have the potential to produce school age children.

With regard to the issue of the "substantial detriment to the public good", as stated above, the Conversion Law sets forth criteria which must be met in

order for an application to be deemed complete. An applicant is deemed complete when it complies with the seven criteria set forth in *N.J.S.A.* 45:22A-46.6(b). It then must show that "conversion can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance." See, *N.J.S.A.* 45:22A-46.6(c). If the seven criteria are met, the Applicant has the burden of proving that the conversion will not cause substantial detriment to the "public good" and "will not substantially impair the intent and purpose of the zone plan and zoning ordinance."

Mr. Herbert further stated that the issue of the "public good" was not as straightforward as presented by the Applicant. In his opinion there is no specific definition in the Municipal Land Use Law, nor is there any specific reference in case law defining with specificity the phrase "public good." Whether an application is deemed to be in compliance with or a substantial detriment to the public good is determined on a case by case basis, and is specifically dependent upon the facts proven at the particular hearing. As stated above and in subsection (c) of the statute, it is specifically part of the use variance language set forth in *N.J.S.A.* 40:55D-70(d). It is specifically and only referenced in the use variance section of the MLUL.

A use variance previously was granted by this Board as to density and the pharmacy drive-thru. However, the Application that is now before the Board is not a use variance but a conversion under the statute, and therefore the use variance language is not appropriate. Therefore, as Mr. Herbert stated, , the Conversion Statute creates a dichotomy that before making an application to the zoning board as if it were a site plan approval before a planning board, the Applicant must be in "conformance" with the law; and yet one of the proofs that the Applicant is required to present is usually and almost exclusively referenced in use variance applications. Use variances are by definition in violation and in contravention of the zoning ordinance. In Mr. Herbert's opinion, this demonstrated one more apparent inconsistency and difficulty in the Conversion Law.

Unlike a normal site plan that would be before a planning board which most of the time requires automatic approval pursuant to the New Jersey Supreme Court ruling in *Pizzo Mantin Group v. Township of Randolph*, 137 *N.J.* 216, 228 (1994), the Conversion Law requires the Board to review a non-conforming (to the zone) application. According to Mr. Herbert pursuant to the Conversion Law, the Applicant must prove a heightened level of proofs that are different from a site plan application. The Conversion Law does not say that this application must automatically be approved if the seven criteria are met. The Applicant still needs to affirmatively show that there is no substantial detriment to the public good. In Mr. Herbert's opinion the

Conversion Law continues to be inconsistent in this regard.

Mr. Herbert explained that the Conversion Law was passed in light of the poor economy and to spur on construction jobs. This impact does trickle down to the Township and therefore negative impacts upon sewer capacity, water capacity, traffic and so forth may be factors that can be considered. However, every Board member should continue to consider the application in a neutral manner.

In the Law Division case known as *Heritage at Towne Lake, LLC v. Planning Bd. of the Borough of Sayreville*, Docket No. MID-L-2522-10, Judge Hurley quoted the standard of review as to whether or not a board acted reasonably in its decision as follows:

These conversion cases are deemed to be permitted uses and more like a "c" variance case where the use is permitted but a "bulk" standard deviation exists, requiring a board to determine if the variation can be allowed without substantially impacting the zone plan and the public good.

Another Law Division case is *Kaplan at Helmetta, LLC v. Borough of Helmetta and the Borough of Helmetta Planning Board*, Docket No. MID-L-2068-10. The same Judge Hurley denied a conversion application on appeal. Specifically, the Judge found that where there was already a redevelopment plan that required the Applicant to comply with certain criteria, including construction of senior housing, the Conversion Law could not override those previous agreements. Mr. Herbert stated that an argument could be made that by applying for and receiving a use variance for the drive-thru pharmacy and density on the property in question, the Applicant came to an agreement with the Zoning Board for approval of the use plan that included senior housing, it determined that The Board was advised that an argument can be made that this agreement, as memorialized by the grant of the use variances and density variances, could override the Conversion Law.

19. Board members statements:
    a. Board members were concerned about the above issues.
    b. However, Board members did decide to approve the application, even though they had many reservations, finding that Sharbell's conversion application met all preconditions and procedural requirements set forth in the Conversion Statute with either no impacts or *de minimus* impacts.

FINDINGS AND CONCLUSIONS REGARDING APPROVAL OF AMENDED PRELIMINARY AND FINAL SITE PLAN

20. Nature of the application:

a. Conversion of an age-restricted development:
Pre-conditions for approval and impact upon municipal fair share affordable housing obligations include:

i. During a period of time set forth in section 9 of P.L.2009, any age-restricted development shall be eligible to be changed to a converted development, pending approving board approval, provided that the development meets all of the following conditions:

1. Preliminary or final approval for construction of the development has been granted prior to the effective date of P.L.2009, c. 82 (C.45:22A-46.3 et seq.);

2. The developer of the age-restricted development is not holding a deposit for, or has not conveyed, any dwelling unit within the development;

3. The developer of the age-restricted development agrees that 20 percent of the units in the development will be provided as affordable units in accordance with regulations promulgated by the Council on Affordable Housing pursuant to the "Fair Housing Act,", P.L. 1985, c. 222 (C.52:27D-30l et al.).

ii. Any housing unit which is provided under the provisions of P.L.2009, c. 82, and which is affordable to households of low-and-moderate income, shall automatically become part of a municipal fair share plan, if applicable, and as such shall be eligible for credits to meet the municipality's obligation for affordable housing pursuant to the "Fair Housing Act," P.L,1985, c. 222.

iii. No affordable housing units complying with applicable Council on Affordable Housing standards or market-rate housing units associated with such a converted development shall be construed as generating any fair share affordable housing obligation for a municipality.

The Applicant received zoning board approval prior to the effective date of July 2, 2009 and an application has been submitted to the approving board before the first day of the 25th month following the effective date. The Applicant has provided 20% (8 units) of the converted units as affordable units in accordance with the COAH requirements. The Applicant provided testimony to the board regarding holding deposits or the conveyance of any dwelling unit with the development. The application appears to meet with conditions for pre-approval for the conversion of an age-restricted development.

Application for an amended approval to construct a converted development:

Procedural requirements:

i. A developer seeking to change an age-restricted development approval to a converted development approval shall file an application with the approving board

seeking an amendment to the previously granted approvals requesting the authority to develop the land as a converted development At such time, the developer shall also file a copy of said notice with the municipal clerk of the municipality in which the development is located and the developer shall provide notice prior to a hearing on the application in the manner prescribed in section 7.1 ofP.L.1975, c. 291 (C.40:55D-l2).

ii. Applications seeking amended approval for a converted development shall include documentation that all of the following site improvement and infrastructure requirements have been met:

1. The site meets the Residential Site Improvement Standards parking requirement for the residential land uses in a converted development as established pursuant toN.J.A.C,5:21-4.l4 - 4.16. 78 parking spaces are required per the RSIS, the Applicant is proposing 57 of the parking Spaces on the site and the additional 21 spaces on the adjoining lot 1.18.
2. The recreation improvements and other amenities to be constructed on the site have been revised, as needed. to meet the needs of a converted development. The Applicant is not proposing any additional recreation improvements than what was previously presented. The Applicant addressed how the fitness center and clubhouse, as well as the existing open space, public parks, two tot-lots and walking/bike paths located throughout the Washington Town Center Development meet the needs of a converted development.
3. The water supply system is adequate, as determined pursuant to N.J.A.C. 5:21-5.l, to meet the needs of a converted development;
4. The capacity of the sanitary sewer system is adequate to meet the projected flow requirements of a converted development pursuant to N.J.A.C. 7: l4A-23 .3;
5. If additional water supply or sewer capacity is needed and the developer is unable to obtain additional supply or capacity, the number of dwelling units in the development has been reduced accordingly;
6. If additional parking is needed, and the developer is unable to provide the required parking, the number of dwelling units in the development has been reduced accordingly; and. The Applicant has not reduced the number of dwelling units within the building but has reduced the mixed-use building by one story, equal to 14,800 square feet.
7. If additional parking is provided and increases the amount of impervious cover by more than one percent, the storm water system calculations and improvements have been revised accordingly, except that solar panels shall not be included in any calculation of impervious surface or impervious cover.

c. If the approving board determines that the requirements of P.L.2009, c. 82 (C45:22A-46.3 et seq.) have been satisfied, and the conversion can be granted without substantial detriment to the public good and will not substantially impair

the intent and purpose of the zone plan and zoning ordinance, the application for the conversion shall be approved.

Revisions to Subdivision or Site Plans

i. In the case of an age-restricted development which is being changed to a converted development, the layout of a subdivision or site plan approved pursuant to the "Municipal Land Use Law," P.L. 1975, 291 (C.40:55D-1 et seq.) may be reasonably revised to accommodate additional parking, different recreation improvements and other amenities, infrastructure enhancements, a needed reduction in the number of units, height requirements, revision to dwelling footprints that do not modify square footage of the development or the individual dwellings, or a needed change to construct the affordable units as attached housing.
   1. The off-street parking has been revised to include an easement for 21 additional parking spaces on lot 1.18 to benefit the residential dwellings on lot 1.17. The Applicant addressed the parking revisions. The Applicant addressed how the easement will be enforced and if the parking spaces will be restricted.
   2. Different Recreation Improvements and Other Amenities: The Applicant is proposing the use of the existing clubhouse and fitness center located within building "C" on North Commerce Square. The Applicant demonstrated how the proposed recreation improvements will meet the needs of the proposed community.
   3. The Applicant is not making any changes to the proposed infrastructure per the approved plans.
   4. The Applicant has not reduced the number of residential dwelling units.
   5. The Applicant has not proposed any additional height requirements or revisions to the dwelling footprints.

ii. In order to construct the affordable units as attached housing, to meet accessibility requirements, or provide them as rental units, the affordable units may he constructed in one section of the development with a separate management entity if such a management entity is required due to the nature of the development. The Applicant was granted approval for the multi-family building per Resolution ZB 2007-05.

iii. The size, height, floor area ratio, number of bedrooms and total square footage of buildings established as part of a preliminary or final approval for an age-restricted development shall not be increased, but may be decreased for a converted development, except that the number of bedrooms for the affordable units only may be increased within the footprint to meet the bedroom distribution requirements as established in the Uniform Housing Affordability Controls. The Applicant has modified the mixed-use building from four stories to three stories, and from 63,465 square feet to 48,648 square feet.

Time for board approval:

i. Within 30 days after the submission of an amended application pursuant to this act, the approving board shall advise the Applicant in writing whether the amended application is complete, with completeness to be determined based upon whether the Applicant has submitted documentation addressing the issues described in section 4 of P.L. 2009, c. 82(C. 45:22A-46.6). The Applicant has provided the necessary documentation regarding die above listed items for the senior conversion within the time.

ii. The approving board shall render a decision on an application for a converted development within 60 days of a determination of application completeness, unless the time frame is extended by the applicant. If no such decision is rendered by the approving board with the time period, including extensions, the application shall be deemed approved and the Applicant shall in such a case follow the procedures set forth in section 5 of P.L.1985, c. 516 (C.40:550-I0.4). The Application, as required, was heard before the Board prior to March 20, 2011.

iii. Applicants seeking approval for a converted development pursuant to P.L.2009, c. 82 (C.45:22A-46.3 et seq.) shall not be charged application fees, although reasonable escrow fees may be charged pursuant to section 13 of P.L.1991, c. 256 (C.40:55D-53.2). The Applicant has miscalculated the application fees for the non-residential portion of the application. The Applicant has provided an application fee in excess of $99.12 for the non-residential amended preliminary and final site plan.

Final Site Plan Checklist Waivers

1111 A construction cost estimate of all construction quantities for all on-site improvements.

1112 A construction cost estimate of all construction quantities for all off-site improvements.

1113 Metes and bounds descriptions for right-of-way dedication, sight triangles, drainage, detention or conservation easements, and driveway easements.

1115 A final plat complying with the Map Filing Law.

1116 A developer's agreement approved and executed by Township Council.

21. Board findings:

a. The Board accepts the testimony of applicant's witnesses, Mark Cannuli, AICP, PP; Jeffrey Spalt, P.E., P.P.,; Nicholas Verderese, P.E., and William Feinberg, AIA, provided in support of Sharbell's Application for Amended Preliminary and Final Site Plan Approval pursuant to the Conversion Statute, as modified by the Board's professionals: Planner Abbe Kooper, P.P.; Traffic Engineer Michael Angelastro, P.E.; Engineer; Michael Citerone, P.E., and Architect Edmund A. Wilson, Jr., AIA.

b. The Board finds that Sharbell's Conversion Application meets the requirements set forth in the Conversion Statute.
c. Adopting and incorporating the Findings and Conclusions detailed above, the Board hereby grants approval of Sharbell's Application for Amended Preliminary and Final Site Plan Approval pursuant to the Conversion Statute with all variances and waivers and with all caveats and conditions stated herein, finding that there is minimal negative impact upon the public's health, safety and welfare, or upon the zone plan, zoning ordinance or local zoning regulations.
d. The Board believes that the concerns expressed by the members of the public were adequately responded to by the applicant and the Board's professionals, and that the conditions attached to this resolution adequately address the concerns raised and protect the interests of the Township, the concerns of its citizens, and the general welfare of the community and the intent and purpose of the zone plan and zoning ordinance.

CONDITIONS REQUIRED

22. The Board finds that in order to address the concerns expressed in the course of the hearing, and to limit the relief to that which is reasonably necessary to satisfy the applicant's legitimate requirements, the following conditions must be met:

a. Applicant shall comply with all requirements of memorandum from Abbe Kooper, P.P., dated February 24, 2011.
b. Applicant shall comply with all requirements of memorandum from Ann Bell, Administrative Officer dated February 3, 2011.
c. Applicant shall comply with all requirements of memorandum from Edmund A. Wilson, Jr., AIA, dated January 25 and updated March 2, 2011.
d. The Applicant shall build sidewalks on the interior part of the site along the NJDOT-required entrance. This requires a minor revision to the parking design to shift the parking 5 feet which results in the loss of 4 parking spaces. Parking standards remain in compliance by further reducing the office component by 1,400 square feet.
e. The Applicant agreed to use real brick on the first floor exterior walls of the mixed-use building, and to work with Board Architect Edmund Wilson in eliminating the simulated red brick from the second and third floor exterior walls and replacing the simulated red brick with another material. The Applicant will work with the Board Architect with regard to the design and materials for the building.
f. Per 142 Attachment 5-4:16, parking spaces reserved for employees shall be designated as such by means of striping and signage. The Applicant should indicate which parking spaces are designated for employees.
g. The residential portion of the project located on Lot 1.17 requires 78 parking stalls, whereas only 57 parking stalls are proposed on this lot. The balance of the

residential parking will be located on Lot 1.18. Plans shall be revised to indicate 21 reserved parking stalls on Lot 1.18 for the residents of the apartment building. Additionally, a cross easement shall be established for access and parking.

h. Per Section 142-42B(1), off-street parking lots and loading areas shall not occupy more than 40% of the lot area. Applicant addressed.
i. No dimensions are provided for the loading area for the mixed-use building. Section 142-42G requires loading spaces to be at least 14 feet by 60 feet. The proposed pharmacy requires two loading spaces. However, the one (1) space provided by the Applicant is suitable for a Pharmacy use and is adequate for the overall development. Applicant addressed loading needs.. Applicant shall submit a plan to the Board professionals showing loading zone dimensions.
j. Per 142 Attachment 5-5.18, driveways which directly access the street shall be constructed of a colored asphalt, scored concrete or decorative stamped concrete paving blocks. Applicant shall submit a plan to the Board professionals.
k. The Applicant shall provide testimony indicating the delivery hours for the proposed pharmacy. It appears that drive-thru would have to be closed in order for delivery trucks to safely access the loading area. Applicant shall submit a plan to the Board professionals illustrating the truck circulation at the loading zone.
l. The detail for the brick paver crosswalks on sheet 10 states that a herringbone pattern is proposed; however, the detail does not depict this type of pattern. Applicant shall submit a plan to the Board professionals.
m. A Bicycle rack is proposed adjacent to the mixed-use building. A detail shall be provided that is consistent with the style given in 142 Attachment 5-5:21.A(20). The number of bicycle racks shall be based on the requirements of Section 142-481(2). Bike paths or travel lanes shall be specified on the plans.
n. Benches and trash cans are proposed for the plaza area, but details shall be provided for review and comment. Details shall match the styles shown in 142 Attachment 5-5:21.A(20). In addition, paving selections in this area shall be identified.
o. Per 142 Attachment 5-4:24.(10), plant material is to be maintained and guaranteed for a period of two years. Planting Note #5 shall be revised.
p. Tree grates shall be shown and details shall match those provided in 142 Attachment 5-5:21.A(20).
q. Plantings adjacent to parking spaces shall be set back at least three feet to avoid accidental damage by large vehicles and/or snow plows.
r. A tree inventory plan shall be provided and compensatory plantings shall be addressed. Applicant shall submit a plan to Board professionals. Presently there are no trees on the site and therefore this issue is not relevant.
s. Alternative plant selections shall be provided for Barberry, given its invasive nature.
t. Buffering shall be provided to the west of the first townhouse on Union Street to provide privacy for the homeowner and shall screen views of vehicles exiting the senior housing garage.

u. The landscape plan was previously prepared, signed and sealed by a landscape architect as required by Section 142-48.C. Plans shall be revised.
v. Per Resolution 2007-15, the proposed buffer between the parking lot and the residential alley shall be 4.5 feet tall, decreasing in height at intersections. The Applicant proposes a 6-foot-high, board-on-board fence. This design is approved by the Board.
w. Per 142 Attachment 5-5:21.A(1 8), cut-off fixtures shall be specified to minimize glare and provide down lighting. The light source shall be located within the cap.
x. It appears that the site is excessively lit. Lighting levels should be revised to comply with Section 142-38A(9'). More specifically, the Board requires the following:
    i. Per Section 142-38A(9)(d), the maximum lighting level at any property line is limited to 0.2 footcandles.
    ii. Per Section 142-38A(9)(e), the maximum lighting level at any residential property line is limited to 0.1 footcandles, whereas 1.7 footcandles is proposed.
    iii. Per Section 142-38A(9)(f), the minimum light intensity provided at areas required to be illuminated is 0.2 footcandles, whereas 0.0 footcandles is proposed.

y. There appears to be conflicts between proposed street tree locations and street light locations. Plans should be revised.
z. Per Section 142-38A(8), lighting standards shall not exceed a height of twelve (12) feet in any residential area, except along major arterials or collector roads. The Applicant proposes fourteen (14) foot fixtures. The Applicant indicated that the fixtures shown for the residential area are consistent with the fixtures that were installed in the overall Town Center residential development.
aa. No site identification signage is indicated on the plans. All proposed signage shall conform to 142-5-5:23.
bb. Color and finish should be specified for the concrete wall detail.
cc. A detail shall be provided for the proposed cedar board on board fence.
dd. A chain link fence is proposed on top of the concrete wall along the new public road. Chain link fences are generally discouraged in Robbinsville and as per 142 Attachment 5-1 chain link fences are prohibited in Town Center. However, this fence is acceptable in that it is permitted by the approved Edge Plan for Washington Center and is a continuation of an existing fence located in the TC-3 District.
ee. The proposed access drive located at the easterly side of the site is approximately at a 6.5% grade. Gutter flow from this drive shall be collected prior to flowing across the northerly entrance to the proposed parking area as well as the intersection with the adjacent alley. Additional storm inlets shall be provided.
ff. Pipe profiles shall be included on the plans indicating the proposed grade over the pipe to determine if adequate cover exists and to check for any potential conflicts with other utilities.

gg. The pipe class shall be indicated on the plans for the RCP storm sewer.

hh. Information regarding the length, size and slope of the storm pipe between proposed Inlet 111 Bi and the existing inlet on Union Street shall be indicated on the Drainage & Utility Plan.

ii. The as-built pipe information pertaining to pipe length, slope and inverts shall be added to the Drainage & Utility Plan for the existing inlets and pipe along Union Street to confirm pipe calculations contained within the Amended Drainage Report Addendum.

jj. Information regarding the length, size and slope of the storm pipe between proposed Inlet 111A2 and 111A1 shall be indicated on the Drainage & Utility Plan.

kk. Information regarding the length, size and slope of the storm pipe between proposed Inlet 111A1 and 111A shall be indicated on the Drainage & Utility Plan.

ll. Information regarding the length, size and slope of the storm pipe between proposed Inlet 111A3 and 111A2 shall be indicated on the Drainage & Utility Plan.

mm. Information regarding drainage area and pipe capacity shall for the trench drain and associated piping shall be included in the Amended Report.

nn. The Applicant shall indicate if roof drains are proposed for the various structures and if so, appropriate details indicating their tie-ins to the stormwater management system shall be included on the plans. In addition cleanout details shall be indicated with provisions to allow for traffic bearing conditions as warranted.

oo. The Applicant has provided testimony indicating the basis for existing municipal right-of-way along the easterly portion of this site. The municipal right-of-way was a condition of a New Jersey Department of Transportation approval, and the Applicant has provided documentation substantiating this requirement.

pp. In accordance with the original approval resolution (Resolution #ZB2007-05) for this site the Applicant is required to construct improvements on the south side of the intersection of Route 33 and Robbinsville-Edinburg Road.

qq. The plans indicate a one-way southbound vehicular connection between the Alley #11 and this site.

rr. The plans indicate a proposed retaining wall within the municipal right-of-way along the easterly portion of the site. The retaining wall currently exists and the plans have been revised to indicate the as-built conditions. Since the retaining wall is located within the municipal right-of-way, the Applicant shall contact the government body to determine if the municipality wants to take ownership and maintenance responsibilities of the retaining wall. If the Township does not desire to own or maintain the retaining wall, the Applicant shall enter into an agreement with the Township regarding ownership and maintenance of the retaining wall.

ss. The Applicant's engineer shall review the available clear zone adjacent to the retaining wall to determine if guide rail is required in this area.

tt. The plans shall be revised to provide a pedestrian connection between Union Street and Route 33 as illustrated on the exhibit presented to the Board by the Applicant.

uu. The plan shall note that "The owner, or his representative, is to designate an individual responsible for construction site safety during the course of site improvements pursuant to N.J.A.C. 5:23-2.21 (e) of the N.J. Uniform Construction Code and CFR 1926.32 (f) (OSHA Competent Person."

vv. If applicable, the Applicant shall be required to contribute to the Township's "Housing Trust Fund" and/or otherwise address the impact of the subject application for development upon the affordable housing obligations of the township, all in a manner deemed acceptable by the Township Council and in accordance with the adopted "Third Round Substantive Rules" as may be adopted by the New Jersey Council on Affordable housing (COAH) in accordance with the enacted legislation and/or directives from the courts.

ww. The Applicant has provided a right-of-way to be dedicated to Robbinsville Township separating lots 1.18 and 50. The "street-regulating-plan' did not plan for this road. The plan shows a variable right-of-way width of approximately 40'.

i. The road can be classified as a commercial lane, meets the following requirements:, two way, no parking, 24' pavement width, 20 MPH. 25' curb radii for drainage, 5' sidewalk on one side, sidewalks must connect across with designated crosswalks, street lighting 60' on center and trees in parkway at intervals.

ii. The Applicant shall provide the status of the street being dedicated to the town.

iii. A name shall be provided for the new street. Written approval from the post office and emergency services shall be provided.

xx. Off-street parking lots shall be prohibited in any front yard setback area, shall be located at the rear of buildings on the interior of lots whenever possible, and shall be accessed by means of common driveways, preferably from side streets or lanes. It appears that the parking lot encroaches into the front yard setback of the newly proposed street.

i. The Applicant shall provide a revised plan that provides the 5 foot setback as illustrated on the exhibit presented to the Board. the dimension of the parking lot to the property line on the plan and request a variance if within the five feet setback.

ii. The parking and trash/recycling easement shall be submitted for review and approval.

yy. The outstanding items of Resolution 2007-15 shall remain a condition of approval.

i. The Applicant shall address the status of intersection improvements, whereas, the Applicant has agreed to construct certain improvements to the south side of the intersection of Route 33 and Robbinsville-Edinburg Road

as shown on the overall conceptual layout plan for NJ State Highway Route 33 and County Route 526, prepared by Maser Consulting. P.A., dated January 2, 2007.

1. Although the Applicant shall only provide its pro-rata share of this improvement, the Applicant shall provide the status of the intersection improvements.
2. The Applicant shall provide all correspondence and plans for the proposed intersection with the approving agencies.
3. The Applicant shall construct the proposed intersection improvements as part of the Phase I portion of the project and prior to receiving a certificate of occupancy for any portion of either building.

zz. The proposed 4 foot chain link fence atop of the retaining wall shall be replaced with a more decorative type fence as recommended in the town center ordinance.

aaa. The proposed 6 foot high cedar board on board fence should be revised to a white fence as required in the town center ordinance.

bbb. The Applicant has proposed a property identification sign located on Route 33. The Applicant shall comply with the requirements for a freestanding sign per Town Center Zoning and Design Regulations, Section 5:A.19.lh. Zoning approval is required for all signage. Pursuant to Resolution 2007-15 a detail of the sign shall be submitted to the Township Engineer for review and approval.

ccc. The Applicant shall comply with Township Ordinance 20 10-32 titled "Tax Map/GIS Database Update Fee" for a major subdivision.

i. An escrow account shall be posted in the amounts for condominium site plans. The Applicant shall replenish the escrow account in such amounts as are required to satisfy the total cost of the revisions.

ii. In addition to the maintenance fees noted, each approved Applicant must supply a map of the new subdivision or new lot in a scale suitable for inclusion on the Robbinsville Township tax map/GIS database in both electronic and. hardcopy formats, in compliance with the current NJ Map Filing Law guidelines ~N.J.S.A. 46-23.1).

ddd. A landscape planting strip a minimum three feet wide shall he located on three sides. The trash enclosure adjacent to Route 33 shows a concrete path from the sidewalk to the parking lot along the rear and one side. The plan shall be revised to meet this requirement.

eee. The Applicant shall work with the Board Engineer and Planner on the type of fence materials to be used on the fence between the site and its neighbors.

fff. The Applicant has proposed one bicycle rack at the rear entrance to the mixed use building. A bicycle rack shall be provided for the residential building. The location and detail shall be shown on the plans.

ggg. All newly created residential properties located in the zone shall be required to contribute to the public space fund in an amount equal to the 1999 dollar values, adjusted at the time of payment by the CPI, of $2,190.90 per apartment, $2.01 per square foot for commercial space and $2.21 per square foot for retail space.

i. The Applicant shall post a bond with the Municipal Clerk for its contribution to the Public Space Fund at the time of final approval.
ii. The Applicant shall be responsible for posting the amount determined to be due to the fund at the time of submitting an application for a building permit or change of use, whichever occurs first. No permits shall be issued until the Chief Financial Officer of the Township has certified that the requisite payment has been made to the fund.

hhh. The Applicant will install a sidewalk along the new roadway leading from Route 33 going north to connect with Union Street.

iii. The applicant's engineer must make appropriate revisions to the site plan pursuant to the Zoning Board action.

jjj. The Applicant is notified that an inspection escrow and performance bond is required for this application and an estimate for all on/off site improvements (excluding structures) must be reviewed and approved by the Zoning Board Engineer. The inspection escrow must be posted prior to the issuance of any building permits.

kkk. The Applicant must contact the Zoning Board office to settle any outstanding review escrow accounts prior to the issuance of building permits.

lll. When plans are resubmitted, they are to be accompanied with a point-by-point response to all conditions of approval.

mmm. The newly-created Union Street access road shall have appropriate traffic-calming measures installed as approved by the Board traffic expert to slow traffic coming off of Route 33 into the site.

nnn. Other approvals as may be required:
i. Robbinsville Township Fire Department
ii. Robbinsville Township Utility Department
iii. Mercer County Planning Board
iv. New Jersey DEP
v. New Jersey DOT
vi. Mercer County Soil Conservation District
vii. Any others as may be necessary.

VARIANCES REQUESTED

23. The following variance relief is requested:

Variances:	142 Attachment 5-3:37	Lot width.
	142 Attachment 5-3:37	Front yard setback.
	142 Attachment 5-3:37	Side yard setback.
	142 Attachment 5-3:37	Building depth.

a. Specifically, a variance is requested at the northern edge of the property to allow for an 11-foot setback, as opposed to an allowed five-foot setback, with the

proviso that the sight triangle will work. The site also requires a variance for a setback of ten feet on the east side due to the new road.

b. To be entitled to variance relief, the Applicant must provide proof to satisfy the positive and negative criteria pursuant to N.J.S.A. 40:55D-70c for the bulk variances:
   i. Positive Criteria. For "special reasons," the Applicant shall demonstrate that the site can accommodate the problems associated with a floor area larger than that permitted by the ordinance. The Applicant must also demonstrate that the deviation from the standard can be offset by the benefits derived from this application.
   ii. Negative Criteria. The Applicant must demonstrate that the requested relief can be granted without substantial detriment to the public good and that it will not impair the intent and purpose of the zone plan.

24. As stated above, the Board finds that the variances requested are granted, as they are de minimus in nature and help the property to function efficiently. There will not be an adverse impact upon the public good or upon the zone plan, zoning ordinance or local zoning regulations.

CONCLUSION

Based upon the foregoing, the Robbinsville Township Zoning Board, at its April 7, 2011 meeting, voted to approve the application.

This Resolution of Memorialization was adopted on June 2, 2011 by a vote of the majority of the members present, who voted to approve the relief sought by the applicant.

The date of decision shall be April 7, 2011, except that the date of the adoption of this memorializing resolution is the date of decision for purposes of (1) mailing a copy of the decision to the Applicant within ten (10) days of the date of the decision; (2) filing a copy of the decision with the administrative officer; and (3) publication of a notice of this decision. The date of the publication of the notice of decision shall be the date for the commencement of the vesting protection.

ROLL CALL VOTE ON APPLICANT'S
REQUEST FOR AMENDED PRELIMINARY AND FINAL SITE PLAN APPROVAL
APRIL 7, 2011

Moved By: Siekerka

Seconded By: Rogers

Those in Favor: Siekerka, Boyarsky, Rogers, Shennard, Kreig

Those Opposed: Patel

Those Absent: Kirkpatrick, Gibeault

ROLL CALL VOTE ON MOTION TO APPROVE
RESOLUTION OF MEMORIALIZATION, JUNE 2, 2011

Moved By: Rogers

Seconded By: Siekerka

Those in Favor: Siekerka, Rogers, Shennard, Kreig

Those Opposed: None

Those Absent: Gibeault, Kirkpatrick, Appleget

CERTIFICATION

We do hereby certify that the foregoing resolution was adopted by the Robbinsville Township Zoning Board at its regular meeting held on June 2, 2011. This resolution memorializes formal action taken by the Board at its regular meeting held on April 7, 2011.

Elide M. Post

Elide M. Post, Secretary
Robbinsville Township Zoning Board

s:robbins-Sharbell conversion resol 052611 final

Robbinsville
TOWNSHIP
BE AT THE CENTER OF IT ALL

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FILE

February 3, 2011

Robbinsville Township Zoning Board

RE:Sharbell Building Company, LLC
Age-Restricted Conversion
Amended Preliminary and Final Site Plan
Block 8, Lots 1.17 and 1.18
ZB07-09-03 Amended

Dear Board Members,

The applicant is seeking approval under statute N.J.S.A. 45:22A-46.3, *"Legislative findings and declarations; conversion of age-restricted developments to converted developments"*, for 39 previously approved age-restricted residential dwellings to be converted to non-age restricted residential dwellings. The thirty nine units are located at the corner of Routes 526 and 33 in the Town Center – 3 Zoning District.

In addition, the applicant is requesting approval for an amended preliminary and final site plan for a three-story mixed-use commercial building with 15,397 square feet of retail space and 819 square feet of office space on the first floor, and 16,216 square feet of office space on each of second and third floors.

The applicant received approval for preliminary and final site plan for a 39 age-restricted apartment/condominiums building and a four-story, 63,448 square foot mixed use building with a drive-thru, with variances per Resolution 2007-15. The applicant received use variances for the drive-thru on the mixed use building and the multi-family age-restricted apartment/condominium building, a density variance for exceeding the maximum number of dwelling units in the TC-3 zone, bulk variances for the single-family lots, and on-street parking in front of the commercial lot, per Resolution ZB2007-05.

The following documents were submitted:

- "Amended Preliminary and Final Major Site Plan, Block 8, Lots 1.17 and 1.18, Tax Map Sheet 5.01, NJSH Route 33 & Robbinsville-Edinburg Road, Robbinsville Township, Mercer County, New Jersey," prepared by Dynamic Engineering, revised through 11/10/10, sheets 1 – 15.

- *Traffic Assessment, Sharbell Building Company, LLC, Robbinsville Town Center 3, Block 8 – Lots 1.17 & 1.18, Township of Robbinsville, Mercer County, NJ,* prepared by KZA Engineering, P.A., 12/09/2010.
- *Amended Drainage Report Addendum for Washington Town Center TC-3, Block 8, Lots 1.08 – 1.15, 1.17 and 1.18, NJSH Route 33 & Robbinsville-Edinburg Road, Township of Robbinsville, Mercer County, New Jersey,* prepared by Dynamic Engineering Consultants, PC, revised through November 2010.
- *Infrastructure Requirements for Sharbell Building Company, LLC, Block 8, Lots 1.17 & 1.18, Robbinsville Township, Mercer County, NJ,* prepared by Dynamic Engineering Consultants, PC, December 9, 2010.
- *Planner's Report, for Conversion of 39 Approved Age-Restricted Multi-family Units to Non Age-restricted Units, Washington Town Center (TC-3), Route 33 and Robbinsville-Edinburg Road, Robbinsville Township, Mercer County, NJ, Block 8, Lots 1.17 & 1.18,* prepared by Sharbell Building Company, LLC, December 9, 2010.
- *Community Impact Statement, For Conversion of 39 Approved Age-Restricted Multi-family Units to Non Age-restricted Units, Washington Town Center (TC-3), Route 33 and Robbinsville-Edinburg Road, Robbinsville Township, Mercer County, NJ, Block 8, Lots 1.17 & 1.18,* prepared by Sharbell Building Company, LLC, December 9, 2010.
- Architectural Elevations and Floor Plans, prepared by Feinberg Associates, revised through October 11, 2010, sheets A-3 through A-7c.

Age-Restricted Conversion

Pre-conditions for approval and impact upon municipal fair share affordable housing obligations include:

a. During a period of time set forth in section 9 of P.L.2009, any age-restricted development shall be eligible to be changed to a converted development, pending approving board approval, provided that the development meets all of the following conditions:

   1. Preliminary or final approval for construction of the development has been granted prior to the effective date of P.L.2009, c. 82 (C.45:22A-46.3 et seq.);

   2. The developer of the age-restricted development is not holding a deposit for, or has not conveyed, any dwelling unit within the development;

   3. The developer of the age-restricted development agrees that 20 percent of the units in the development will be provided as affordable units in accordance with regulations promulgated by the Council on Affordable Housing pursuant to the "Fair Housing Act,", P.L.1985, c. 222 (C.52:27D-301 et al.).

b. Any housing unit which is provided under the provisions of P.L.2009c. 82, and which is affordable to households of low-and-moderate income, shall automatically become part of a municipal fair share plan, if applicable, and as such shall be eligible for credits to meet the municipality's obligation for affordable housing pursuant to the "Fair Housing Act," P.L.1985, c. 222.

c. No affordable housing units complying with applicable Council on Affordable Housing standards or market-rate housing units associated with such a converted development shall be construed as generating any fair share affordable housing obligation for a municipality.

The applicant received zoning board approval prior to the effective date of July 2, 2009 and an application has been submitted to the approving board before the first day of the 25th month following the effective date. The applicant has provided 20% (8 units) of the converted units as affordable units in accordance with the COAH requirements. The applicant shall provide testimony to the board regarding holding deposits or the conveyance of any dwelling unit with the development.

The application appears to meet with conditions for pre-approval for the conversion of an age-restricted development.

Application for an amended approval to construct a converted development; Procedural requirements:

a. A developer seeking to change an age-restricted development approval to a converted development approval shall file an application with the approving board seeking an amendment to the previously granted approvals requesting the authority to develop the land as a converted development. At such time, the developer shall also file a copy of said notice with the municipal clerk of the municipality in which the development is located and the developer shall provide notice poor to a hearing on the application in the manner prescribed in section 7.1 of P.L.1975, c. 291 (C.40:55D-12).

b. Applications seeking amended approval for a converted development shall include documentation that all of the following site improvement and infrastructure requirements have been met:
   1. The site meets the Residential Site Improvement Standards parking requirement for the residential land uses in a converted development as established pursuant to N.J.A.C.5:21-4.14 – 4.16. 78 parking spaces are required per the RSIS, the applicant is proposing 57 of the parking spaces on the site and the additional 21 spaces on the adjoining lot 1.18.

   2. The recreation improvements and other amenities to be constructed on the site have been revised, as needed, to meet the needs of a converted development. The applicant is not proposing any additional recreation improvements than what was previously presented. The applicant shall address how the fitness center and clubhouse meet the needs of the additional school age children.

   3. The water supply system is adequate, as determined pursuant to N.J.A.C.5:21-5.1, to meet the needs of a converted development;

   4. The capacity of the sanitary sewer system is adequate to meet the projected flow requirements of a converted development pursuant to N.J.A.C.7:14A-23.3;

   5. If additional water supply or sewer capacity is needed and the developer is unable to obtain additional supply or capacity, the number of dwelling units in the development has been reduced accordingly;

   6. If additional parking is needed, and the developer is unable to provide the required parking, the number of dwelling units in the development has been reduced accordingly; and. The applicant has not reduced the number of dwelling units within the building but has reduced the mixed-use building by one story, equal to 14,800 square feet.

   7. If additional parking is provided and increases the amount of impervious cover by more than one percent, the storm water system calculations and improvements have been revised accordingly, except that solar panels shall not be included in any calculation of impervious surface or impervious cover.

c. If the approving board determines that the requirements of P.L.2009, c. 82 (C45:22A-46.3 et seq.) have been satisfied, and the conversion can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance, the application for the conversion shall be approved.

Revisions to Subdivision or Site Plans

a. In the case of an age-restricted development which is being changed to a converted development, the layout of a subdivision or site plan approved pursuant to the "Municipal Land Use Law," P.L.1975, c. 291 (C.40:55D-1 et seq.) may be reasonably revised to accommodate additional parking, different recreation improvements and other amenities, infrastructure enhancements, a needed reduction in the number of units, height requirements, revision to dwelling footprints that do not modify square footage of the development or the individual dwellings, or a needed change to construct the affordable units as attached housing.

    1. The off-street parking has been revised to include an easement for 21 additional parking spaces on lot 1.18 to benefit the residential dwellings on lot 1.17. The applicant shall address the parking revisions. The applicant shall address how the easement will be enforced and if the parking spaces will be restricted.

    2. Different Recreation Improvements and Other Amenities: The applicant is proposing the use of the existing clubhouse and fitness center located within building "C" on North Commerce Square. The applicant shall demonstrate how the proposed recreation improvements will meet the needs of the proposed community.

    3. The applicant is not making any changes to the proposed infrastructure per the approved plans.

    4. The applicant has not reduced the number of residential dwelling units.

    5. The applicant has not proposed any additional height requirements or revisions to the dwelling footprints.

b. In order to construct the affordable units as attached housing, to meet accessibility requirements, or provide them as rental units, the affordable units may be constructed in one section of the development with a separate management entity if such a management entity is required due to the nature of the development. The applicant was granted approval for the multi-family building per Resolution ZB2007-05.

c. The size, height, floor area ratio, number of bedrooms and total square footage of buildings established as part of a preliminary or final approval for an age-restricted development shall not be increased, but may be decreased for a converted development, except that the number of bedrooms for the affordable units only may be increased within the footprint to meet the bedroom distribution requirements as established in the Uniform Housing Affordability Controls. The applicant has modified the mixed-use portion of the site from three-stories to four-stories, and from 63,448 square feet to 48,648 square feet.

Time for board approval; written notice; fees

a. With 30 days after the submission of an amended application pursuant to this act, the approving board shall advise the applicant in writing whether the amended application is complete, with completeness to be determined based upon whether the applicant has submitted documentation addressing the

issues described in section 4 of P.L.2009, c. 82(C.45:22A-46.6). The applicant has provided the necessary documentation regarding the above listed items for the senior conversion within the time.

b. The approving board shall render a decision on an application for a converted development within 60 days of a determination of application completeness, unless the time frame is extended by the applicant. If no such decision is rendered by the approving board with the time period, including extensions, the application shall be deemed approved and the applicant shall in such a case follow the procedures set forth in section 5 of P.L.1985, c. 516 (C.40:55D-10.4). The application shall tentatively be scheduled for the zoning board prior to March 20, 2011.

c. Applicants seeking approval for a converted development pursuant to P.L.2009, c. 82 (C.45:22A-46.3 et seq.) shall not be charged application fees, although reasonable escrow fees may be charged pursuant to section 13 of P.L.1991, c. 256 (C.40:55D-53.2). The applicant has miscalculated the application fees for the non-residential portion of the application. The applicant has provided an application fee in excess of $99.12 for the non-residential amended preliminary and final site plan.

Amended Site Plan Completeness

The application is deemed incomplete pending the submission of the following items.

1. Architectural plans for the mixed-use building.
2. Receipt of taxes paid for current tax quarter.
3. Protective covenants or deed restrictions that are intended to cover all or any part of the tract.

Preliminary Site Plan Checklist Waivers

III9 A boundary and topographic survey of the total tract signed and sealed by the preparing N.J. Licensed Land Surveyor with the last year.

It is recommended that a current survey be provided and a waiver of submission not be granted. A current survey should be provided to show the existing layout of the lot for a thorough review of the proposed project.

Final Site Plan Checklist Waivers

III1 A construction cost estimate of all construction quantities for all on-site improvements.
III2 A construction cost estimate of all construction quantities for all off-site improvements.
III3 Metes and bounds descriptions for right-of-way dedication, sight triangles, drainage, detention or conservation easements, and driveway easements.
III5. A final plat complying with the Map Filing Law.
III6 A developer's agreement approved and executed by Township Council.

It is recommended that the above items be submitted as a condition of approval.

Site Plan Comments

1. The applicant received a density variance for 39 units per Resolution ZB2007-05.

2. The applicant has provided a right-of-way to be dedicated to Robbinsville Township separating lots 1.18 and 50. The "street-regulating-plan" did not plan for this road. The plan shows a variable right-of-way width of approximately 40'.

a. The road can be classified as a commercial lane and shall meet the following requirements:, two way, no parking, 24' pavement width, 20 MPH, 25' curbs for drainage, 5' sidewalk on one side, sidewalks must connect across with designated crosswalks, street lighting 60' on center and trees in parkway at intervals.
b. The applicant shall provide the status of the street being dedicated to the town.
c. A name shall be provided for the new street. Written approval from the post office and emergency services shall be provided.

3. Off-street parking lots shall be prohibited in any front yard setback area, shall be located at the rear of buildings on the interior of lots whenever possible, and shall be accessed by means of common driveways, preferably from side streets or lanes. It appears that the parking lot encroaches into the front yard setback of the newly proposed street.

   a. The applicant shall provide the dimension of the parking lot to the property line on the plan and request a variance if within the five feet setback.
   b. The parking and trash/recycling easement shall be submitted for review and approval.

4. The outstanding items of Resolution 2007-15 shall remain a condition of approval.
   a. The applicant shall address the status of intersection improvements, whereas, the applicant has agreed to construct certain improvements to the south side of the intersection of Route 33 and Robbinsville-Edinburg Road as shown on the overall conceptual layout plan for NJ State Highway Route 33 and County Route 526, prepared by Maser Consulting, P.A., dated January 2, 2007.

      i. Although the applicant shall only provide its pro-rata share of this improvement, the applicant shall provide the status of the intersection improvements.
      ii. The applicant shall provide all correspondence and plans for the proposed intersection with the approving agencies.
      iii. The applicant shall construct the proposed intersection improvements as part of the phase I portion of the project and prior to receiving a certificate of occupancy for any portion of either building.

5. The proposed 4 foot chain link fence atop of the retaining wall shall be replaced with a more decorative type fence as recommended in the town center ordinance.
6. The proposed 6 foot high cedar board on board fence should be revised to a white fence as required in the town center ordinance.
7. The applicant has proposed a sign located on Route 33. The applicant shall comply with the requirements for a freestanding sign per Town Center Zoning and Design Regulations, Section 5:A.19.1h. Zoning approval is required for all signage.
8. The applicant shall comply with township Ordinance 2010-32 titled "Tax Map/GIS Database Update Fee" for a major subdivision.
   a. An escrow account shall be posted in the amounts for condominium site plans. The applicant shall replenish the escrow account in such amounts as are required to satisfy the total cost of the revisions.
   b. In addition to the maintenance fees noted, each approved applicant must supply a map of the new subdivision or new lot in a scale suitable for inclusion on the Robbinsville Township tax map/GIS database in both electronic and hardcopy formats, in compliance with the current NJ Map Filing Law guidelines (N.J.S.A. 46-23.1).
9. A landscape planting strip a minimum three feet wide shall be located on three sides. The trash enclosure adjacent to Route 33 shows a concrete path from the sidewalk to the parking lot along the rear and one side. The plan shall be revised to meet this requirement.

10. The applicant has proposed one bicycle rack at the rear entrance to the mixed use building. A bicycle rack shall be provided for the residential building. The location and detail shall be shown on the plans.
11. All newly created residential properties located in the zone shall be required to contribute to the public space fund in an amount equal to the 1999 dollar values, adjusted at the time of payment by the CPI, of $2,190.90 per apartment, $2.01 per square foot for commercial space and $2.21 per square foot for retail space.
    a. The applicant shall post a bond with the Municipal Clerk for its contribution to the Public Space Fund at the time of final approval.
    b. The applicant shall be responsible for posting the amount determined to be due to the fund at the time of submitting an application for a building permit or change of use, whichever occurs first. No permits shall be issued until the Chief Financial Officer of the Township has certified that the requisite payment has been made to the fund.
12. Other approvals as may be required:
    a. Robbinsville Township Fire Department
    b. Robbinsville Township Utility Department
    c. Mercer County Planning
    d. NJDOT
    e. Mercer County Soil Conservation District

Sincerely,

Ann Bell

Ann Bell
Administrative Officer
Planning, Zoning and Engineering Departments

cc: Michael Herbert, Esq.
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Newark, DE 19702
(302) 266-0212
(302) 266-6208 (fax)

Remington, Vernick
& Arango Engineers
The Presidential Center
Lincoln Building, Suite 600
101 Route 130
Cinnaminson, NJ 08077
(856) 303-1245
(856) 303-1249 (fax)

300 Penhorn Avenue, 3rd Floor
Secaucus, NJ 07094
(201) 624-2137
(201) 624-2136 (fax)

PLANNING & ZONING DEPT.
MAR - 2 2011
RECEIVED

February 24, 2011

FILE

Township of Robbinsville
Zoning Board of Adjustment
Paul Gibeault, Chairman
1 Washington Boulevard, Suite 14
Robbinsville, NJ 08691

Attention: Elide Post, Secretary

Re: Amended Preliminary and Final Site Plan
Sharbell Building Company, LLC
2370 Route 33
Block 8, Lots 1.17 and 1.18
Application #ZB07-03-03
Our file #11-12-Z-047

Dear Board Members:

We have reviewed an Amended Preliminary and Final Site Plan submission, received December 20, 2010, consisting of the following:

Sheet	Title	Date	Latest Revised Date
1 of 15	Cover Sheet	09-27-07	11-10-10
2 of 15	General & Mercer County Soil Erosion & Sediment Control Notes	09-27-07	11-10-10
3 of 15	Site Plan	09-14-07	11-10-10
4 of 15	Grading Plan	09-14-07	11-10-10
5 of 15	Drainage & Utility Plan	09-14-07	11-10-10
6 of 15	Landscape Plan	09-14-07	11-10-10
7 of 15	Lighting Plan	09-14-07	11-10-10
8 of 15	Soil Erosion & Sediment Control Plan	09-14-07	11-10-10
9 of 15	Construction Details	09-27-07	11-10-10
10 of 15	Construction Details	09-27-07	11-10-10
11 of 15	Construction Details	09-27-07	11-10-10

Sheet	Title	Date	Latest Revised Date
12 of 15	R.O.W. Profile & Typical Cross Section Detail	09-27-07	11-10-10
13 of 15	Apartment Vehicle Circulation Plan (SU-30)	09-27-07	11-10-10
14 of 15	Retail Vehicle Circulation Plan (SU-30)	09-27-07	11-10-10
15 of 15	Vehicle Circulation Plan (Fire Truck)	09-27-07	11-10-10
CS-1	Cover Sheet	09-26-07	
A-1	Proposed Mixed-Use Building - Conceptual Elevations	09-26-07	
A-2	Proposed Mixed-Use Building - Conceptual Floor Plans	09-26-07	
A-3	Proposed Apt. Building - Conceptual Elevations	09-26-07	10-11-10
A-4	Proposed Apt. Building - Conceptual Floor Plans	09-26-07	10-11-10
A-5	Proposed Apt. Building - Conceptual Floor Plans	09-26-07	10-11-10
A-6	Proposed Apt. Building - Conceptual Floor Plans	09-26-07	10-11-10
A-6A	Proposed Apt. Building - Conceptual Floor Plan	10-11-10	
A-7	Proposed Seniors Building - Conceptual Floor Plans	09-26-07	
----	Drainage Report Addendum	03-02	09-07

Sheets 1 of 15 through 15 of 15 and Drainage Report Addendum were prepared, signed, and sealed by J. D. Spalt, P.E., Dynamic Engineering Consultants, PC, 1904 Main Street, Lake Como, New Jersey 07719, (732) 974-0198.

Sheets CS-1 through A-7 were prepared, signed, and sealed by William Feinberg, R.A., Feinberg & Associates P.C., One Echelon Plaza, 227 Laurel Road, Suite 201, Voorhees, New Jersey 08043, (856) 782-0100.

I. GENERAL INFORMATION

Applicant: Sharbell Building Company, LLC
1 Washington Boulevard, Suite 9
Robbinsville, NJ 08691
(609) 918-2400

Owner: Sharbell Newtown, Inc.
1 Washington Boulevard, Suite 9
Robbinsville, NJ 08691
(609) 918-2400

Proposal: The applicant is proposing to construct a four-story mixed-use building with a pharmacy (16,000 square feet) with a drive-thru on the ground floor and 40,000 square feet of office space in the three (3) floors above. The applicant also proposes a four-story age-restricted apartment building with thirty-nine (39) units over parking.

Zoning: TC-3

II. AGE CONVERSION ACT

The applicant is proposing to convert the previously approved thirty-nine (39) age-restricted units to non-age-restricted units, including eight (8) affordable units. The Age Conversion Act (N.J.S.A. 45:22A-46.8.6) sets forth eligibility criteria.

Per correspondence from the Township Zoning Officer dated January 19, 2011 the application has provided the procedural requirements in accordance with the statute and was deemed complete.

In accordance with the N.J.S.A 45:22A-46.8.6, if the approving board determines that the requirements of P.L. 2009, c.82 (C45:22A-46.3 et seq) have been satisfied, and the conversion can be granted without substantial detriment to the public good and will not substantially impair the intent or purpose of the zone plan and zoning ordinance, the application for conversion shall be approved.

Our office offers the following comments regarding compliance with N.J.S.A 45:22A-46.3:

1. The applicant shall indicate what recreation facilities or amenities will meet the needs of the additional school aged children generated by the conversion.

2. While the applicant is providing 78 parking spaces as required by R.S.I.S, only 57 of the parking spaces are on the site of the apartment building and the remaining 21 spaces are on the adjoining lot. The applicant shall indicate if the 21 spaces will be restricted for use by residents or visitors of the proposed apartment building.

3. The applicant should provide a planner's report addressing the impacts to the public good as well as the zone plan and zoning ordinance.

III. ZONING REQUIREMENTS - MIXED USE BUILDING

Mixed Use Building

A. **Use:** The applicant was granted a use variance on June 6, 2007 (Resolution ZB 2007-05) for a drive-thru pharmacy. A mixed-use building is a permitted use in the TC zone.

B. **Area and Bulk Regulations:** 142 Attachment 5-3:37 (Town Center Building Regulating Plan) does not set forth standards for a mixed-use building with a drive-thru; however, the standards set forth for a "commercial/office/retail/ apartment 2-4 story" building are applicable and can help guide the Board in consideration of this application.

Code Reference	Item	Required	Proposed	Status
	Building Depth			
142 Attachment 5-3:37	Minimum Maximum	36 ft. and 10 ft. arcade 80 ft. and 10 ft. arcade	95.2 ft.	V (See Note 1)
	Building Height			
142 Attachment 5-3:37	Minimum Maximum	2 stories 4.5 stories	3 stories	C
142 Attachment 5-3:37	Lot Depth	54 ft.	> 54 ft.	C
	Front Yard Setback			
142 Attachment 5-3:37	Minimum Maximum	0 ft. 5 ft.	2.1 ft./ 24.5 ft./+/- 265 ft.	C/V/V (See Notes 1 and 2)
	Rear Yard Setback			
142 Attachment 5-3:37	Minimum Maximum	10 ft. Sufficient to accommodate parking	±198 ft.	C
	Side Yard Setback			
142 Attachment 5-3:37	Minimum Maximum	0 ft. 15 ft. w/alley rear yard	10.2 ft.	C

C - Conformance. V - Variance required.

C. **Notes:**

1. The variances identified were granted at the December 5, 2007 hearing (Resolution 2007-15).

2. Due to a new public right-of-way, there are three front yards and variances are required for exceeding the front yard maximum.

Senior Apartment/Condominium Building

A. **Use:** The applicant was granted a use variance for a forty-five (45) unit Senior Apartment/Condominium building on June 6, 2007. The applicant had reduced the number of units and was previously approved for thirty-nine (39) units (Resolution 2007-15). The applicant is now proposing thirty-nine (39) non-age-restricted units, including eight (8) affordable units. .

B. The Town Center Building Regulating Plan does not include specific standards for a multi-story residential apartment building. 142 Attachment 5-3:37 sets forth standards for a multi-story mixed use (commercial/office/retail/ apartment 2-4 story) building which is the most similar building type permitted in Town Center and will be used to guide the area and bulk analysis for this application.

Code Reference	Item	Required	Proposed	Status
	Building Depth			
142 Attachment 5-3:37	Minimum Maximum	36 ft. and 10 ft. arcade 80 ft. and 10 ft. arcade	90 ft.	V (See Note 1)
	Building Height			
142 Attachment 5-3:37	Minimum Maximum	2 stories 4.5 stories	4 stories	C
142 Attachment 5-3:37	Lot Depth	54 ft.	> 54 ft.*	C
	Front Yard Setback			
142 Attachment 5-3:37	Minimum Maximum	0 ft. 5 ft.	11 ft.	V

Code Reference	Item	Required	Proposed	Status
	Rear Yard Setback			
142 Attachment 5-3:37	Minimum Maximum	10 ft. Sufficient to accommodate parking	Sufficient to accommodate parking	C
	Side Yard Setback			
142 Attachment 5-3:37	Minimum Maximum	0 ft. 15 ft. w/alley rear yard	30 ft.	V (See Note 1)

C - Conformance.
V - Variance required.

C. **Notes:** Variance previously granted per Resolution 2007-15.

IV. PERFORMANCE STANDARDS

A. Streets and Parking

1. A variance was granted for relief from 142 Attachment 5-4:17F.32 which requires on-street parking with commercial uses (Resolution 2007-15).

2. Per 142 Attachment 5-4:16, a minimum of 139 spaces are required for the mixed-use building. The plan conforms.

3. Per 142 Attachment 5-4:16, parking spaces reserved for employees shall be designated as such by means of striping and signage. The applicant should indicate which parking spaces are designated for employees.

4. The residential portion of the project located on Lot 1.17 requires 78 parking stalls whereas only 57 parking stalls are proposed on this lot. The balance of the residential parking will be located on Lot 1.18. We recommend that the plans be revised to indicate 21 reserved parking stalls on Lot 1.18 for the residents of the apartment building. Additionally, we recommend that a cross easement be established for access and parking.

5. Per Section 142-42C(1), parking spaces shall be nine (9) feet by eighteen (18) feet. The plan conforms.

6. Per Section 142-42B(1), off-street parking lots and loading areas shall not occupy more than forty percent (40%) of the lot area. Applicant should address.

7. No dimensions are provided for the loading area for the mixed-use building. Section 142-42G requires loading spaces to be at least fourteen (14) feet by sixty (60) feet. The proposed pharmacy requires two (2) loading spaces. Applicant should address. Applicant should also address loading needs for proposed office areas.

8. Per 142 Attachment 5-5:18, driveways which directly access the street shall be constructed of a colored asphalt, scored concrete, or decorative stamped concrete paving blocks. Applicant should address.

9. The applicant should provide testimony indicating the delivery hours for the proposed pharmacy. It appears that drive-thru would have to be closed in order for delivery trucks to safely access the loading area. The loading door should be indicated on the plans.

B. **Pedestrian Circulation and Connectivity**

1. Per 142 Attachment 5-4:21, parking lot layout shall take into consideration pedestrian circulation. Pedestrian crosswalks shall be provided, where necessary and appropriate, shall be distinguished by textured paving, and shall be integrated into the wider network of pedestrian walkways. The applicant has provided a series of crosswalks. Internal crosswalks are painted and crosswalks along the primary means of ingress/egress are brick.

2. The applicant has extended the crosswalk across the driveway between the senior building and the mixed use building.

3. The detail for the brick paver crosswalks on sheet 10 states that a herringbone pattern is proposed; however, the detail does not depict this type of pattern. Applicant should address.

4. A bicycle rack is proposed adjacent to the mixed-use building. A detail should be provided that is consistent with the style given in 142 Attachment 5-5:21.A(20). The number of bicycle racks should be

based on the requirements of Section 142-48I(2). Bike paths or travel lanes should be specified.

5. Benches and trash cans are proposed for the plaza area, but details should be provided for review and comment. Details should match the styles shown in 142 Attachment 5-5:21.A(20). In addition, paving selections in this area should be identified.

C. **Planting Design**

1. Per 142 Attachment 5-4:24.G(10), plant material is to be maintained and guaranteed for a period of two (2) years. Planting note #5 should be revised.

2. No street trees are proposed along Route 33. Per 142 Attachment 5-4:25H, street trees are required. Applicant has provided testimony indicating that street trees are not currently permitted along Route 33; however, applicant has agreed to provide street trees when and if they are allowed. Applicant will provide adequate space for trees in design.

3. The tree pit at the corner of Route 33 and Robbinsville-Edinburgh Road should be planted with a street tree or landscaped. Applicant has provided testimony indicating that street trees are not currently permitted along Route 33; however, applicant has agreed to provide street trees when and if they are allowed. Applicant will provide adequate space for trees in design.

4. Tree grates should be shown and details should match those provided in 142 Attachment 5-5:21.A(20).

5. Per Section 142-48G, one (1) tree and one (1) landscaped island should be provided for every five (5) parking spaces. A chart has been provided to illustrate compliance.

6. Per Section 142-48G(1), shrubs used to screen parking lots are proposed to be installed at a height of no less than twenty-four (24) inches.

7. Evergreen buffer plantings have been provided to screen the two (2) trash enclosures located at the northeast corner of the property per 142 Attachment 5-4:24.G(14).

8. Planted areas have been provided for the plaza area to soften hard architectural lines.

9. Shade trees have been substituted for ornamental trees in the parking lot and adjacent to drive aisles.

10. Plantings adjacent to parking spaces should be set back at least three (3) feet to avoid accidental damage by large vehicles and/or snow plows.

11. A tree inventory plan should be provided and compensatory plantings should be addressed.

12. Foundation plantings have been specified.

13. In order to properly evaluate the proposed landscaping, sight triangles have been added to the landscaping plan.

14. Proposed shrub plantings have been spaced a maximum of four (4) feet on-center. Additional plantings have been provided to fill in planting beds.

15. Our office recommends that alternative plant selections be provided for Barberry, given its invasive nature.

16. The Eastern Red Cedar has been specified as an ornamental cultivar, such as Emerald Sentinel.

17. Although Pieris is no longer proposed, buffering should be provided to the west of the first townhouse on Union Street to provide privacy for the homeowner and should screen views of vehicles exiting the senior housing garage.

18. Two (2) plant symbols are identified as "PC" on the plan, which is reflected on the plant list.

19. The typical planting detail has been revised to indicate four (4) inches of mulch instead of three (3) inches.

20. A note has been added to the planting details or planting notes stating that all non-biodegradable materials shall be removed from the root balls.

21. The landscape plan was previously prepared, signed, and sealed by a landscape architect as required by Section 142-48.C. Plans should be revised.

22. Per Resolution 2007-15, the proposed buffer between the parking lot and the residential alley must be 4.5 feet tall, decreasing in height at intersections. The applicant proposes a 6-foot-high, board-on-board fence. Our office is concerned with visibility of drivers.

E. **Lighting**

1. Per 142 Attachment 5-5:21.A(18), cut-off fixtures should be specified to minimize glare and provide downlighting. Our office recommends that the light source be located within the cap.

2. It appears that the site is excessively lit. Lighting levels should be revised to comply with Section 142-38.A(9). More specifically, our office notes the following:

   a. Per Section 142-38.A(9)(d), the maximum lighting level at any property line is limited to 0.2 footcandles.

   b. Per Section 142-38.A(9)(e), the maximum lighting level at any residential property line is limited to 0.1 footcandles, whereas 1.7 footcandles is proposed.

   c. Per Section 142-38.A(9)(f), the minimum light intensity provided at areas required to be illuminated is 0.2 footcandles, whereas 0.0 footcandles is proposed.

3. Lighting details have been revised to include type of lamp and wattage in accordance with 142 Attachment 5-5:21.A(18).

4. There appears to be conflicts between proposed street tree locations and street light locations. Plans should be revised.

5. Per Section 142-38.A(8), lighting standards shall not exceed a height of twelve (12) feet in any residential area, except along major arterials or collector roads. The applicant proposes fourteen (14) foot fixtures. Plans should be revised.

F. **Signage**

No site identification signage is indicated on the plans. The applicant should address if any signs are to be proposed for this site. All proposed signage shall conform to 142 Attachment 5-5:23.

G. **Fences**

1. Color and finish should be specified for the concrete wall detail.

2. A detail should be provided for the proposed cedar board on board fence.

3. A chain link fence is proposed on top of the concrete wall along the new public road. Chain link fences are generally discouraged in Robbinsville and as per 142 Attachment 5-1 chain link fences are prohibited in Town Center.

H. **Stormwater Collection and Conveyance System**

1. The system has been designed for a twenty-five (25) year storm event.

2. An Inlet Area Map has been included indicating the individual drainage areas as well as the Average Coefficient Used in the pipe calculations.

3. Runoff coefficients are acceptable.

4. Times of concentration are acceptable.

5. Roughness coefficients for the proposed storm sewer have been included in the Storm Sewer Tabulation and are acceptable.

6. Pipe velocities shall be at least 2-ft/s, with minimum slopes producing a velocity of at least 3-ft/s at full or ½ flow. The flow velocities have been included in the Report and are acceptable.

7. Inlet spacing does not exceed 400 feet. The maximum flow to any curb inlet does not exceed 6 cfs.

8. The plan notes that a television inspection of the storm drain system is required prior to final acceptance by the municipality.

9. The proposed access drive located at the easterly side of the site is approximately at a 6.5% grade. Gutter flow from this drive shall be collected prior to flowing across the northerly entrance to the proposed parking area as well as the intersection with the adjacent alley. Additional storm inlets shall be provided.

10. Pipe profiles shall be included on the plans indicating the proposed grade over the pipe to determine if adequate cover exists and to check for any potential conflicts with other utilities.

11. The pipe class shall be indicated on the plans for the RCP storm sewer.

12. Information regarding the length, size and slope of the storm pipe between proposed Inlet 111B1 and the existing inlet on Union Street shall be indicated on the Drainage & Utility Plan.

13. The as-built pipe information pertaining to pipe length, slope and inverts shall be added to the Drainage & Utility Plan for the existing inlets and pipe along Union Street to confirm pipe calculations contained within the Amended Drainage Report Addendum.

14. Information regarding the length, size and slope of the storm pipe between proposed Inlet 111A2 and 111A1 shall be indicated on the Drainage & Utility Plan.

15. Information regarding the length, size and slope of the storm pipe between proposed Inlet 111A1 and 111A shall be indicated on the Drainage & Utility Plan.

16. Information regarding the length, size and slope of the storm pipe between proposed Inlet 111A3 and 111A2 shall be indicated on the Drainage & Utility Plan.

17. Information regarding drainage area and pipe capacity shall for the trench drain and associated piping shall be included in the Amended Report.

18. The applicant shall indicate if roof drains are proposed for the various structures and if so, appropriate details indicating their tie-ins to the stormwater management system shall be included on the plans. In addition cleanout details shall be indicated with provisions to allow for traffic bearing conditions as warranted.

I. **Stormwater Management System**

The approved development included stormwater runoff from Block 8, Lots 1.08 thru 1.15, Lot 1.17 and Lot 1.18. The design assumed a maximum impervious cover of 85% with runoff being conveyed and controlled to basin no. 1 of the overall site development. This basin was constructed and is functioning under this assumed maximum impervious coverage. The Amended Site Plan as indicated in the Amended Drainage Report Addendum indicates a proposed impervious coverage of 80%, 5% under the approved amount. Based on the amended site plan, as indicated in the Report

Addendum, the coverage is within the original approved design parameters of the existing basin and can be managed by said basin.

J. **Construction Details**

Stormwater Part

1. Details regarding the trench grate shall be included on the plans.

Non-Stormwater Part

1. Signed and sealed retaining wall calculations shall be provided for review and approval.

2. Details for the proposed retaining wall shall be included on the plan.

K. **Traffic Study**

1. The current application is expected to generate similar amount of vehicle trips than the previously approved project. The following table provides a trip comparison between the previously approved project and current application:

Use	Total Number of Expected Trips AM Peak Hour	PM Peak Hour	Saturday Peak Hour
Previously Approved Trip Generation	130	260	286
Current Trip Generation	123	256	288
Difference	-7	-4	+2

Based upon the expected trip generation, we concur with the applicant's traffic engineer that the proposed project will not result in a significant increase in vehicular traffic to the adjacent roadway system.

Site Plan

2. The applicant should provide testimony indicating the basis for existing municipal right-of-way along the easterly portion of this site. If the municipal right-of-way was a condition of a New Jersey Department of Transportation approval, the applicant should provide documentation substantiating this requirement.

3. In accordance with the original approval resolution (Resolution #ZB2007-05) for this site the applicant is required to construct improvements on the south side of the intersection of Route 33 and Robbinsville-Edinburg Road. The applicant should provide testimony regarding the status of these improvements.

4. The plans indicate an one-way southbound vehicular connection between the Alley #11 and this site. We are concerned the interconnection will become cut-through from Union Street to Route 33. We recommend eliminating this interconnection or provide a one-way northbound traffic pattern through the interconnection.

5. The plans indicate a proposed retaining wall within the municipal right-of-way along the easterly portion of the site. The retaining wall currently exists and the plans should be revised to indicate the as-built conditions.

   Since the retaining wall is located within the municipal right-of-way, we recommend the applicant contact the government body to determine if the municipality wants to take ownership and maintenance responsibilities of the retaining wall. If the Township does not desire to own or maintain the retaining wall, we recommend that the plans be revised to relocate the retaining wall out of the right-of-way or the applicant should enter into an agreement with the Township regarding ownership and maintenance of the retaining wall.

6. The applicant's engineer should review the available clear zone adjacent to the retaining wall to determine if guide rail is required in this area.

7. We recommend that the plans be revised to provide a pedestrian connection between Union Street and Route 33.

8. The residential portion of the project located on Lot 1.17 requires 78 parking stalls whereas only 57 parking stalls are proposed on this lot. The balance of the residential parking will be located on Lot 1.18. We recommend that the plans be revised to indicate 21 reserved parking stalls on Lot 1.18 for the residents of the apartment building. Additionally, we recommend that a cross easement be established for access and parking.

L. **Site Safety**

The applicant and owner are reminded that site safety is their responsibility. The plan should note that "The owner, or his representative, is to designate an individual responsible for construction site safety during the course of site improvements pursuant to N.J.A.C. 5:23-2.21 (e) of the N.J. Uniform Construction Code and CFR 1926.32 (f) (OSHA Competent Person."

M. **COAH**

The applicant should provide testimony regarding conformance with COAH requirements. The applicant should meet with the Affordable Housing Board and should submit a plan for meeting their obligation prior to appearing before the Board.

V. SUMMARY OF VARIANCES AND WAIVERS

Variances:	142 Attachment 5-3:37 -	Lot width.
	142 Attachment 5-3:37 -	Front yard setback.
	142 Attachment 5-3:37 -	Side yard setback.
	142 Attachment 5-3:37 -	Building depth.

VI. APPROVAL PROCESS

If the Zoning Board should grant final approval to this project, the following is applicable:

1. The applicant's engineer must make appropriate revisions to the site plan pursuant to the Zoning Board action.

2. The applicant is notified that an inspection escrow and performance bond is required for this application and an estimate for all on/off site improvements (excluding structures) must be reviewed and approved by the Zoning Board Engineer. The inspection escrow must be posted prior to the issuance of any building permits.

3. The applicant must contact the Zoning Board office to settle any outstanding review escrow accounts prior to the issuance of building permits.

VII. OUTSIDE AGENCY APPROVALS

This plan may be subject to the review and approval of the following outside agencies, if not already received. Evidence of these approvals must be submitted to the Township Zoning Department and this office prior to the final signature of plans:

1. Mercer County Planning Board.
2. Robbinsville Township
3. New Jersey Department of Environmental Protection.
4. Any others as may be necessary.

When plans are resubmitted, they are to be accompanied with a point by point response to all underlined items.

If you have any questions regarding this matter, please do not hesitate to call.

Sincerely yours,

REMINGTON, VERNICK & ARANGO ENGINEERS, INC.

Abbe V. Kooper, P.P., AICP

Michael J. Citerone, P.E., C.M.E.

AVK/KT/MC/mcb

cc: Sharbell Building Company, LLC
Sharbell Newtown, Inc.
J. D. Spalt, P.E.
William Feinberg, R.A.
Thomas Letizia, Esq.
Michael Herbert, Esq.

Edmund A. Wilson, Jr., NCARB, AIA
10 Inverness Drive
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732.422.1788
edawil38@verizon.net

FILE

TWP. OF ROBBINSVILLE
PLANNING & ZONING DEPT.
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MEMORANDUM

To: Zoning Board of Adjustment
Township of Robbinsville, Mercer County, NJ

From: Ed Wilson, NCARB, AIA
Township Architectural Consultant

Date: January 25, 2011 (**Updated March 2, 2011**)

Ref: **Sharbell Building Company, LLC (the Applicant)**
Town Center III Amended
NJSH Route 33 & Robbinsville-Edinburgh Road
Request for Amended Preliminary & Final Site Plan Approval
Architectural Plan Review
January 2011 to Present

Introduction

*Update Note: A TRC Meeting (**the TRC Meeting**) regarding the captioned "Town Center III Amended" application (**the Current Application**) was held February 9, 2011. During the TRC Meeting **the Applicant pointed out an apparent discrepancy regarding the Applicant's intention with respect to certain exterior architectural finish materials.** Accordingly, pursuant to the TRC Meeting I visited the Site and met with the Applicant and the Architect (**See** "1., b." immediately below) Monday, February 28, 2011. **The exterior finish materials discrepancy was resolved satisfactorily in my opinion and** this update hereto is intended to record the details of that resolution (**the Details**). For the purpose of clarity, and to the extent practicable, references herein to the Details, as well as to previously-missing information that now is illustrated by the Updated Façade Drawings referenced in "5." immediately below, including this paragraph, are italicized. Words and titles that heretofore were italicized herein have been revised and now are shown in quotes.*

In connection with **the Current Application**, I have reviewed the following:

1. Copies of a nine (9) sheet set of **conceptual** architectural drawings (**the Residential Architectural Plans**) illustrating the proposed four-story residential building (**the Residential Building**) and comprised of: 1] Two (2) building elevation (façade)

drawings (One complete and one partial); 2] Building and dwelling unit (**Unit**) floor plans.

a. The four stories of the Residential Building include:
   - One (1) story of partially below-grade structured parking.
   - Three (3) stories incorporating 39 Units above the structured parking.

b. The Residential Architectural Plans were prepared by Feinberg Associates (**the Architect**), Voorhees, NJ and are most recently dated October 11, 2010.

2. A **colored version** of the two Residential Building façade drawings, which version I received from the Architect in PDF format via email.
3. Copies of a four (4) sheet set of **colored, conceptual** architectural floor plan and building elevation drawings (**the PDF Mixed-Use Architectural Plans**), which I received in PDF format via email from the Applicant and which illustrate the proposed three-story mixed-use building (**the Mixed-Use Building**).
   a. The Mixed-Use Building is comprised of ground floor retail space with a drive-up facility and two (2) floors of office space above the ground floor retail.
   b. The PDF Mixed-Use Architectural Plans also were prepared by the Architect and are dated as follows:
      - Building elevations drawings: January 5, 2011.
      - Building floor plan drawings: January 6, 2011.
4. Copies of two (2), four (4) sheet sets of **conceptual** architectural floor plan and building elevation drawings (**the Mixed-Use Architectural Plans**), which I received from the Applicant January 24, 2011 via overnight mail and which, **like the PDF Mixed-Use Architectural Plans,** illustrate the Mixed-Use Building.
   a. **These** Mixed-Use Architectural Plans also were prepared by the Architect and **appear to be identical to the PDF Mixed-Use Architectural Plans,** including their dates.
   b. Further, **one set** of the Mixed-Use Architectural Plans is at a reduced scale and **is colored similarly or identically** to the **PDF Mixed-Use Architectural Plans.**
5. ***Five sheets (Sheets A-1a, A-3, A-3a, A-8 & A-9) of conceptual** building façade drawings **(the Updated Facade Drawings)**, which I received from the Applicant in PDF format via email the afternoon of March 2, 2011. **The Updated Façade Drawings** are most-recently dated March 1, 2011 and **comprise four** (4) colored Residential Building façade drawings **and four** (4) colored Mixed-Use Building façade drawings.*

I also have reviewed, for reference, copies of site plan drawings (**the Site Plans**) prepared by Dynamic Engineering, Lake Como, NJ, as well as other, related application documents including: **1]** A December 15, 2010 letter (**the Letter**) from Mark Cannuli, Sharbell Building Company, LLC to Ms. Elide Post, **2]** A December 9, 2010 "Planner's Report" prepared by Mark Cannuli, **3]** A December 9, 2010 "Community Impact Statement" prepared by Mark Cannuli, **4]** A completed "Township of Robbinsville General Land Use Application" form (**the Application Form**), **5]** A completed "Township of Robbinsville Design/Waiver Request" form, 6] Zoning Board Resolution ZB2007-05 (**Variances**) and Zoning Board Resolution 2007-15 (**Site Plan**).

The following observations and comments, **which represent my understanding and opinions,** express the results of the reviews discussed above, as well as coordination with the Architect and the Applicant.

Application

According to the Letter, the Application Form and other application documents, **the Current Application seeks approval of an "Amended Preliminary and Final Site Plan to convert 39 previously approved age-restricted units to 39 non age-restricted condominium units and reduce the size of the previously approved mixed use building to 48,648 square feet - - -"** on Block 8, Lots 1.17 & 1.18 (**the Site**) in the TC-3 Zone District. **Further** according to the Letter, **"the applicant is also proposing to designate eight (8) or 20% of the condominiums as the affordable set-aside for the development."**

According to Resolution 2007-15, **in addition** to those granted for the Residential Building and the Mixed-Use Building, **"use, density and bulk approvals" were granted for** "eight town home lots along Union Street." **Those town home lots don't appear to be subjects of the Current Application, however.**

Architecture

In my opinion and as qualified below, **the proposed architectural design and detailing of the Residential Building and the Mixed-Use Building,** both individually and in combination, **will be handsome and appropriate for the Site and the Town Center.**

The Residential Building

As noted in my October 18, 2007 review memo to the Board (**the 2007 Memo**): 1] This building "comprises thirty-nine (39) residential dwelling units and is situated above one (1) level of structured parking with elevator service to the three residential floors" above that parking and 2] "The entrances to the structured parking are at and near its north end; at its south end the structured parking appears to be essentially below grade." According to the Residential Architectural Plans and the Site Plans, **those descriptions apply also to the Current Application.**

This is a handsome, nicely-detailed and well-proportioned building comprised, generally, of the following exterior composition, materials, colors and finishes:

1. An **overall composition** consisting of:
   a. A **"building base"** *finished with a stucco-like material that is colored and scored to simulate red brick (**Simulated Red Brick**). Said* building base actually is the **exterior wall of the ground floor parking structure** and is **capped with** an appropriate, decorative and well-proportioned *Simulated Red Brick* **belt course.** ***All Simulated Red Brick discussed herein* is to be a traditional red color** that is intended to match the color of the *Simulated Red Brick* found elsewhere in the Town Center as closely as practicable.
   b. Six "tower-like" architectural elements (**the Towers**) along the west facade, which Towers project beyond the primary building plane thereby visually anchoring the ends of the building and breaking up the long west façade, which façade fronts on Robbinsville-Edinburgh Road. **In addition,** the Architect has confirmed that **four of these taller Towers are to be repeated** along the east façade that faces the parking

lot and the "town home lots" discussed briefly under "Application" above and under "Site Plans" below. *This is further confirmed by the Updated Façade Drawings.*

- **Four of these Towers** along the west façade, **as well as the four** that are to be repeated along the east façade, **are finished in *Simulated Red Brick*. In addition, the Towers extend in height** above the primary roof elevation, thereby further articulating and visually enhancing the east & west façades.
- Two such projecting architectural elements along the west façade are finished in white or off-white stucco and extend in height only to the primary roof elevation.
- **All** the architectural elements discussed immediately above **are enhanced by corner pilasters** (*Simulated Red Brick with Simulated Red Brick* capital expressions at the Towers and stucco with stucco capital expressions at the stucco projecting elements). **well-proportioned and appropriately-scaled windows** with white or off-white precast concrete (**Precast**) and/or stucco lintel expressions **and, in some cases, by decorative "balcony-rails"** with a black, "wrought-iron" appearance.
- *As noted above, the **Towers will wrap the building corners**, thereby further and appropriately reinforcing their tower-like architectural expression.*

c. **Wall surfaces between each two of the Towers and tower-like elements are finished in** white or off-white stucco **or in a combination** of such stucco and *Simulated Red Brick*. These wall surfaces also are enhanced by well-proportioned and appropriately-scaled windows with white or off-white Precast and/or stucco lintel and sill expressions.

d. **Well-proportioned cornices**, in white or off-white stucco applied to a rigid polystyrene material, are shown atop all exterior walls, Towers and tower-like architectural elements.

e. A nicely-detailed, well-proportioned **two-story entrance pavilion** is shown at the east façade, which pavilion **is enhanced by:**
   - ***"Real"*** Red Brick (**hereinafter** the **Red Brick**) pilasters with Red Brick capitals. The Red Brick also is to be a traditional red color that is intended to match the color of the Red Brick found elsewhere in the Town Center as closely as practicable.
   - A white or off-white stucco "entrance arch" atop the Red Brick pilasters.
   - Deeply-recessed, glass entrance doors in a Red Brick and white or off-white stucco vestibule enclosure.
   - An arched second-floor window in the vestibule enclosure above the entrance doors.
   - A balcony, with a railing in a black, "wrought-iron" appearance.
   - A generous, well-proportioned cornice atop the entrance arch.

*Note: Under many circumstances I wouldn't be supportive of **Simulated Red Brick as an exterior architectural finish material at "ground level"** because of its vulnerability to impact stresses and its tendency to absorb stains from damp soil and applied moisture. **However, this building:** 1] Is intended exclusively for residential uses and 2] Is to be surrounded by extensive foundation planting. **In addition, the Applicant has agreed** that entrances to the Residential Building, **including** parking structure entrances, **will be flanked with Red Brick as described** in "1., e." above **and** in sufficient dimension to provide protection of nearby Simulated Red Brick.*

As a result** of the qualifications immediately above, **I believe that the proposed use of Simulated Red Brick in a traditional dark red color is acceptable.** Nonetheless, **I defer to the Board Planner with respect to evaluation of the quantities and species of proposed foundation plantings.

In general, the residential Units themselves are well-planned and reasonably-sized. **In fact,** one or two of the Units appear to be rather generously-sized. **None of the Units, though,** appear to incorporate either outdoor or outdoor-oriented living spaces. **I recommend that the Applicant clarify the intent with respect to alternative outdoor living spaces.** In addition, **I question** the proximity of the bedroom to the bathroom in Unit Type "E," as well as the access to its bathroom from Bedroom #1 in Unit Type "G."

The Mixed-Use Building

This building is comprised generally of: **1] Ground floor retail** space **with a drive-thru facility** facing the parking lot and **2] Two floors of office space** above the ground floor retail space. More specifically, **according to the Letter the ground floor** of this building **comprises 15,397** square feet (SF) of retail space and **the second and third floors comprise** a total of **33,251 SF** of office space.

According to the PDF Mixed-Use Architectural Plans, however, the ground floor comprises 15,397 SF of retail space **plus 819 SF** of office space, while the second and third floors are comprised of a total of **32,432 SF** of office space. **The Applicant should clarify these apparent discrepancies.**

Nonetheless, this generally is a handsome, well-proportioned building comprised, primarily, of the following exterior composition, materials, colors and finishes:

1. An **overall composition** consisting of:
   a. A Red Brick **"building base,"** which actually is the exterior wall of the ground floor retail space, *and which incorporates an attractive Red Brick "water table" that projects beyond the primary building base plane and incorporates a projecting Red Brick cap. The Red Brick building base itself* is **capped with** a decorative and appropriately-scaled, Precast and/or stucco belt course in a white or off-white color.
   b. "Tower-like" architectural elements **(the Mixed-Use Towers)** similar to the Towers described above in connection with the Residential Building and located as follows: **1]** Two at the west façade, **2]** Two at the south (Route 33) façade, **3]** Two at the east façade and **4]** Three at the north façade.
      - Unlike the lack of clarity discussed above in connection with the Residential Building, however, **it is clear that,** in all but one situation (The center Mixed-Use Tower at the north façade), **combinations of all these Mixed-Use Towers "wrap" the building corners,** thereby further reinforcing their tower-like appearance.
      - **The Mixed-Use Towers are finished in *Simulated Red Brick*** at the second and third floor levels **and Red Brick *at the ground floor level.*** They, too, **extend in height somewhat above the primary roof elevation,** thereby further articulating the facades and visually enhancing their tower-like expressions.
      - In addition, the Mixed-Use Towers discussed immediately above all **are enhanced by: 1]** *Simulated Red Brick* corner pilasters with *Simulated Red Brick* capital expressions; **2]** Well-proportioned and appropriately-scaled "arched" windows.
2. **Wall surfaces between** each two of the Mixed-Use Towers **are finished in white or off-white stucco and are enhanced by:**
   a. **Well-proportioned and appropriately-scaled, "arched" windows.**

b. **Well-proportioned cornices,** in a white or off-white stucco applied to a rigid polystyrene material, **atop** all exterior walls and Mixed-Use Towers.
c. **A rather large, curved glass curtainwall element** at the south façade. *In the original, January 25, 2011 edition of this memo I noted that* "In my opinion, **there is a design incongruity that results from this large, modern architectural element capped by a very traditional, albeit well-proportioned, cornice.**
   - However, **I have coordinated with the Architect and the Applicant regarding this issue, including** email exchange of a sketched design alternative.
   - **The Architect and Applicant have agreed to modify the design of this curved building element accordingly and to provide me with a sketch or drawing of such modification(s) prior to the Hearing of the Current Application."**
   - *The Updated Façade Drawings illustrate a satisfactory resolution of this design incongruity, which resolution incorporates 1] Architectural elements that provide vertical transitions (**the Vertical Transitions**) between the Mixed-Use Towers that flank the curved glass curtainwall and the curved glass itself; 2] A white or off-white stucco "frieze" that provides a horizontal transition between the top of the curved glass and the traditional cornice above it. **The Vertical Transitions themselves are finished in a combination of Red Brick** at the ground floor "building base," which Red Brick is capped by the same Precast and/or stucco belt course as is the "building base" itself, **and white or off-white stucco** at the second and third floor levels. The stucco Vertical Transitions incorporate matching stucco base and capital expressions.*

In **the 2007 Memo I expressed concern** regarding the apparent scale discrepancies between the Residential Building and the Mixed-Use Building. **In my opinion,** however, **those discrepancies have been satisfactorily addressed** in the Current Application. This has been accomplished largely by re-proportioning the Residential Building's cornices and by modifying certain other architectural details.

Neither on any of the submitted plans nor in any of the application documents have I been able to locate building heights, either per floor or in aggregate. **I recommend** that building height dimensions be added to all architectural building elevation drawings.

Site Plans

The Site Plans show the "eight town home lots along Union Street" discussed under "Application" above. Again, though, **those town home lots don't appear to be subjects of the Application.**

Closing

In summary and as indicated above, **in my opinion the proposed architectural design and detailing of the Residential Building and the Mixed-Use Building generally will be quite handsome and appropriate for the Site, especially** in view of the Applicant's willingness **to modify the design of the Mixed-Use Building's curved building element as** discussed above.

However, as noted previously herein, **all the architectural observations and comments set forth above are based upon copies of conceptual architectural drawings.** Accordingly, **I recommend that,** if the Current Application is approved, such approval include a **condition that**

more fully-developed architectural floor plan and building elevation drawings of both the Residential Building and the Mixed-Use Building be submitted when Final Site Plan approval is requested.

I recommend that the applicant provide **testimony** as to the extent to which the Residential and Mixed-Use Buildings will be designed to be sustainable ("Green"). **Further,** as I often do, **I suggest** that the applicant submit to the Board proposed exterior finish samples and colors, as well as samples and/or catalog cuts of proposed, exterior building-mounted lighting fixtures, so that the Board can ascertain that the proposed finishes, colors and lighting fixtures will be compatible and suited to the Site.

The above comments are in regard to **aesthetic** architectural design and layout issues only and do not address issues such as, but not limited to, structural design, construction details, building code compliance or technical Site design issues such as but not limited to Site lighting, landscaping and signage.

Please feel free to contact me if there are any questions regarding the above.

Respectfully submitted,
Ed Wilson, NCARB, AIA

c: Tom Troy
Mark Pannuli, PP
Frank Petrino, Esq.
William Feinberg, R.A.
J. D. Spatt, PE
Tim McGrath
Ann Bell
Abbe Hooper
Mike Citrone
Mike Herbert
Zoning Bd.

ROBBINSVILLE TOWNSHIP ZONING BOARD
RESOLUTION ZB2014 -06

IN THE MATTER OF SHARBELL BUILDING COMPANY, LLC FOR AMENDED PRELIMINARY AND FINAL SITE PLAN APPROVAL WITH VARIANCES AND WAIVERS REQUESTED	**FINDINGS OF FACT AND CONCLUSIONS OF LAW** **Block 8, Lot 1.18** **Robbinsville Township, Mercer County** **Zone: TC-3/Town Center 3** **Application No. ZB14-05-04** **Approval Date: September 16, 2014**

BE IT RESOLVED, by the Robbinsville Township Zoning Board (Board) that the action taken by this Board on August 19, 2014 in this above matter is hereby memorialized by the adoption of this written decision setting forth the Board's findings and conclusions.

RELIEF SOUGHT AND JURISDICTION

1. The applicant is seeking amended preliminary and final site plan approval with variances and waivers for the construction of a 14,578 SF Rite Aid Pharmacy with a drive-thru, including site improvements for landscaping, lighting, pavement and signage.

2. Preliminary and final site plan approval with variances was previously granted on June 6, 2007 permitting the applicant to construct a 4-story mixed use commercial building with a drive through and a 3-story condominium building over a 1-story garage. The condominium building has been constructed. However, due to economic changes, the applicant has filed for amended preliminary and final site plan approval to construct a 1-story building with a mezzanine consisting solely of a pharmacy with a drive through.

3. The subject of this application is within the jurisdiction of this Board. The Board has acted within the time required by law.

4. The property is located at the intersection of Route 33 and Robbinsville-Edinburg Road.

5. Block 8, Lot 1.18 is located in the TC-3/Town Center 3 zoning district as designated on the Robbinsville Township Zoning Map.

THE APPLICANT

6. The owner is Sharbell Washington, Inc. and the applicant is Sharbell Building Company, LLC both with a business address of One Washington Blvd., Suite 9, Robbinsville, New Jersey 08691.

7. The applicant/owner has certified that all property taxes for the subject property and all escrow fees required under the applicable ordinance(s) for such an application have been

paid. This certification includes an agreement to pay all future monies due under the escrow ordinance for consultants and other professional work on the property.

8. The applicant/owner has submitted an Affidavit of Proof of Service of Notice published in the Trenton Times for each public hearing. Each Proof of Service comports with the notice before the Board that this matter is of the character that the applicant has presented to the Board.

THE HEARING

9. On August 19, 2014 a public hearing took place before the Robbinsville Township Zoning Board at the Township Senior Center building in Robbinsville, New Jersey.

DOCUMENTS REVIEWED BY THE ZONING BOARD

10. The Board reviewed the following documents submitted by the Applicant:
    - General Land Use Application prepared by Frank Petrino, Esq. for Sharbell Building Company, LLC dated May 23, 2014
    - Disclosure of Ownership
    - Affidavit of Ownership
    - Preliminary Site Plan Checklist prepared by Jason L. Lang, PE for Sharbell Building Company, LLC, dated May 27, 2014
    - Final Site Plan Checklist prepared by Jason L. Lang, PE for Sharbell Building Company, LLC, dated May 27, 2014
    - Landscape Architecture Plan Checklist prepared by Jason L. Lang, PE for Sharbell Building Company, LLC, dated May 27, 2014
    - Design Waiver/Variance Request Form prepared by Sharbell Building Company, LLC
    - As-built survey Block 8, Lot 1.18, prepared by Steven D. Parent, dated February 17, 2011,
    - Preliminary & Final Major Site Plan for Sharbell Building Company, LLC, Proposed Rite Aid Pharmacy Store #10505, Block 8, Lot 1.18, Robbinsville Township, Mercer County, New Jersey, prepared by Dynamic Engineering Consultants, PC, dated May 23, 2014
    - Prototypical Architectural Elevations and Floor Plans for a Rite Aid Pharmacy, prepared by Rite Aid Architect, dated March 13, 2014
    - Floor Plans – Store #10505 Rite Aid, prepared by Stampfl Associate, LLC, dated August 9, 2014
    - Amended Drainage Report Addendum prepared by Jason Lang, PE, Dynamic Engineering dated May 2014
    - May 23, 2014 letter from Dynamic Engineering regarding NJDOT "Letter of No Interest"

- Preliminary Opinion of Probable On & Off Street Construction Cost prepared by Dynamic Engineering, dated May 2014

11. The Board reviewed the following documents submitted by the Township's experts/consultants:
    - Traffic Engineering Review Memorandum of Mark A. Roth, P.E., McMahon Associates , dated June 30, 2014
    - Memorandum of Edmund A. Wilson, Township Architect Consultant dated June 19, 2014, amended August 7, 2014
    - Memorandum of Timothy F. McGough, P.E., Township Engineer, dated June 27, 2014, amended August 14, 2014
    - Memorandum of Stuart B. Wiser P.P., AICP, Remington, Vernick & Arango Engineer, dated June 25, 2014, amended August 14, 2014
    - Variance/Site Plan/Subdivision Referral and Request for Recommendation received from (a) affordable housing, (b) Fire Company, (c) Construction Official, (d) Police Chief, (e) Tax Assessor and (f) Environmental Commissioner

EXHIBITS PRESENTED

12. The following exhibits were presented to the Board:
    - A-1 Sharbell Building Company, LLC – Rite Aid Pharmacy, List of applicant's exhibits/documents previously submitted to the Board
    - A-2 Applicant's Power Point Presentation consisting of 13 pages
    - A-3 Sample of proposed brick upper – Delaware Blend
    - A-4 Sample of proposed brick lower – Baltic Blend
    - A-5 Canamould Product Catalog of exterior moldings and decorative trims

TESTIMONY AND PUBLIC INPUT

13. The presentation given by and on behalf of the applicant was as follows:
    - The applicant was represented by Frank Petrino, Esq. of Eckert Seamans. Mr. Petrino explained the changed circumstances that led to this application for an amended preliminary and final site plan approval with variances and waivers.
    - Tom Troy, Principal, Senior Vice President Sharbell Building Company, LLC, testified that he has been involved in the Town Center project since 1995. The original application for this lot proposed town houses, and a 4-story mixed use office building with a Rite Aid on the first floor. The Townhouses have been constructed; however, because of changes to the economy it was no longer economically feasible to construct the mixed use building. Rite Aid has expressed an interest in having a standalone pharmacy building which has led to this application. The Rite Aid currently located in the Foxmoor Shopping Center will relocate to this new building. There has been a reduction to the overall height and size of the building compared to the previously approved application. The

proposed building has been positioned to allow parking in the front of the building as well as to allow access to the drive-thru windows. In response to questions and comments from the Public, Mr. Troy testified that the applicant will review the location and orientation of the trash enclosure.

- Mark Cannuli, Vice President of Development, Sharbell Building Company, LLC, testified regarding the variances and waivers requested. As to the positive criteria, he testified that the purposes of the Municipal Land Use Law, specifically purposes A. and I., would be advanced by granting the deviations from the zoning requirements. He opined that the Rite Aid in this location was an appropriate use for this corner which would create a desirable visual environment; and that this construction will allow for the completion of the north side of Town Center. He further stated that the proposed architecture and layout are appealing and consistent with the design of other sites on the Town Center and therefore, satisfies the positive criteria related to a "C" variance under the MLUL where the benefits of granting the variances far outweigh the detriments. As to the negative criteria, he testified that the variances can be granted without substantial detriment to the public good. He opined that this is an appropriate use for this corner which will further the completion of development of the north side of Town Center. The variance and waivers requested permit a development plan consistent with the vision of the overall Town Center plan and are similar to variances and waivers previously granted. He further stated that the architectural design and orientation of the proposed Rite Aid building are not out of character with the surrounding commercial buildings or the surrounding neighborhood and compliment the other uses in the overall Town Center development, He further opined that there were a number of goals and objectives in the Master Plan and Zoning ordinance that were being promoted by this proposal. Accordingly, he concluded that the deviations to the zoning ordinance could be granted without substantial impairment of the zone plan or zoning ordinance, which permitted the board to grant the variances and waivers requested.
- Jeffrey Spalt, Civil Engineer – Dynamic Engineering testified regarding the proposed parking and circulation around the building. There are 126 spaces proposed, 21 spaces are dedicated to the adjacent condominium building, 59 spaces are to be used for Rite Aid, leaving a surplus of 46 spaces. Even if there is additional development on this lot, there will be a surplus of parking. With respect to the stormwater management plan, the original plan anticipated 85% coverage on the site, this application will create approximately 80% coverage, therefore no amendment to the stormwater management plan is necessary.
- Peter Stampfl, Project Architect – Stampfl & Associates testified that all four elevations of the building will receive the same façade material treatment. Mr. Stampfl testified that the building will be 27 feet high at the highest point. Mr. Stampfl reviewed the materials to be used in the building which he stated would complement the other Town Center buildings.
- Richard Bradley, Regional Construction Manager – Rite Aid, testified in response to the questions and comments raised by the Public. He state that it is anticipated

that the store will be open from 8am to 10pm, but that the store will open 24 hours if needed based upon customer feedback. Lights at the store will turn off 30 - minutes after the store closes except for the front door light which will be lit through the night for security reasons. Rite Aid delivery at the store takes place after hours between 11pm and 6am 1-2 times per week. Offloading take approximately 45 minutes. Other vendor deliveries would take place during business hours.

14. The following Township staff gave advice to the Board:
    - Timothy F. McGough, P.E., Township Engineer
    - Rachel U. Doobrajh, Esq., Zoning Board Attorney

15. Members of the public who commented with regard to the application:
    - Jimmy Matt - 968 Robbinsville Edinburg Road, stated that he was concerned with the building setbacks because it seems to intrude into the adjacent residential building. He noted that the proposed parking lot seemed to be chopped up; he did not think that delivery truck would be able to enter and exit the site easily. He stated that the trash enclosure can been seen from the front entrance of the residential building, and that he liked the style of the "Walgreens" sign.
    - Margaret Sherman - 968 Robbinsville Edinburg Road, stated that she wanted to know the hours of operation, would the pylon sign be lit, would there be plantings around the trash enclosure and was there sufficient parking to accommodate the overflow from Centro.
    - Mary Viera - 968 Robbinsville Edinburg Road, stated that she wanted to know what the delivery hours were and if it was possible to relocate the trash enclosure. She noted that she was glad that this was no longer going to be a 4-story building.
    - Matthew Tuey - 968 Robbinsville Edinburg Road, stated that he was looking forward to the 4-story building because it gave more of an "urban" feel. He noted that he did not like the trash enclosure and that it needed more screening.

FINDINGS AND CONCLUSIONS
AMENDED PRELIMINARY AND FINAL SITE PLAN
APPROVAL WITH VARIANCES AND WAIVERS

16. Board findings and conclusions:
    - The Board considered the direct testimony of the Applicant's witnesses (Messrs. Troy, Bradley, Cannuli, Spalt and Stampfl) set forth in detail above. The above referenced testimony of the Applicant's witnesses is accepted as true and accurate and incorporated herein as findings of fact and conclusions of law. Based upon the opinions of the Applicant's experts (Messrs. Cannuli, Spalt and Stampfl), the Board grants amended preliminary and final site plan approval, with variances and waivers, and finds (a) the project design to be generally consistent with the intent and purposes of the zone plan and zoning ordinance and (b) the purposes of zoning are advanced by the requested variances and waivers, and they can be

granted without substantial detriment to the character of the neighborhood or substantial impairment of the zone plan and zoning ordinance.

17. The Board finds that in order to address the concerns expressed during the hearing, the application is granted subject to the following conditions:
    - The applicant shall work with the Township's professionals and staff regarding the design of the pylon sign.
    - The applicant shall work with the Township's professionals and staff regarding the location and orientation of the trash enclosure.
    - The applicant shall work with the Township's professionals and staff regarding the location, dimensions and landscaping for the loading dock traffic island.
    - Applicant shall be bound by all testimony before the Board, including all items that were agreed to by the applicant on the record.

CONCLUSION

Based upon the foregoing, the Robbinsville Township Zoning Board, at its August 19, 2014 meeting voted to approve the application of Sharbell Building Company, LLC for Amended Preliminary and Final Site Plan Approval with Variance and Waivers subject to the conditions set forth in this Resolution of Memorialization.

This Resolution of Memorialization was adopted on September 16, 2014 by a vote of the majority of the members present, who voted to approve the relief sought by the applicant.

The date of decision shall be August 19, 2014, except that the date of the adoption of this memorializing resolution is the date of decision for purposes of (1) mailing a copy of the decision to the applicant within ten (10) days of the date of the decision; (2) filing a copy of the decision with the administrative officer; and (3) publication of a notice of this decision. The date of the publication of the notice of decision shall be the date for the commencement of the vesting protection.

ROLL CALL VOTE ON APPLICANT'S REQUEST FOR AMENDED PRELIMINARY AND FINAL SITE PLANT APPROVAL WITH VARIANCES AND WAIVERS AUGUST 19, 2014

Moved By:	Petersen
Seconded By:	Daniel
Those in Favor:	Caputo, Haney, Daniel, Petersen, Lewen, Rogers
Those Opposed:	None
Those Absent:	Appelget, Gibeault, Siekerka

ROLL CALL VOTE ON MOTION TO APPROVE
RESOLUTION OF MEMORIALIZATION
SEPTEMBER 16, 2014

Moved By:	Daniel
Seconded By:	Caputo
Those in Favor:	Caputo, Daniel, Petersen, Lewen
Those Opposed:	None
Those Absent:	Rogers, Haney

CERTIFICATION

We do hereby certify that the foregoing resolution was adopted by the Robbinsville Township Zoning Board at its regular meeting held on September 16, 2014. This resolution memorializes formal action taken by the Board at its regular meeting held on August 19, 2014.

Elide M. Post

Elide M. Post, Secretary
Robbinsville Township Zoning Board

ROBBINSVILLE TOWNSHIP ZONING BOARD
RESOLUTION ZB2014 -06

IN THE MATTER OF SHARBELL BUILDING COMPANY, LLC FOR AMENDED PRELIMINARY AND FINAL SITE PLAN APPROVAL WITH VARIANCES AND WAIVERS REQUESTED	**FINDINGS OF FACT AND CONCLUSIONS OF LAW** **Block 8, Lot 1.18** **Robbinsville Township, Mercer County** **Zone: TC-3/Town Center 3** **Application No. ZB14-05-04** **Approval Date: September 16, 2014**

BE IT RESOLVED, by the Robbinsville Township Zoning Board (Board) that the action taken by this Board on August 19, 2014 in this above matter is hereby memorialized by the adoption of this written decision setting forth the Board's findings and conclusions.

RELIEF SOUGHT AND JURISDICTION

1. The applicant is seeking amended preliminary and final site plan approval with variances and waivers for the construction of a 14,578 SF Rite Aid Pharmacy with a drive-thru, including site improvements for landscaping, lighting, pavement and signage.

2. Preliminary and final site plan approval with variances was previously granted on June 6, 2007 permitting the applicant to construct a 4-story mixed use commercial building with a drive through and a 3-story condominium building over a 1-story garage. The condominium building has been constructed. However, due to economic changes, the applicant has filed for amended preliminary and final site plan approval to construct a 1-story building with a mezzanine consisting solely of a pharmacy with a drive through.

3. The subject of this application is within the jurisdiction of this Board. The Board has acted within the time required by law.

4. The property is located at the intersection of Route 33 and Robbinsville-Edinburg Road.

5. Block 8, Lot 1.18 is located in the TC-3/Town Center 3 zoning district as designated on the Robbinsville Township Zoning Map.

THE APPLICANT

6. The owner is Sharbell Washington, Inc. and the applicant is Sharbell Building Company, LLC both with a business address of One Washington Blvd., Suite 9, Robbinsville, New Jersey 08691.

7. The applicant/owner has certified that all property taxes for the subject property and all escrow fees required under the applicable ordinance(s) for such an application have been

paid. This certification includes an agreement to pay all future monies due under the escrow ordinance for consultants and other professional work on the property.

8. The applicant/owner has submitted an Affidavit of Proof of Service of Notice published in the Trenton Times for each public hearing. Each Proof of Service comports with the notice before the Board that this matter is of the character that the applicant has presented to the Board.

THE HEARING

9. On August 19, 2014 a public hearing took place before the Robbinsville Township Zoning Board at the Township Senior Center building in Robbinsville, New Jersey.

DOCUMENTS REVIEWED BY THE ZONING BOARD

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11. The Board reviewed the following documents submitted by the Township's experts/consultants:
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    - Memorandum of Edmund A. Wilson, Township Architect Consultant dated June 19, 2014, amended August 7, 2014
    - Memorandum of Timothy F. McGough, P.E., Township Engineer, dated June 27, 2014, amended August 14, 2014
    - Memorandum of Stuart B. Wiser P.P., AICP, Remington, Vernick & Arango Engineer, dated June 25, 2014, amended August 14, 2014
    - Variance/Site Plan/Subdivision Referral and Request for Recommendation received from (a) affordable housing, (b) Fire Company, (c) Construction Official, (d) Police Chief, (e) Tax Assessor and (f) Environmental Commissioner

EXHIBITS PRESENTED

12. The following exhibits were presented to the Board:
    - A-1 Sharbell Building Company, LLC – Rite Aid Pharmacy, List of applicant's exhibits/documents previously submitted to the Board
    - A-2 Applicant's Power Point Presentation consisting of 13 pages
    - A-3 Sample of proposed brick upper – Delaware Blend
    - A-4 Sample of proposed brick lower – Baltic Blend
    - A-5 Canamould Product Catalog of exterior moldings and decorative trims

TESTIMONY AND PUBLIC INPUT

13. The presentation given by and on behalf of the applicant was as follows:
    - The applicant was represented by Frank Petrino, Esq. of Eckert Seamans. Mr. Petrino explained the changed circumstances that led to this application for an amended preliminary and final site plan approval with variances and waivers.
    - Tom Troy, Principal, Senior Vice President Sharbell Building Company, LLC, testified that he has been involved in the Town Center project since 1995. The original application for this lot proposed town houses, and a 4-story mixed use office building with a Rite Aid on the first floor. The Townhouses have been constructed; however, because of changes to the economy it was no longer economically feasible to construct the mixed use building. Rite Aid has expressed an interest in having a standalone pharmacy building which has led to this application. The Rite Aid currently located in the Foxmoor Shopping Center will relocate to this new building. There has been a reduction to the overall height and size of the building compared to the previously approved application. The

proposed building has been positioned to allow parking in the front of the building as well as to allow access to the drive-thru windows. In response to questions and comments from the Public, Mr. Troy testified that the applicant will review the location and orientation of the trash enclosure.

- Mark Cannuli, Vice President of Development, Sharbell Building Company, LLC, testified regarding the variances and waivers requested. As to the positive criteria, he testified that the purposes of the Municipal Land Use Law, specifically purposes A. and I., would be advanced by granting the deviations from the zoning requirements. He opined that the Rite Aid in this location was an appropriate use for this corner which would create a desirable visual environment; and that this construction will allow for the completion of the north side of Town Center. He further stated that the proposed architecture and layout are appealing and consistent with the design of other sites on the Town Center and therefore, satisfies the positive criteria related to a "C" variance under the MLUL where the benefits of granting the variances far outweigh the detriments. As to the negative criteria, he testified that the variances can be granted without substantial detriment to the public good. He opined that this is an appropriate use for this corner which will further the completion of development of the north side of Town Center. The variance and waivers requested permit a development plan consistent with the vision of the overall Town Center plan and are similar to variances and waivers previously granted. He further stated that the architectural design and orientation of the proposed Rite Aid building are not out of character with the surrounding commercial buildings or the surrounding neighborhood and compliment the other uses in the overall Town Center development, He further opined that there were a number of goals and objectives in the Master Plan and Zoning ordinance that were being promoted by this proposal. Accordingly, he concluded that the deviations to the zoning ordinance could be granted without substantial impairment of the zone plan or zoning ordinance, which permitted the board to grant the variances and waivers requested.
- Jeffrey Spalt, Civil Engineer – Dynamic Engineering testified regarding the proposed parking and circulation around the building. There are 126 spaces proposed, 21 spaces are dedicated to the adjacent condominium building, 59 spaces are to be used for Rite Aid, leaving a surplus of 46 spaces. Even if there is additional development on this lot, there will be a surplus of parking. With respect to the stormwater management plan, the original plan anticipated 85% coverage on the site, this application will create approximately 80% coverage, therefore no amendment to the stormwater management plan is necessary.
- Peter Stampfl, Project Architect – Stampfl & Associates testified that all four elevations of the building will receive the same façade material treatment. Mr. Stampfl testified that the building will be 27 feet high at the highest point. Mr. Stampfl reviewed the materials to be used in the building which he stated would complement the other Town Center buildings.
- Richard Bradley, Regional Construction Manager – Rite Aid, testified in response to the questions and comments raised by the Public. He state that it is anticipated

that the store will be open from 8am to 10pm, but that the store will open 24 hours if needed based upon customer feedback. Lights at the store will turn off 30 - minutes after the store closes except for the front door light which will be lit through the night for security reasons. Rite Aid delivery at the store takes place after hours between 11pm and 6am 1-2 times per week. Offloading take approximately 45 minutes. Other vendor deliveries would take place during business hours.

14. The following Township staff gave advice to the Board:
    - Timothy F. McGough, P.E., Township Engineer
    - Rachel U. Doobrajh, Esq., Zoning Board Attorney

15. Members of the public who commented with regard to the application:
    - Jimmy Matt - 968 Robbinsville Edinburg Road, stated that he was concerned with the building setbacks because it seems to intrude into the adjacent residential building. He noted that the proposed parking lot seemed to be chopped up; he did not think that delivery truck would be able to enter and exit the site easily. He stated that the trash enclosure can been seen from the front entrance of the residential building, and that he liked the style of the "Walgreens" sign.
    - Margaret Sherman - 968 Robbinsville Edinburg Road, stated that she wanted to know the hours of operation, would the pylon sign be lit, would there be plantings around the trash enclosure and was there sufficient parking to accommodate the overflow from Centro.
    - Mary Viera - 968 Robbinsville Edinburg Road, stated that she wanted to know what the delivery hours were and if it was possible to relocate the trash enclosure. She noted that she was glad that this was no longer going to be a 4-story building.
    - Matthew Tuey - 968 Robbinsville Edinburg Road, stated that he was looking forward to the 4-story building because it gave more of an "urban" feel. He noted that he did not like the trash enclosure and that it needed more screening.

FINDINGS AND CONCLUSIONS
AMENDED PRELIMINARY AND FINAL SITE PLAN
APPROVAL WITH VARIANCES AND WAIVERS

16. Board findings and conclusions:
    - The Board considered the direct testimony of the Applicant's witnesses (Messrs. Troy, Bradley, Cannuli, Spalt and Stampfl) set forth in detail above. The above referenced testimony of the Applicant's witnesses is accepted as true and accurate and incorporated herein as findings of fact and conclusions of law. Based upon the opinions of the Applicant's experts (Messrs. Cannuli, Spalt and Stampfl), the Board grants amended preliminary and final site plan approval, with variances and waivers, and finds (a) the project design to be generally consistent with the intent and purposes of the zone plan and zoning ordinance and (b) the purposes of zoning are advanced by the requested variances and waivers, and they can be

granted without substantial detriment to the character of the neighborhood or substantial impairment of the zone plan and zoning ordinance.

17. The Board finds that in order to address the concerns expressed during the hearing, the application is granted subject to the following conditions:
    - The applicant shall work with the Township's professionals and staff regarding the design of the pylon sign.
    - The applicant shall work with the Township's professionals and staff regarding the location and orientation of the trash enclosure.
    - The applicant shall work with the Township's professionals and staff regarding the location, dimensions and landscaping for the loading dock traffic island.
    - Applicant shall be bound by all testimony before the Board, including all items that were agreed to by the applicant on the record.

CONCLUSION

Based upon the foregoing, the Robbinsville Township Zoning Board, at its August 19, 2014 meeting voted to approve the application of Sharbell Building Company, LLC for Amended Preliminary and Final Site Plan Approval with Variance and Waivers subject to the conditions set forth in this Resolution of Memorialization.

This Resolution of Memorialization was adopted on September 16, 2014 by a vote of the majority of the members present, who voted to approve the relief sought by the applicant.

The date of decision shall be August 19, 2014, except that the date of the adoption of this memorializing resolution is the date of decision for purposes of (1) mailing a copy of the decision to the applicant within ten (10) days of the date of the decision; (2) filing a copy of the decision with the administrative officer; and (3) publication of a notice of this decision. The date of the publication of the notice of decision shall be the date for the commencement of the vesting protection.

ROLL CALL VOTE ON APPLICANT'S REQUEST FOR AMENDED PRELIMINARY AND FINAL SITE PLANT APPROVAL WITH VARIANCES AND WAIVERS AUGUST 19, 2014

Moved By:	Petersen
Seconded By:	Daniel
Those in Favor:	Caputo, Haney, Daniel, Petersen, Lewen, Rogers
Those Opposed:	None
Those Absent:	Appelget, Gibeault, Siekerka

ROLL CALL VOTE ON MOTION TO APPROVE
RESOLUTION OF MEMORIALIZATION
SEPTEMBER 16, 2014

Moved By:	Daniel
Seconded By:	Caputo
Those in Favor:	Caputo, Daniel, Petersen, Lewen
Those Opposed:	None
Those Absent:	Rogers, Haney

CERTIFICATION

We do hereby certify that the foregoing resolution was adopted by the Robbinsville Township Zoning Board at its regular meeting held on September 16, 2014. This resolution memorializes formal action taken by the Board at its regular meeting held on August 19, 2014.

Elide M. Post

Elide M. Post, Secretary
Robbinsville Township Zoning Board

State of New Jersey
DEPARTMENT OF TRANSPORTATION
P.O. Box 600
Trenton, New Jersey 08625-0600

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

FRANCIS K. O'CONNOR
Commissioner

August 26, 2025

Mr. Nick Verderese, PE
Dynamic Traffic, LLC
1904 Main Street
Lake Como, NJ 07719

RE: Letter of No Interest # L100010347
Proposed Mixed-Use Development
NJ RT 33 WB, MP 7.28 Block 8, Lot 1.18
Robbinsville Township, Mercer County

Dear Mr. Vederese:

Reference is made to your letter dated May 12, 2025 concerning the above-captioned location. The Department has reviewed the information submitted with the Letter of No Interest request Based on the submitted information, the Department has determined that the proposed "improvements" of an existing Pharmacy with drive-through window (LUC 880) to a proposed 8292 Sf. Supermarket (LUC 850), 7679 Sf. General Office Building (LUC Y52) and 8 unit Multifamily Housing (Low-Rise) (LUC 220) will **not** create a "significant increase in traffic" and a new access permit is not required for the proposed development.

Please note that the above conclusions were based upon the information provided and any changes to these plans, or the proposed size and type of development, may change the conclusions reached by the Department.

Please be advised that **any** physical changes to any of the Route 33 driveway(s) may cause a new permit to be required despite that the proposed "expansion" does not constitute a significant increase in traffic.

The New Jersey Access Management Code and New Jersey Administrative Code, Title 16:41 describe activities which require permits. The information contained in these publications may

be helpful in understanding the conclusions reached by the Department.

If you have any questions concerning the above matters, please contact me at (609) 963-2197 (David.Cihocki@dot.nj.gov)

Sincerely,

Dave Cihocki

David Cihocki
Project Management Specialist 3
Office of Major Access Permits

cc: Michael Ray (via email)

Public Service Electric & Gas Company
Construction Inquiry-North & South
750 Walnut Ave, Cranford, NJ, 07016
Phone: 800-722-0256 Fax: 908-497-1762

Will Serve Electric

DYNAMIC Engineering
12/16/2025
Patrick Frawley
1904 Main Street
Lake Como, New Jersey 07719

Service Address
NJSH Route 33 & Robbinsville-Edinburg Road
Robbinsville, New Jersey 08520

Project Reference Number: Block 8, Lot 1.18

Dear Mr. Frawley,

Please be advised, electric service can be made available for the service address above consistent with service requirements and PSE&G's tariff for electric service.

Please notify PSE&G Construction Inquiry at 800-722-0256 if you have any questions or concerns.

PSE&G appreciates the opportunity to service your energy needs and thanks you for your business.

Thank You,
Construction Inquiry
Public Service Electric & Gas Company

Principals
Richard Rehmann, GISP
Richard Heggan, PLS, PP
Jeffery MacPhee, PLS
Carolyn Feigin PE, PP, CME

June 15, 2026

Mrs. Tianna Thompson, Land Use Coordinator
Robbinsville Township Land Use
2298 Route 33
Robbinsville, New Jersey 08691

Subj: Board Report #1: Application No. LU26-01-02
Preliminary & Final Major Site Plan/Minor Subdivision & 'd' Variance Approval
Sharbell Building, Co., LLC
N.J.S.H Route 33 & Robbinsville / Edinburg Road, Robbinsville, NJ
(Block 8, Lot 1.18)
(ARH File: 1510036.01)

Dear Mrs. Thompson:

ARH ASSOCIATES has received the above-captioned Application for review. Applicant seeks approvals to subdivide Lot 1.18 into a lot (Lot A) containing the existing Rite Aid building and a lot (Lot B) for the construction of 8 units of Stacked Townhomes. The proposed project will also include associated site improvements including driveways, landscaping, lighting, stormwater management facilities, and utilities. Lot 1.18 is located in the TC-3 Zone within the Township's TC Town Center District.

This report consists of our review of the Subject Application for conformance with the Robbinsville Land Use Code (Chapter 142), and is limited to Planning, Engineering, & Landscape Architecture issues. Traffic, Architecture, Sanitary Sewer, Legal and other issues shall be reviewed by the Board's other professionals.

Comments are limited to the information presented to date. Applicant may present additional information and testimony at the Board hearing.

I. OWNER & APPLICANT INFORMATION

OWNER & APPLICANT
Sharbell Washington, Inc 1 Union Street, Suite 208, Robbinsville, NJ 08691

II. SUBMITTALS

TITLE / DESCRIPTION	PREPARED / SIGNED / SEALED BY	DATE	DATE LAST REVISED
Application Distribution Sheet	Tianna Tompson Land Use Coordinator	2/27/2026	6/2/2026
Submittal Letter	Sharbell	2/12/2026	
General Land Use Application	Mark A. Cannuli, AICP, PP & Thomas Troy	1/27/2026	
Escrow Agreement		1/29/2026	
Escrow Account Contact Information		1/29/2026	
Affidavit of Ownership/Consent to Entry		1/29/2026	
W-9	Illegible	1/29/2026	

TITLE / DESCRIPTION	PREPARED / SIGNED / SEALED BY	DATE	DATE LAST REVISED
Tax & Utility Assessment Certification	Unsigned	Undated	
Disclosure of Ownership		Undated	
Preliminary Site Plan Checklist		Undated	
Final Site Plan Checklist		Undated	
Minor Subdivision Checklist		Undated	
D (Use) Variance Checklist		Undated	
Photograph Location Report	Dynamic Engineering	Undated	
Traffic Impact and Parking Assessment	Nick Verderese, PE John Pesce, PE Dynamic Engineering	1/5/2026	
Report of Geotechnical Investigation Proposed Residential & Commercial Development 2370 Route 33 Block 8, Lot 1.18 Township of Robbinsville, Mercer County, New Jersey	Dustin Richardson, PE Francis Van Cleve, PE Dynamic Earth	9/5/2025	
Drainage Statement for Sharbell Building Company, LLC Proposed Stacked Townhomes NJSH Route 33 & Robbinsville-Edinburg Road Block 8, Lot 1.18 Township of Robbinsville, Mercer County, NJ	Jeffrey Haberman, PE Dynamic Engineering	12/2025	
Potable Water and Sanitary Sewer Engineer's Report for Sharbell Building Company, LLC Proposed Stacked Townhomes NJSH Route 33 & Robbinsville-Edinburg Road Boad Block 8, Lot 1.18 Township of Robbinsville Mercer County, NJ		12/2025	
Environmental Impact Assessment for Sharbell Building Company, LLC Proposed Stacked Townhomes NJSH Route 33 & Robbinsville-Edinburg Road Boad Block 8, Lot 1.18 Township of Robbinsville Mercer County, NJ		12/2025	
Sharbell Building Company, LLC Block 8, Lot 1.18 2370 NJSH Route 33 Township of Robbinsville, Mercer County, New Jersey Boundary & Topographic Survey	Craig Black, PE, PLS Dynamic Survey, LLC	7/17/2025	
Use Variance & Preliminary and Final Site Plan for Sharbell Building Company, LLC Proposed Stacked Townhomes Block 8, Lot 1.18 Tax Map Sheet #1.18 NJSH Route 33 Township of Robbinsville, Mercer County, New Jersey	Dynamic Engineering		
Cover Sheet: Sheet #1	Jeffrey D. Spalt, PE Jeffrey Haberman, PE	1/2/2026	2/29/2026
Aerial Map: Sheet #2		1/2/2026	2/29/2026
General Notes: Sheet #3		1/2/2026	5/22/2026
Demolition Plans: Sheet #4		1/2/2026	2/29/2026
Site Plan: Sheet #5		1/2/2026	5/22/2026

TITLE / DESCRIPTION	PREPARED / SIGNED / SEALED BY	DATE	DATE LAST REVISED
Grading Plan: Sheet #6	Jeffrey D. Spalt, PE Jeffrey Haberman, PE	1/2/2026	2/29/2026
Drainage Plan: Sheet #7		1/2/2026	2/29/2026
Utility Plan: Sheet #8		1/2/2026	2/29/2026
Landscape Plan: Sheet #9		1/2/2026	5/22/2026
Landscape Notes and Details: Sheet #10		1/2/2026	5/22/2026
Lighting Plan: Sheet #11		1/2/2026	2/29/2026
Soil Erosion & Sediment Control Plan: Sheet #12		1/2/2026	2/29/2026
Soil Management and Preparation Plan: Sheet #13		1/2/2026	2/29/2026
Soil Erosion & Sediment Control Notes: Sheet #14		1/2/2026	2/29/2026
Soil Erosion & Sediment Control Details: Sheet #15		1/2/2026	2/29/2026
Construction Details: Sheet #16		1/2/2026	2/29/2026
Construction Details: Sheet #17		1/2/2026	2/29/2026
Township of Robbinsville Construction Details: Sheet #18		1/2/2026	2/29/2026
Vehicle Circulation Plan (Fire Truck): Sheet #19		1/2/2026	2/29/2026
Vehicle Circulation Plan (Garbage Truck): Sheet #20		1/2/2026	2/29/2026
Downtown Robbinsville Proposed Condo Buildings Robbinsville, Mercer County, New Jersey	Minno Wasko Architects and Planners		
Cover Sheet: C-10	Unsigned	12/16/2025	5/29/2026
Site Plan: A-02		12/16/2025	5/29/2026
Ground Floor Plan: A-03		12/16/2025	5/29/2026
Second Floor Plan: A-04		12/16/2025	5/29/2026
Third Floor Plan: A-05		12/16/2025	5/29/2026
Building Elevations: A-06		12/16/2025	5/29/2026
Building Elevations: A-07		12/16/2025	5/29/2026
Typical Unit Plans: A-08		12/16/2025	5/29/2026
Typical Unit Plans: A-09		12/16/2025	5/29/2026
Light Fixture - Spec: A-10		12/16/2025	5/29/2026
Materials Board: A-11		12/16/2025	5/29/2026
Wastewater Management Plan Certification	Jeffrey S. Haberman, PE, PP Alec Farrell, PE Dynamic Engineering	4/14/2026	
Design Waiver/Variance Request Form	Dynamic Engineering	Undated	
Submittal Letter		5/29/2026	
Community Impact Statement	Mark A. Cannuli, AICP, PP	5/28/2026	
Resolutions 2007-15, ZB2007-05, ZB2007-14, ZB2011-03 & ZB2014-06	Elide M. Post [former] Board Secretary	12/5/2007	
		8/19/2014	
Statement of No Interest #L100010347	Dave Cihocki NJDOT	8/26/2025	
PSE&G Gas Will Serve Request Email	Blessy Monte de Ramos	8/4/2025	
Aqua NJ Will Serve Request Email	Patrick Engineer	4/9/2026	
PSE&G Electric Will Serve	PSE&G	12/16/2025	

III. Completeness Review

The following addresses conformance with the Board's Checklist(s) only and does not reflect adequacy of submissions for review purposes. The correct number of copies (including the digital copy) and the correct Fees and Escrow Deposits are presumed to have been submitted.

Failure to provide all data required on this Checklist will render the Application INCOMPLETE.

Column entries reflect the Application as received by this office. Items which have been confirmed as having been submitted have been eliminated from this review for brevity. Similarly, items previously identified by this office which have since been addressed are eliminated from this review for brevity.

Applicant is entitled to request Submission Waivers from any of the required Checklist items based upon unique or particular conditions pertaining to the property or intended use.

A Submission Waiver is required for all Checklist items considered by Applicant to be "Not Applicable" ("N/A"). Applicant shall include written rationale for considering an item "Not Applicable" is required.

All Submission Waiver requests must be accompanied by a written justification for such request, submitted on the Waiver / Variance Request Form. Failure to apply for the appropriate Submission Waivers, or failure to provide such rationale, will render the Application INCOMPLETE.

All resubmissions must include a point-by-point response letter addressing all comments from the Board's professionals or from the Technical Review Committee meeting. All submissions must be made as one comprehensive submission, not under separate covers.

This office recommends that this Application may be deemed Complete. Applicant is asked to address bold footnoted items detailed below:

	Preliminary Site Plan Checklist	Waiver Requested	Not Submitted / Waiver Not Requested
I.	Administrative		
8.	Completed Affidavit of Ownership Form (notarized).		[1]
12.	"Zoning Permit Denial" or "Notice of Violation" (N.O.V.) from Zoning, Code or Construction Official.	[2]	
14.	Proposed Operations Statement, including details of existing and proposed use(s), hours of operation, number of employees, provisions for maintenance, etc., signed by Applicant and notarized.	[3]	
15.	Certification by the Applicants Engineer that proposal is consistent with Wastewater Management Plan of the Township of Robbinsville.		[4]

[1] This form has not been received by our office. ***Satisfaction of this requirement is deferred to the Land Use Coordinator.***

[2] Applicant requests a waiver, stating "N/A, submitting for Use Variance approval." This office has no objection to this request.

[3] Applicant requests a waiver, stating "N/A as this is a residential development proposal. Testimony regarding maintenance of common elements will be provided". This office has no objection to this request.

[4] ***Satisfaction of this requirement is deferred to the Board Sanitary Sewer Engineer.***

PRELIMINARY SITE PLAN CHECKLIST		WAIVER REQUESTED	NOT SUBMITTED / WAIVER NOT REQUESTED
21.	Sign Inventory Plan and Details, sheets numbered consecutively, folded, collated, with a common preparation and/or revision date(s).	5	
22.	List of all necessary Outside Agency Approvals indicating status of approvals, including copies of each approval (NJDOT, NJDEP, etc.).		6
23.	List of any anticipated developer contributions, fees, fair-share payments, anticipated payments in lieu for waivers requested, etc. to be paid to the Township, per current Codes or Ordinance.	7	
24.	Community Impact Statement/Study, signed.	8	
26.	Traffic Impact Assessment/Study, signed and sealed.		9
28.	Water Quality Test Reports by NJDEP certified laboratory for existing on-site wells.	10	
30.	Stormwater Management Facility Operations & Maintenance Manual (if approved, shall be filed with the County Clerk's office).	11	
31.	Sanitary Sewer Engineer's Report, signed and sealed, bearing a common date of issue or revision with the plans and specifications; projected flow calculations; specifications and details on any equipment or structure to be installed which may have an effect on the sanitary sewer flows.	10	
32.	Proof of submission of a request for a wetlands letter of interpretation to the NJDEP a minimum of 60 days prior to submitting this application. Proof shall include acknowledgement of receipt by the NJDEP.	12	
33.	Submission of a wetlands report and wetlands delineation.	12	
II. HEALTH			
36.	Plan shall show location of all existing sewage disposal systems on the site in question and within 200' of the total tract boundary of the site plan pursuant to current Codes and Statutes.	13	

[5] Applicant requests a waiver, stating "N/A no signage is proposed with this application". Checklist No. 85 states, "Exact sign details are not known at this time". ***Applicant is asked to clarify discrepancy and provide a proposed sign package as a condition of approvals granted this Application.***

[6] ***Applicant is asked to provide a list of all necessary outside agency approvals as a condition of approvals granted this Application.***

[7] Applicant requests a waiver, stating "TBD – condition of approval". ***Satisfaction of this request is deferred to the Director of Community Development.***

[8] Applicant has provided no written justification for this request. ***Applicant is asked to provide justification before this office is able to make a recommendation regarding this request.***

[9] ***Satisfaction of this requirement is deferred to the Board Traffic Engineer.***

[10] Applicant requests a waiver, stating "N/A, there are no existing wells on site". ***Satisfaction of this request is deferred to the Board Sewer Engineer.***

[11] Applicant requests a waiver, stating "N/A, no proposed storm water basins". This office has no objection to this request.

[12] Applicant requests a waiver, stating "N/A, no existing wetlands on site". This office has no objection to this request.

[13] Applicant requests a waiver, stating "N/A, there are no onsite septic systems located on the property. This will connect to public sewer". ***Satisfaction of this request is deferred to the Board Sewer Engineer.***

PRELIMINARY SITE PLAN CHECKLIST			WAIVER REQUESTED	NOT SUBMITTED / WAIVER NOT REQUESTED
37.		Provide certification by a New Jersey Licensed Professional Engineer regarding adequacy of any and all existing on-site sewage disposal systems. Potential reserve areas for modification of existing systems shall be shown on the plan. Application will be declared incomplete should failing or unsatisfactory conditions be noted, certified, or found to exist.	14	
38.		Submission of groundwater quality test report for all existing on-site wells or potable water supplies. Application will be declared incomplete should failing or unsatisfactory conditions be noted, certified, or found to exist.	14	
39.		Soils Tests shall be provided for primary and reserve septic areas. Test results submitted which are invalid because of expiration dates or do not comply with all provisions of the current Codes and Statutes shall render the application incomplete.	14	
40.		The location and results of all complete, incomplete, unacceptable and unwitnessed profile pits, permeability tests, basin, floods and percolation tests. All results shall be shown on a separate plan(s) entitled "Sewage Disposal and Water Supply Plan". All dimensioned to all proposed and existing: lot lines, watercourses, easements, wetland limits, sewage disposal and water supply systems within 200' of the tests.	14	
42.		Submission of Treatment Works or NJPDES permits for sewage systems not in compliance with current Statutes.	14	
III. ENGINEERING / PLANNING				
45.		All scales shall be written and graphically identified. Minimum scales for plan preparation shall be as follows: preparation shall be as follows:		
	c.	Environmental Inventory Maps: 1" = 200'	14	
	f.	Sewage Disposal and Water Supply Plan: 1" = 50'	14	
51.		A key map showing the tract in question; north arrow; zoning; tax lot numbers, tax block numbers, tax sheet numbers, owners names as identified on certified list provided by Township for tract in question and all lots within 200' of tract; Municipal Boundaries; Existing or proposed "Master Plan" features or facilities on the site or within 500' of total tract; signature and seal of licensed professional; names and address of owner, applicant and professional preparing the map; owners certification, zoning data for each zone with all proposed data and deficiencies listed, number of proposed lots, and index of sheets (where applicable). All measurements specified herein shall be measured radially from the boundary and shall include all lots, zones, etc. on opposite sides of road and within other municipalities.	15	

[14] Applicant requests a waiver, stating, variously,

- "N/A, there are no onsite septic systems located on the property".
- "N/A, there are no existing wells on site",
- "N/A, there are no existing or proposed septic systems located on the property".
- "N/A, there are no existing or proposed septic systems located on the property. No environmental impacts will be affected".

Satisfaction of these requests is deferred to the Board Sewer Engineer.

[15] Applicant requests a waiver, stating "N/A, No know Master Plan Features within 500'". This office has no objection to this request.

PRELIMINARY SITE PLAN CHECKLIST			WAIVER REQUESTED	NOT SUBMITTED / WAIVER NOT REQUESTED
52.		Boundary and topographic survey of the total tract, certified to the Applicant, shall be signed and sealed by the preparing N.J. Licensed Land Surveyor in accordance with current Statutes. Topography within 200' from the property boundary shall be shown. All topography shall be based on NAVD 88 datum with 2 benchmarks established within 500' of the subdivision boundary and shown with appropriate references.	16	
57.		Storm drainage profiles for all diversion swales, waterways, storm sewer pipe and any other conduit not shown on roadway plan and profile sheets shall be provided. These profiles may be shown on a separate sheet entitled "Drainage Profiles", the detention basin plan or construction detail plans and the following minimum details shall be shown: Existing elevations shall be shown at 100' intervals. Proposed elevations for appurtenances shall be shown at 100' intervals, concrete structure elevations shall be shown at 50' intervals; invert elevations; elevations at grade changes. Proposed slopes shall be written.	11	
58.		A Detention/Retention basin plan showing; all existing and proposed grades and contours, outlet structure details, conduit outlet protection details; all inverts; low flow channel with proposed longitudinal slope(s) and typical cross section; trash rack details; emergency spillway cross sections and profiles to point of discharge; construction details. Slopes and items required by this section shall provide the minimums required by the Design Standards of Robbinsville Twp.	11	
59.		Hydraulic calculations for stormwater detention/retention showing no reduction in conformance with Mercer County Soil Conv. District and NJDEP.		
	a.	Pre-development conditions shall be considered as "good".	11	
	b.	Post development conditions shall be considered as "poor" with maximum impervious coverages permitted by ordinance being used in developing post development curve numbers.	11	
	c.	Calculations shall include a drainage area map showing pre and post development conditions with soil types, soil uses and flow patterns, time of concentration flow paths and flow lengths and slopes.	11	
	d.	Routing of pre and post development flows through each basin using the mass storage equation and "Urban Hydrology for Small Watersheds TR-55".	11	
	e.	Emergency spillways shall be provided. The cross sections shall be designed to pass the 100-year post development inflow plus 50%. The invert shall be set at the crest of the 100-year storage elevation in the basin.	11	
	f.	All detention basins shall be designed to serve as a sediment basin during and after construction in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey References.	11	
	g.	Computations showing compliance with the regulations of the Mercer County Planning Board and the Mercer County Soil Conservation District.	11	

[16] Applicant requests a waiver, stating "Topography within 200' not shown. Grading occurs on-site". This office has no objection to this request.

	PRELIMINARY SITE PLAN CHECKLIST	WAIVER REQUESTED	NOT SUBMITTED / WAIVER NOT REQUESTED
60.	Hydraulic calculations for stormwater runoff collection system shall be submitted. Calculations may use the rational method or Soil Conservation Service method.	11	
61.	Plans & centerline profiles shall be provided for widening of all existing roadways.	17	
62.	Half cross sections, 50' on center, shall be provided along the side of all widened existing roadways. Each section shall include the location and NAVD 88 elevation of all existing and proposed physical centerline; right-of-way centerline; edge of pavements, right-of-way lines, sidewalk centerlines, sidewalk widths. In addition, the existing and proposed contours 25' from the proposed right-of -way line shall be shown.	17	
64.	Landscaping plan shall show the site, all existing and proposed topography, existing onsite tree groupings and offsite tree groupings within 200'; typical planting details; landscaping notations and details containing minimum data required in the "Site Improvement Standards"; detailed locations of proposed plant materials; enlarged details for individual multi-family units, landscaped islands, and landscaped berms; and all intermittent and perennial streams, lakes and other water bodies. All trees and tree groups shown shall be classified as to general size and species.	18	
66.	Location and details of all proposed signage, including free-standing (show setbacks) and building mounted (façade) signage; details may be included on the landscaping plan.	5	
67.	Plan shall provide location and details of all proposed Electric Vehicle charging stations or "Make-Ready" parking spaces.		9
68.	Architectural Floor Plans shall not conflict with the Site Plan.		19
69.	All on-site wetlands shall be field identified by a qualified expert in accordance with NJDEP standards, and surveyed, and located on the plan by the applicant's New Jersey licensed land surveyor. A wetland report identifying all observations and findings of the wetlands expert shall accompany the major subdivision application. If the lands remaining are 50 acres or larger and not to be built upon, wetlands will only be required to be identified within 150' of the proposed lots or any other on-site or off tract improvements. The applicant shall certify in writing that no construction shall occur upon the remaining lands until all on-site wetlands are identified. Any buffer areas shall be shown on the plan.	12	
70.	Plan shall provide cultural features, historic sites, and critical view sheds, as mapped by the Township.	20	

[17] Applicant requests a waiver, stating "N/A, existing roadways will remain undisturbed". This office has no objection to this request.

[18] Applicant requests a waiver, stating "Off-site tree groupings and species are not shown within 200'". This office has no objection to this request.

[19] ***Satisfaction of this requirement is deferred to the Board Architect.***

[20] Applicant requests a waiver, stating "N/A there are no cultural features, historic sites, or critical view shed located on the site". This office has no objection to this request.

PRELIMINARY SITE PLAN CHECKLIST			WAIVER REQUESTED	NOT SUBMITTED / WAIVER NOT REQUESTED
73.	Site Plan shall show location(s) and detail of loading areas and any screening provided.		21	
74.	Community Impact Statement/Study shall be prepared in accordance with the current Code Requirements.		8	
76.	Traffic Impact Analysis/Study shall include, but not limited to, existing and background peak hour traffic volumes and distribution patterns; peak hour on-site generated traffic volumes and distribution patterns; existing and proposed traffic composition; analysis of adequacy of proposed on-site circulation patterns including adequacy of truck and automobile turning radii; analysis of need for number of loading bays; existing and proposed levels of service and volume/capacity ratios; adequacy of proposed sight distances; analysis of need for acceleration/deceleration lanes; analysis of need for roadway striping, signage of reflectorization; need for signalization and a summary recommendation and conclusions for the analysis. The study area shall include the site as proposed by this application; the site as proposed by a master development plan; the existing and proposed roadway frontages of the site, and the nearest intersection of public roadways as measured away from the site in opposite directions. The roadways approaching the site shall be generally reviewed for adequacy to support site generated traffic. The capacity of off-street parking shall be provided and compared to the parking demands for the proposed use(s) for the overall site. Traffic and pedestrian safety shall be addressed. This report shall be prepared by a N.J. Licensed Professional Engineer qualified to make the analysis as required.			9
77.	Plan shall provide a data table of existing, required and proposed parking spaces, Electric Vehicle charging stations and loading areas.			9
IV. Architecture & Landscaping				
80.	Architectural drawings shall be clearly labeled and shall include:			
	a.	Drawing Title.		19
	b.	North arrow on plans.		19
	c.	Floor Plans of each floor level.		19
	d.	Room labels on plans to clearly define each use		19
	e.	Overall dimensions on plans.		19
	f.	Elevations of each façade of each building noting all façade material types, colors, grills, storefronts, roof screens, building mounted lighting, signage, and any other appurtenances		19
	g.	All building heights and dimensions.		19
	h.	Clear and detailed reference to screening of ground mounted and/or roof mounted equipment.		19
	i.	Clear indication of the requested variances and waivers.		19
81.	Site Plan shall show location and detail of trash enclosures and any screening provided.			22

[21] Applicant requests a waiver, stating "N/A, residential use with no loading operation". While this office has no objection to this request, ***Applicant will be asked to provide testimony regarding deliveries to the residences.***

[22] ***Applicant will be asked to provide testimony regarding how waste will be handled on site.***

PRELIMINARY SITE PLAN CHECKLIST			WAIVER REQUESTED	NOT SUBMITTED / WAIVER NOT REQUESTED
82.	Site Plan shall provide clear reference or delineation of any sustainable design features.			19
85.	Sign Inventory Plan shall detail inventory and sign locations for all signage proposed on site and/or building mounted signage. Plans shall include proposed graphics, dimensions, colors, lighting and general construction and mounting details. Ground or free-standing signs must include dimensions, height and setbacks.		23	
86.	Tree Save/Tree Clear Plan indicating the area to be cleared, including trees with a trunk diameter of 8" or greater, measured 4.5' above ground level. Plan should include species, size and general health conditions of any trees to be cleared. Area of disturbance shall be indicated.		24	
89.	Surveyed location of all trees located within 25' of the limit of disturbance.		25	
91.	Plan shall contain a chart showing the following:			
	f.	Delineation showing which areas to be irrigated.	26	
	g.	Maintenance specifications (including irrigation).	26	
	h.	Planting details conforming to current cultural horticultural practices.	26	

FINAL SITE PLAN CHECKLIST		WAIVER REQUESTED	NOT SUBMITTED / WAIVER NOT REQUESTED
SUBMISSION ITEMS ADDRESSED IN THE PRELIMINARY CHECKLIST ARE OMITTED FOR BREVITY.			
I. ADMINISTRATIVE			
14.	Copy of Signed Preliminary Site Plan and Affidavit that all Conditions of the Preliminary Site Plan Resolution of Approval have been met.	27	
II. HEALTH			
24.	Compliance with any and all conditions of Preliminary Site Plan approval and the Preliminary Site Plan Checklist.	27	
25.	Final septic system design criteria and grading shown on "Sewage Disposal and Water Supply Plan".	14	
26.	Copies of any NJDEP permits for sewage disposal systems and water supplies not in conformance with current code and statutes.	14	
III. ENGINEERING / PLANNING			
28.	Compliance with any and all conditions of Preliminary Site Plan Approval and the Preliminary Site Plan Checklist...	27	

[23] Applicant requests a waiver, stating "Exact sign details are not known at this time". (see FN[5]).

[24] Applicant requests a waiver, stating "Existing tree species have not been determined – trees in LOD will be demolished". ***Applicant will be asked to provide testimony regarding trees to be demolished.***

[25] Applicant requests a waiver, stating "Existing trees were not surveyed. Paved parking lot". This office has no objection to this request.

[26] Applicant requests a waiver, stating "TBD – condition of approval". ***This office has no objection to deferring this item to a condition of any approvals granted this Application.***

[27] Applicant requests a waiver, stating "Applicant is seeking Preliminary Site Plan Approval concurrently with Final". This office has no objection to this request.

	FINAL SITE PLAN CHECKLIST	WAIVER REQUESTED	NOT SUBMITTED / WAIVER NOT REQUESTED
29.	An estimate of all construction quantities for all on-site and off-tract improvements. This estimate shall include all construction quantities for all site improvements shown on the approved Preliminary Site Plan and shall be signed, sealed and dated by a New Jersey Professional Engineer.	28	
31.	Metes and bounds descriptions for all right-of-way dedications, sight triangle easements; drainage; detention; or conservation easement; and common driveway easements.	29	
32.	Detailed project phasing plan including proposed construction sequences, routes to and from site, construction methods, hours of operations, construction traffic control plans, temporary construction office locations and any other construction-related plans.	30	
33.	A developer's agreement approved and executed by the Robbinsville Township Committee when improvements to public property or improvements shall be dedicated to the public...	31	

	MINOR SUBDIVISION CHECKLIST	WAIVER REQUESTED	NOT SUBMITTED / WAIVER NOT REQUESTED
	SUBMISSION ITEMS ADDRESSED IN PRIOR CHECKLISTS ARE OMITTED FOR BREVITY.		
I.	ADMINISTRATIVE		
18.	Existing Septic System Certification – signed and sealed.	14	
III.	ENGINEERING		
50.	Plan shall show any new proposed lot number(s) and address(es).	32	

	'd' (USE) VARIANCE CHECKLIST	WAIVER REQUESTED	NOT SUBMITTED / WAIVER NOT REQUESTED
	SUBMISSION ITEMS ADDRESSED IN PRIOR CHECKLISTS ARE OMITTED FOR BREVITY.		
III.	ENGINEERING		
40.	Provide a summary of gross lot areas and net buildable lot areas.	33	

[28] Applicant requests a waiver, stating "Construction quantities will be provided upon favorable action". ***This office has no objection to deferring this item to a condition of any approvals granted this Application.***

[29] Applicant requests a waiver, stating "Metes and bounds descriptions will be provided upon favorable action". ***This office has no objection to deferring this item to a condition of any approvals granted this Application.***

[30] Applicant requests a waiver, stating "Project will be built in one phase". This office has no objection to this request.

[31] Applicant requests a waiver, stating "A developer's agreement with be provided upon favorable action". ***This office has no objection to deferring this item to a condition of any approvals granted this Application.***

[32] Applicant requests a waiver, stating "Coordination is currently ongoing with the Tax Assessor. New proposed lot numbers and addresses will be provided as a condition of approval". ***This office has no objection to deferring this item to a condition of any approvals granted this Application.***

[33] Applicant requests a waiver, stating "Gross lot areas are shown in the Bulk Chart. Net buildable lot areas are presumably the entire parcel (no identified environmental constraints)". This office has no objection to this request.

IV. Planning Analysis

A. Use

Proposed Lots A & B area located in the TC-3 Zone within the Township's Town Center. TC-3 is governed by §142-19F. and 142 Attachment 5-1.

Proposed Lot A consists of Retail and Office uses, which are permitted principal uses within the Zone.

Proposed Lot B consists of proposed Stacked Townhouses, which are not permitted uses in the Zone. ***'d-1' (use) Variance relief is therefore required.***

B. Area & Bulk Standards (§142 Attachment 5-1, unless otherwise noted)

Item		Requirement		Proposed Lot A	Proposed Lot B	Conformance Status
		Commercial	Townhome[34]			
Lot						
Min. Lot Area		No Regulation		86,005 s.f.		N/A
			2,300 s.f.		24,085 s.f.	Conforms
Min. Lot Frontage[35]		No Regulation		Rte. 33: 325.4'[36]		N/A
				R/E Rd.: 199.4'[36]		N/A
				Alley: 281.1'[36]		N/A
					113.8'	N/A
Lot Width[37]	Min.	20'		Rte. 33: 325.4'[36]		Conforms
				R/E Rd.: 199.4'[36]		Conforms
				Alley: 281.1'[36]		Conforms
			23'		118.6'	Conforms
	Max.	Entire Bldg. (102.6')		Rte. 33: 205.5'		***Variance Required***
				R/E Rd.: 147.5'		***Variance Required***
				Alley: 238.3'		***Variance Required***
			32'		118.6'	***Variance Required***
Lot Depth[38]	Min.	54'		286.9'[36]		Conforms
			100'		185.0'[36]	Conforms

[34] ***PROVIDED TO SHOW A COMPARISON BETWEEN THE PERMITTED TOWNHOMES AND THE NONPERMITTED STACKED TOWNHOMES. IF STACKED TOWNHOMES WERE PERMITTED, THE CONFORMANCE STATUS WOULD APPLY.***

[35] The horizontal distance between Side Lot Lines measured along the street right-of-way line. The minimum Lot Frontage shall be the same as the Lot Width, except that on curved alignments with an outside radius of less than 500', the minimum distance between the Side Lot Lines measured at the Street Line shall not be less than 75% of the required minimum Lot Width.

[36] This office has provided manual measurements based on Applicant's Minor Subdivision Plan. ***Applicant is asked to verify that measurements provided reflect the Township's Ordinance definitions.***

[37] The mean horizontal distance between the Side Lot Lines measured parallel to, and at, the average building Setback Line. Where there is only one Side Lot Line, the lot is measured between such Lot Line and the opposite Lot Line or future ROW line.

[38] The shortest horizontal distance between the front lot line and a line drawn parallel to the front lot line through the midpoint of the rear lot line.

ITEM			REQUIREMENT		PROPOSED LOT A	PROPOSED LOT B	CONFORMANCE STATUS
			COMMERCIAL	TOWNHOME[34]			
Lot Depth[38]	Max.		90'		286.9'[36]		*Previously Approved*
				No Regulation		185.0'[36]	N/A
Max. Impervious Coverage			No Regulation		81.9%		N/A
				80%		82.6%	***Variance Required***
Residential Density (Townhouses: TC-3)			No Regulation		0 Units		N/A
				Max. 132 Units		179 Units[39]	***'d-5' Variance Required***
Percent of Total	Min.			5%		Not Provided	*Undetermined*
	Max.			20%			*Undetermined*
Principal Building							
Building Depth	Min.		36'		96.4'		Conforms
				No Regulation		67.6'	N/A
	Max.		80'		96.4'		*Previously Approved*
				No Regulation		67.6'	N/A
Front Yard Setback[40]	Min.	Rte. 33	0'		66.9'		Conforms
				5'		73.4'	Conforms
		R/E Rd.	0'		76.9'		*Previously Approved*
				No Regulation		N/A	N/A
	Max.	Rte. 33	0'		66.9'		*Previously Approved*
				11'		73.4'	***Variance Required***
		R/E Rd.	5'		76.9'		*Previously Approved*
				No Regulation		N/A	N/A
Min. Residential Setback[41]			No Regulation		N/A		N/A
				150'		73.4'	***Variance Required***
Side Yard Setback	Min.		0'		N: 3'		Conforms
					E: 4.5'		Conforms
				0'		W: 10.1'	Conforms
						E: 10.4'	Conforms
	Max.		15'		N: 3'		Conforms
					E: 4.5'		Conforms
				5'		W: 10.1'	***Variance Required***
						E: 10.4'	***Variance Required***

[39] Applicant was previously granted approval for 177 units per Resolution ZB2007-05 and was granted amended approval for 171 units per Resolution ZB2007-15. Applicant now proposes 8 new townhouses.

[40] Per §142-Attachment 5-3:5: All dwelling units, excluding accessory dwellings and urban apartments, shall have a clearly defined Front Yard using landscaping, hedging, fencing, or a brick or stone wall, none of which shall exceed 3½' in height. ***Applicant is asked to address the proposed elements defining the Front Yard area.***

[41] Per §142-47H2b3: Residential development shall provide landscaped buffers with the minimum width and Principal Building setback of 150' when residential development abuts Route 33.

ITEM		REQUIREMENT		PROPOSED LOT A	PROPOSED LOT B	CONFORMANCE STATUS
		COMMERCIAL	TOWNHOME[34]			
Min. Rear Yard Setback[42]	Min.	10'		134.6'		Conforms
			35'		44.1'	Conforms
	Max.	[43]		134.6'		Conforms
			No Regulation		44.1'	N/A
Max. Building Height	Feet	No Regulation		Not Provided		N/A
					44.0'	N/A
	Stories	1.5		1		Conforms
			No Regulation		3	N/A
Commercial Area	Min.	0 s.f.		110,090 s.f.		Conforms
			No Regulation		N/A	N/A
	Max.	65,000 s.f.		110.090 s.f.		*Undetermined*[44]
			No Regulation		N/A	N/A
Max. Building Coverage		No Regulation		19.1%		N/A
			68%		28.3%	Conforms
Min. Private Yard / Patio		No Regulation		761 s.f.		N/A
			400 s.f.		0 s.f.	***Variance Required***
Min. Street Trees[45]	1 tree per	40' of roadway		0		*Previously Approved*
			30' of Roadway		0	***Variance Required***
Min. Residential Buffer[41]		50'[46]		0'		***Variance Required***
			100'[47]		0'	***Variance Required***
Parking (§142-Attachment 5-3:5)						
Min. Setback from Rear of Dwelling		No Regulation		N/A		N/A
			10'		0'	***Variance Required***
Max. Parking Lot / Loading Area Coverage		40%		55.3%		***Variance Required***
					Not Provided	*Undetermined*

[42] From building to curb line of rear parking lot/alley.

[43] Sufficient to accommodate off-street parking.

[44] ***Applicant is asked to confirm square footage of existing commercial building.***

[45] Per §142-47F1a: Street trees are required to be planted along all proposed private and public streets. All street trees must be planted within the public right-of-way and where possible between curb and sidewalk with a minimum planting strip of 6' in width, subject to the requirements of R.S.I.S. (a) For residential streets, plant the equivalent of one street tree on each side of the street for every 30 linear feet of roadway.

[46] Per §142-47H1a: When a residential use develops and abuts or faces land in a nonresidential zone or a nonresidential use, and there is sufficient land within the nonresidential zone or upon the nonresidential property to establish a buffer of at least 50' in width, then the residential development shall provide a buffer with a minimum width of 50'. The use within the nonresidential zone shall, at the time it develops, provide the additional land and plant material or screening needed to achieve the total minimum buffer width of 100' along the zone boundary line.

[47] Transportation Right-of-Way (Rte. 33) Buffer.

ITEM	REQUIREMENT		PROPOSED LOT A	PROPOSED LOT B	CONFORMANCE STATUS
	COMMERCIAL	TOWNHOME[34]			
Signage (§142-Attachment 5-5:23)[48]					
Freestanding					
Max. Sign Number	1		1		Conforms
Max. Sign Area	4 s.f.		96.72 s.f.		*Previously Approved*
Max. Letter Height	6"		Not Provided		*Undetermined*
Max. Sign Height	6'		20'		*Previously Approved*
Min. Principal Building Setback	5'		66.9'		Conforms
Wall Mounted (Facade)[49]					
Max. Sign Number[50]	3		7		*Previously Approved*
Max. Sign Area	The area of the signboards shall not exceed 5% of the ground floor front facade area or **24 s.f.**, whichever is less.		303.95 s.f.[51]		*Previously Approved*
Max. Sign Projection	6"		8"		*Previously Approved*
Max. Sign Height	No part of a sign shall be higher than 15 feet above the front sidewalk elevation, and shall not extend above the base of the second floor windowsill, parapet, eave, or building facade.		Not Provided		*Undetermined*

C. Additional Planning Comments

1. The Township's Affordable Housing office reports that Applicant intends to satisfy its Affordable Housing Obligation for this site by building the units within the Gordon Simpson Redevelopment Site (previously approved).

   While this office does not object to the transfer of the Affordable Housing obligation to the Gordon Simpson Redevelopment Project, an amendment to the Gordon Simpson Redevelopment Plan will be required to effectuate such transfer. It is recommended that such amendment be made a condition of any approvals granted this (LU26-01-02) Application.

2. Per §142-Attachment 5-3:5: A minimum of 50% of dwelling units, except apartments, shall have a front entrance articulated with a covered front entry porch. Front porches shall generally be located on the front of the dwelling facing the sidewalk, but may occasionally be located on the

[48] Applicant states that no new signage is proposed. This office has reviewed existing signage based on information provided. ***Applicant is asked to clarify if new signage is proposed.***

[49] Per §142-Attachment 5-5:23: One wall-mounted sign, not exceeding 10 s.f. in area, shall be permitted on any side or rear entrance which is open to the public.

[50] Per §142-Attachment 5-5:23: Businesses located in corner buildings are permitted one wall-mounted or awning sign or painted window sign for each street frontage.

[51] Applicant has provided a total s.f. of all existing wall sign area.

side wall of a dwelling. The size of front entry porches shall be a minimum of 6' deep from the front wall of the dwelling to the enclosing porch rail and a minimum of 10' long.

Applicant proposes an enclosed front porch depth of less than 6'. Variance relief is required.

3. Per §142 5-4 (Town Center Zoning and Design Regulations), driveways may be constructed of grass or brick pavers, 2'-wide concrete to wheel tracks, or stone pavers.

   Applicant proposes asphalt driveways. Variance relief is required.

4. Per §142 5-4 (Town Center Zoning and Design Regulations), Landscaping (142 5-4G. Town Center Zoning and Design Regulations)

   a. Extensive landscaping shall be required. All areas of a site not occupied by buildings, parking lots, other improvements, or textured paving shall be intensively planted with trees, shrubs, hedges, ground covers, and/or grasses, unless such area consists of attractive existing vegetation to be retained. Perennials and annuals are encouraged.

      Applicant states, "Additional landscaping will be provided as a condition of approval". ***Applicant will be asked to confirm this statement at the Board hearing on this matter.***

      This office recommends that such additional landscaping be made a condition of any approvals granted this Application.

   b. Landscaping plans shall be prepared by a certified professional landscape architect.

      This office has not received a Landscape Plan that has been signed and sealed by a Landscape Architect. This office recommends that a signed and sealed Landscaping Plan be made a condition of any approvals granted this Application.

5. Within two years from the time of planting, all dead or dying plants, whether installed new, transplanted, or designated as existing trees to be retained on the plan, shall be replaced by the developer. The developer shall be responsible for the required maintenance and watering during the initial two years. Trees or other vegetation which die after the second year shall be replaced and maintained by the property owners or their agents.

   Applicant is asked to confirm conformance with this requirement.

6. Plant species. The plant species selected should be hardy for the particular climatic zone in which the development is located and appropriate in terms of function and size. Street trees can be selected by referring to the background section of the Model Subdivision and Site Plan Ordinance. Shrubs and other planting may be selected from those recommended in a standard reference book, such as Shrubs and Vines for American Gardens by Donald Wyman (New York, MacMillan, 1969). Final selection shall be reviewed by the Town Center Subcommittee, and the landscape plan shall be submitted to the Subcommittee for its review and recommendations[52].

   Applicant is asked to confirm conformance with this requirement.

[52] Such Subcommittee no longer exists.

IV. Engineering Analysis

As a condition of any approvals granted this Application, Applicant is asked to:

A. Circulation, Parking & Loading

1. ***Revise the Refuse Collection Plan to demonstrate access to the existing angled trash enclosures.***

2. ***Provide testimony regarding how the proposed townhouse development will affect loading operations for the future adjacent uses.***

B. Site Layout, Grading, & Drainage

1. ***Clarify the limits of the project in conjunction with the future adjacent improvements on all plans*** (the shaded areas on the Demolition Plan are unclear as to the boundary line between existing and future improvements, and the limit of disturbance on the SESC Plan appear to conflict).

2. ***Provide additional curb spot elevations throughout the site and for retaining wall spot elevations.***

3. ***Provide flow arrows to depict the directions of runoff at high point elevations on the Grading Plan.***

4. ***Revise the proposed 132' elevation contour at the southerly entrance of the site.***

5. ***Revise the Plans for the existing 15" storm RCP in the vicinity of the existing drive thru area to be removed, not cut and capped. Proposed drainage plan shall not label existing inverts of pipes that are to be removed.***

6. ***Reanalyze pipe capacity calculations and inlet area map to account for existing storm structures to be affected.***

7. ***Provide a detail for proposed utility crossings with limits of the encasement depicted on the Plans*** (there are proposed utility crossings with a separation from the bottom of the sewer to the top of the storm pipe as shallow as 0.58').

C. Miscellaneous Engineering Comments

1. ***Provide the height of the base of the ground sign and the anticipated graphic if known at this time.***

2. ***Provide PE-certified designs to the Township's Building Department, prior to construction, for any of the retaining walls proposed on site that are over 4' in height.***

3. ***Provide details of the following:***

   a. Stamped asphalt.
   b. Stop Bar.
   c. 'No Left Turn' Sign.
   d. Steps and Railing.

V. Variances & Design Waivers

A. Applicant requires Variance relief under N.J.S.A. 40:55D-70(d)(1) (commonly referred to as a 'Use' variance) for Stacked Townhomes on Lot B, which are not permitted in the TC-3 Zone.

B. Applicant requires Variance relief under N.J.S.A. 40:55D-70(d)(5) (commonly referred to as a 'Density' variance) for exceeding the maximum permitted density in the TC-3 Zone.

C. Applicant requires relief under N.J.S.A. 40:55D-70(c) (commonly referred to as a 'Bulk' variance) for:

- Maximum Lot Width (Lot A: Route 33, Robbinsville / Edinburg Road & Alley);
- Maximum Lot Width (Lot B);
- Maximum Impervious Coverage (Lot B)
- Maximum Front Yard Setback (Lot B);
- Maximum Side Yard Setback (Lot B – East & West);
- Minimum Residential Setback (Lot B);
- Minimum Private Yard / Patio Setback (Lot B);
- Minimum Number of Street Trees (Lot B);
- Minimum Residential Buffer (Lots A & B);
- Minimum Setback from Rear of Dwelling; (Lot B);
- Maximum Parking Lot and Loading Area Coverage (Lot A);
- Minimum Front Porch Depth (Lot B); and
- Driveway Material (Lot B).

D. Prior Approval has been identified for:

- Maximum Lot Depth (Lot A);
- Maximum Building Depth (Lot A);
- Minimum Front Yard Setback (Building A – Robbinsville / Edinburg Road);
- Maximum Front Yard Setback (Building A - Route 33 & Robbinsville / Edinburg Road);
- Minimum Number of Street Trees (Lot A);
- Maximum Freestanding Sign Area (Lot A);
- Maximum Freestanding Sign Height (Lot A);
- Maximum Facade Sign Number (Lot A);
- Maximum Façade Sign Area (Lot A); and
- Maximum Façade Sign Projection (Lot A).

E. Pending clarification of the issues raised in this report, additional relief may be required.

While the law requires specific justifications for each of the several types of Variances permitted under N.J.S.A. 40:55D-70, the following general guidance is offered. The Board attorney will provide direction to Board members prior to its deliberations on this Application:

In order for a Board to grant a variance, an Applicant must demonstrate, to the Board's satisfaction, that: (1) such action will relieve peculiar and exceptional practical difficulties or exceptional and undue hardship upon the developer of the subject property resulting from the strict application of the zoning ordinance (typically known as a Hardship Variance); **OR** (2) that granting a variance to allow departure from the zoning ordinance would advance one of the purposes of the *Municipal Land Use Law* (N.J.S.A. 40:55D-1 et seq. [MLUL]) and that the benefits of the deviation would substantially outweigh any detriment (typically known as the Special Reasons). Collectively, these are known as the Positive Criteria.

An Applicant must also demonstrate, to the Board's satisfaction, that such variance can be granted without substantial detriment to the public good. This is known as the Negative Criteria.

Both the Positive Criteria and Negative Criteria must be satisfied in order for the Board to grant Variance relief. The grant of a 'd' Variance requires 5 affirmative votes. The grant of a 'c' Variance requires a majority vote of the members present. For 'd' relief, Applicant must further demonstrate, to the Board's satisfaction, that the site is particularly well-suited to the use / structure proposed.

The MLUL defines "peculiar and exceptional practical difficulties" and "exceptional and undue hardship" as:

a. *[where] by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation… would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property…[N.J.S.A. 40:55D-70c(1)]*

Under N.J.S.A. 40:55D-2, the MLUL enumerates as its purposes:

a. *To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;*

b. *To secure safety from fire, flood, panic and other natural and man-made disasters;*

c. *To provide adequate light, air and open space;*

d. *To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the County and the State as a whole;*

e. *To promote the establishment of appropriate population densities and concentrations that will contribute to the well being of persons, neighborhoods, communities and regions and preservation of the environment;*

f. *To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;*

g. *To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;*

h. *To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;*

i. *To promote a desirable visual environment through creative development techniques and good civic design and arrangement;*

j. *To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land;*

k. *To encourage planned unit developments which incorporate the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development to the particular site;*

l. *To encourage senior citizen community housing construction;*

m. *To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;*

n. *To promote utilization of renewable energy resources;*

o. *To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.*

p. *To enable municipalities the flexibility to offer alternatives to traditional development, through the use of equitable and effective planning tools including clustering, transferring development rights, and lot-size averaging in order to concentrate development in areas where growth can best be accommodated and maximized while preserving agricultural lands, open space, and historic sites; and*

q. *To ensure that the development of individual municipalities does not unnecessarily encroach upon military facilities or negatively impact the operation of military facilities, and to those ends, to encourage municipalities to collaborate with military facility commanders in planning and implementing appropriate land use controls, thereby improving the vitality of military facilities and protecting against their loss through the Base Realignment and Closure process or mission loss.*

VI. Post Approval Considerations

Should the Board grant the desired approvals for this Application, Applicant, and/or its professionals must, to the extent applicable:

A. ***Make all appropriate plan revisions as directed by the Board.***

B. ***Contact the Board Secretary to reconcile any outstanding review escrow accounts prior to Final Plan Certification, Signature or the issuance of building permits, as applicable.***

C. ***Address all necessary bonds, inspection escrows and related items.***

D. ***Provide an estimate of cost for all onsite improvements prepared by a New Jersey Licensed Professional Engineer.***

E. ***Submit to the Township Zoning Department and this office evidence (if not already provided) of the following outside agency approvals prior to the Final Plan Certification or Signature:***

1. ***Mercer County Planning Board.***
2. ***Mercer County Soil Conservation District.***
3. ***Robbinsville Township.***
4. ***New Jersey Department of Environmental Protection (if required)***
5. ***Any other as may be necessary.***

F. ***Additionally, Applicant is advised that any damage caused to existing Township-owned facilities (i.e., roadways, utilities, etc.) during construction shall be repaired and/or replaced in kind to the satisfaction of the Township Engineer.***

Any resubmissions in response to this report should be accompanied by a point-by-point response to all items. In order to facilitate the Board's decision-making process, Applicants are strongly encouraged to resolve as many items as possible prior to the hearing on this matter.

Respectfully Submitted,
ARH ASSOCIATES
By

Stuart B. Wiser, PP/AICP
Vice President of Planning & Environmental Services

Carolyn A. Feigin, PE, PP, CME
Principal Associate Engineer

SBW/LM

Roberts
ENGINEERING GROUP LLC

1670 Whitehorse-Hamilton Square Rd.
Hamilton, New Jersey 08690
609-586-1141 fax 609-586-1143
www.RobertsEngineeringGroup.com

June 9, 2026

Tianna Thompson, Land Use Coordinator
Planning/Zoning & Engineering Department
Robbinsville Township
2298 Route 33
Robbinsville, New Jersey 08691
Email: TThompson@robbinsville.net

Re: Sanitary Sewer Review No. 2
Preliminary and Final Major Site Plan, Use Variance, and Minor Subdivision
Applicant: Sharbell Building Co., LLC
Location: 2370 NJ Route 33
Block 8, Lot 1.18
Township of Robbinsville, Mercer County, New Jersey
Our File No.: RTLU260102

Dear Tianna:

As requested, Roberts Engineering Group, LLC has reviewed the submitted plans and documents in regard to the sanitary sewer construction for the above referenced project. The subject property is located at 2370 NJ Route 33. The existing site, Block 8, Lot 1.18 is 2.53 acres in size and is presently developed with an existing commercial building (formerly Rite Aid) and accompanying parking lot.

The proposed project proposes a minor subdivision of Lot 1.18, resulting in Lot A (former Rite Aid) consisting of 1.97 Acres, and Lot B consisting of 0.55 Acres. Proposed construction on Lot B includes one building comprised of four (4) stacked townhome building sections, containing a total of eight (8) residential units. The proposed townhome building will have a combined footprint of 6,815 SF and will be located adjacent to the former Rite Aid building in an area currently utilized for temporary parking.

The project will also include associated site improvements including driveways, parking areas, landscaping, lighting, stormwater management facilities, and utilities.

The following documents were utilized in our Sanitary Sewer Service Review:

1. Copy of a Plan Distribution Memorandum from Tianna Thompson, Land Use Coordinator, dated June 2, 2026.

2. Copy of a Transmittal to Robbinsville Land Use Board, prepared by Mark A. Cannuli, A.I.C.P./P.P., Senior Vice President of Development of Sharbell Development Corporation, signed and dated February 12, 2026.

3. Copy of Township of Robbinsville General Land Use Application, signed and dated January 27, 2026.

4. Copy of Township of Robbinsville Preliminary Site Plan Checklist, signed and dated, December 29, 2025.

5. Copy of Township of Robbinsville Final Site Plan Checklist, signed and dated, December 29, 2025.

6. Copy of Township of Robbinsville ‘D’ (Use) Variance Checklist, signed and dated December 29, 2025.

7. Copy of plans entitled, “Use Variance & Preliminary and Final Site Plan for Sharbell Building Company, LLC, Proposed Stacked Townhomes, Block 8, Lot 1.18; Tax Map Sheet #1.18 – Latest Rev. Dated 5/22/2026, NJSH Route 33 & Robbinsville-Edinburg Road, Township of Robbinsville, Mercer County, New Jersey”, prepared by Dynamic Engineering Consultants, PC, dated January 2, 2026, consisting of 20 sheets.

8. Copy of plans entitled, "Minor Subdivision Plan for Sharbell Building Company, LLC, Proposed Stacked Townhomes, Block 8, Lot 1.18; Tax Map Sheet #1.18 – Latest Rev. Dated 2/29/2016 [2026], NJSH Route 33 & Robbinsville-Edinburg Road, Township of Robbinsville, Mercer County, New Jersey", prepared by Dynamic Engineering Consultants, PC, dated January 2, 2026, consisting of 2 sheets.

9. Copy of a Potable Water and Sanitary Sewer Engineer's Report, prepared by Dynamic Engineering Consultants, PC, dated December 2025, consisting of 9 sheets.

10. Copy of point-by-point response letter prepared by the Applicant's Engineer, Jeffrey Haberman, PE, PP, prepared by Dynamic Engineering Consultants, PC, dated May 29,2026, addressing a March 16, 2026 review letter from Roberts Engineering Group, LLC, pages 16 thru 22.

We have reviewed the documents and plans submitted in support of the Preliminary and Final Major Site Plan, Use Variance, and Minor Subdivision application and find the plans are COMPLETE for sanitary sewer review.

We offer the following comments:

<u>Site Plans and General Comments</u>

1. Lot 1.18, Block 8 is located entirely within the sewer service area.

2. The subject property is located on the corner of New Jersey Route 33 and Robbinsville-Edinburg Road. The former Rite Aid Building is currently served by an 8-inch diameter gravity sewer main which extends into Lot 1.18 to the north of the existing building. Township records indicate that the existing gravity sewer main on Lot 1.18 connects to an existing 8-inch diameter gravity sewer main in the Alley behind Union Street.

3. The existing commercial building (former Rite Aid) will be occupied by new tenants and will continue to be served by the existing sanitary sewer lateral. There are site improvements proposed at the border of new Lots A and B in the vicinity of the existing sanitary sewer.

    a. The grading plan shows an increase in grade elevation at the location of the existing sanitary cleanout. The existing cleanout frame and cover will need to be reset to the proposed grade. The existing cleanout frame and cover can be reused if they are in good condition and if they meet the Township Standard as shown in the detail entitled "Cleanout Access Frame and Cover", included on the Construction Details sheet. The Applicant's Engineer has stated that this will be addressed with the application for the Rite Aid conversion.

    b. The exact location of the existing lateral and cleanout should be field verified prior to the start of construction to avoid any conflicts and ensure its protection. Construction of the proposed storm piping should be performed with appropriate caution to prevent damage to the existing sanitary sewer lateral. The Applicant's Engineer has stated that this will be addressed with the application for the Rite Aid conversion.

    c. There is proposed a 12" PVC storm pipe conveying storm runoff from Proposed Lot B which crosses over the existing Rite Air building sewer lateral near the cleanout. Please confirm that there is no piping conflict between existing sanitary lateral/cleanout and proposed storm piping after field verifying the existing conditions. The Applicant's Engineer has stated that this will be addressed with the application for the Rite Aid conversion; however, this should be addressed with this application as a pipe conflict could affect the design for this application.

4. The plans show existing sanitary sewer labeled as "Existing 6" - 8" Stub (To Be Field Verified)". This existing sewer pipe stub is an 8-inch diameter pipe, not 6-inch. Please update the note on the plans.

5. The Contractor shall inspect and confirm the exact location and extents of the 8-inch diameter stub prior to the start of construction. The existing pipe must be inspected and confirmed to be in good condition and clear of obstructions prior to making the new connections to the sewer.

6. The applicant proposes eight (8) Dwelling Units on Proposed Lot B to be served with shared laterals, consisting of one shared 6-inch diameter lateral for every two units, for a total of four (4) laterals. This approach is consistent with the design utilized in Preston Pointe stacked townhome community on Gordon Road and is acceptable for this application.

   The proposed stacked townhomes must be served by an extension of the existing 8-inch gravity sewer main on Lot 1.18. In accordance with Township and State standards, the design must be revised to extend the existing stub-out 8-inch diameter gravity sewer onto proposed Lot B so that each of the four (4) 6-inch diameter laterals can be individually connected to the 8-inch diameter gravity main. A terminal manhole shall be provided upstream from the lateral connections for maintenance access.

   Please revise the plans to show an 8-inch diameter gravity sewer extension onto Lot B and one (1) sanitary manhole at the upstream terminus. Please provide a Sanitary Sewer Profile drawing showing the new 8-inch diameter gravity sewer. Label the inverts of proposed sewer main, proposed lateral connections, as well as other existing and proposed underground utilities. Show all utility crossings on the Sanitary Sewer Profile and the vertical separation distance for each crossing. Where vertical separation is less than 18 inches at the utility crossing, provide concrete encasement of the sanitary sewer.

   The 8-inch gravity sewer main shall be centered within a new 20-foot-wide Access/Maintenance Easement dedicated to Township of Robbinsville. The Applicant shall show the easement on the Minor Subdivision Plan and the Site Plan and shall dedicate the easement to the Township prior to construction.

7. Sanitary cleanouts are proposed near the foundation of each building. There shall also be a cleanout provided behind the curb line, in accordance with the Robbinsville Township standard detail entitled Service Lateral Connection Detail, as included on the Construction Details. Label the invert elevations at the cleanouts.

8. Please note that the square footage listed in the cover letter for this application does not match the square footage shown on the plans and reports. Also, the Engineer's Report has different values for the existing and proposed square footage. Please update the square footage so that it is consistent in all documents.

9. As per N.J.A.C. 7:14A-23.3(a), the total average daily sewage flow for this project will be 2,100.00 gallons per day (GPD) flow criteria as follows:

   a. <u>Existing Retail Building – 14,462 SF</u>

Stores and Shopping Centers (gross area) = 0.10 GPD/SF		
14,462 SF x 0.10 GPD/SF	=	1,446.20 GPD
Total Existing Sanitary Sewer Flow	**=**	**1,446.20 GPD**

   b. <u>Proposed Stacked Townhome (8 dwellings)</u>

2 Bedroom Unit = 225 GPD per Dwelling		
3 Bedroom Unit = 300 GPD per Dwelling		
4 – 2-Bedroom Units x 225 GPD/Dwelling	=	900.00 GPD
<u>4 – 3-Bedroom Unit x 300 GPD/Dwelling</u>	=	<u>1,200.00 GPD</u>
Townhome Buildings Total Flow	=	2,100.00 GPD
Total Projected Sanitary Sewer Flow	**=**	**2,100.00 GPD**

10. Per N.J.A.C. 7:14A-22.3, an NJDEP Treatment Works Approval (TWA) Permit is required if the project involves a gravity or pumped connection serving more than two buildings. The proposed stacked townhomes will add four (4) new sewer lateral connections for the eight (8) residential dwellings. **Therefore, this project will require a TWA Permit.**

11. As per Township Code, Chapter 109-12B (1), a Sanitary Sewer Connection Fee will be required for this site. Rates in effect at the time of connection will apply.

    The Sanitary Sewer Connection Fee is based on Township Code, Chapter 109-12B (1) as follows:

    Single Family Dwelling = *$3,030*

    a. **Proposed Connection Fees:**

    8 – Proposed Stacked Townhome
    Single Family Dwelling = *$3,030.00*
    8 Units x $3,030.00/dwelling = $24,240.00

    Total Connection Fees for Proposed Buildings = $24,240.00

12. Upon approval, the Applicant is requested to provide an electronic copy of the sanitary sewer improvements so that the Township's overall sanitary sewer map can be updated.

We will continue our review upon submission of revised plans and reports.

Very truly yours,

Cameron Corini, PE, CME, CPWM
Township Sewer Utility Engineer

cc: Chris English, Director of Community Development
John Nunziato, PE, PP, Township Engineer
Justin Streleckis, PE, Roberts Engineering Group, LLC
Ama Nimako, Roberts Engineering Group, LLC

MEMORANDUM REPORT

To: Planning Board

From: Steve Leone, AIA, LEED ap
Township Architectural Consultant (Spiezle)

Date: June 9, 2026

RE:

Application:	**LU 26-01-02**
Application for:	**Preliminary and Final Major Site Plan /Minor sub & Variance**
Applicant:	**Sharbell Building, Co., LLC**
Project:	**Sharbell Building, Co., LLC**
Block:	**Block 8 – Lot 1.18**
Zone:	**TC-3 (Town Center District)**
REVIEW #2	
Escrow Account:	**R260102**

Summary

This review is based on our experience and the architectural design requirements referenced in the Robbinsville Township Ordinance (T.O.). In connection with the above-referenced project, we have reviewed the following documents on which we make our subsequent recommendations:

Documents Reviewed

- Response letter prepared by Dynamic Engineering Consultants and dated May 29, 2026
- Design Waiver/Variance Request Form
- Community Impact Statement prepared by Mark Cannuli and dated May 28, 2026
- Site/Civil engineering drawings (20 sheets), prepared by Dynamic Engineering with latest revision date of 05/22/26
- Architectural drawings (11 sheets), prepared by Minno Wasko Architects and Planners with latest revision date of 05-29-26

Project Description

Applicant is applying for preliminary and final site plan use variance and minor subdivision application for eight (8) stacked townhomes to be contained in one building which will be adjacent to the former Rite-Aid building in the area currently used for temporary parking.

Waiver/Variance Requests: There are a number of waivers being requested as outlined in the submitted documents.

Architectural Design

1. The Applicant is proposing a new mixed-use development as noted. The following comments should be addressed:

Original Comment

a. *Applicant is asked to provide full notations of each and all elevations as no such information has been provided. Notations shall clearly and fully describe the exterior materials in type, texture, color, etc. No colors are noted on the material schedule. Applicant shall submit an exterior finish sample board for visual confirmation of actual colors and textures.*

Current Comment

Applicant has provided notations for exterior finishes noting proposed finish systems. No reference to actual color by name or number, has been provided. Applicant shall identify such.

Original Comment

b. *No gutters or leaders are illustrated on the elevations. Applicant shall fully illustrate and note material and color.*

Current Comment

Applicant responded by stating that gutters and leaders will be provided for resolution compliance. This comment remains open.

Original Comment

c. *Elevations appear to illustrate building mounted lighting. Applicant shall note and clarify if there is any such lighting and provide product specification. This shall also be coordinated with site/civil engineering drawings. No such lighting is indicated on those drawings.*

Current Comment

Applicant has provided sufficient detail. No further response required.

Original Comment

d. *Elevations illustrate horizontal bands or water table. Applicant shall identify material and color.*

Current Comment

Applicant has provided sufficient detail. No further response required.

Original Comment

e. *There is a projection on the West elevation that is not identified in terms of function, material, or color. Projection also appears on the site/civil drawings but not identified on those documents either. Projection appears to have different proportions on those drawings. Applicant shall reconcile.*

Current Comment

Applicant has provided sufficient detail. No further response required.

Original Comment

f. *Garage assignments on drawing A-02 appear to be mislabeled with regard to corresponding living unit. Applicant shall reconcile.*

Current Comment

Applicant has provided sufficient detail. No further response required.

Original Comment

2. *Applicant shall identify type of HVAC systems to be utilized and their impact on building facades and/or roofs. If through wall units are anticipated, intake and exhaust locations and grilles are to be illustrated and detailed.*

Current Comment

Applicant has responded by stating that there will be condensers serving the individual units confirming that there will be no such equipment or components visible to the public. No further response required.

Original Comment

3. *Applicant shall confirm whether or not roof mounted and/or ground mounted equipment will be present and visible to the general public. If so, Applicant shall provide appropriate screening.*

Current Comment

Applicant has responded by stating that there will be condensers serving the individual units and that they will be buffered with landscaping however the proposed condensers were not illustrated on any drawing. Applicant shall illustrate proposed locations and proper screening.

Original Comment

4. *We noted that the civil drawings a modular block retaining wall. Applicant shall identify material tecture and color. Wall shall integrate aesthetically with building facades.*

Current Comment

Applicant has responded by stating testimony will be provided at the Land Use Board hearing and that Site Plan Details will be revised to notate the texture and color of the retaining wall as a condition of approval. No further response required.

Original Comment

5. *No signage information or detail has been provided. Applicant shall submit all proposed signs coordinated with the sign table provided on the site/civil drawings.*

Current Comment

Applicant has removed the proposed 8' x 6' monument sign from the application. No further response required.

Original Comment

6. *Site/civil lighting plan illustrates a significant amount of light level spillage across property lines. Applicant shall reconcile to limit such spillage to be below 1.0 footcandles.*

Current Comment

The Lighting Plan (Sheet 11 of 20) will be revised to shield light fixtures to limit spillage below 1.0 FC as a condition of approval. No further response required.

Original Comment

7. *Applicant shall identify how trash disposal will be addressed. If there is an external trash holding area, Applicant shall identify on the drawings.*

Current Comment

Applicant has responded by stating that testimony will be provided at the Land Use Board hearing regarding garbage collection for the townhouses. Curb side pickup will be utilized by all eight units. No further response required.

The above comments are relative to architectural design and site layout only and do not address issues such as, but not limited to, structural design, construction details, building code/NJUCC compliance, compliance with the Americans with Disabilities Act, or technical site considerations such as lighting levels, landscaping selections, and/or traffic engineering. Please feel free to contact me if there are any questions regarding the above.

Respectfully Submitted,

Steve Leone, AIA, LEED BD+C
Principal
SPIEZLE ARCHITECTURAL GROUP, INC.

YOUR GOALS. OUR MISSION.

ROBB-R0024

June 9, 2026
Via Email

Robbinsville Land Use Board
2298 Route 33
Robbinsville, New Jersey 08691

Re: Sharbell Building Company, LLC (Application #LU26-01-02)
Proposed Stacked Townhomes
Block 8, Lot 1.18
Township of Robbinsville, Mercer County, NJ
Traffic Engineering Review No. 2

Dear Board Members,

T&M Associates has completed a traffic related review of the Land Use Application for the Proposed Mixed-Use Development located at Block 8, Lot 1.18 in Robbinsville Township, New Jersey. The following documents were included as part of this review:

- Traffic Impact and Parking Assessment, dated January 5, 2026, prepared by Dynamic Traffic
- Site Plans entitled "Use Variance & Preliminary and Final Site Plan for Sharbell Building Company, LLC, Proposed Stacked Townhomes," dated January 2, 2026, **last revised May 5, 22, 2026,** prepared by Dynamic Engineering
- **Applicant's Response Letter, dated May 29, 2026, prepared by Dynamic Engineering**
- **NJDOT Letter of No Interest, dated August 26, 2025, prepared by NJDOT**

Based on our review, we offer the following comments for consideration:

Site Description

The project site is located in the northeast quadrant of the intersection of Route 33 & Robbinsville Edinburg Road in Robbinsville Township, New Jersey. The Applicant is proposing to modify an existing parking area to provide an eight unit stacked townhome building. An existing 14,608 SF Rite Aid pharmacy with drive thru located on the adjacent lot will be retrofitted to provide a 9,141 SF grocery store and 7,679 SF of office. Access to the site, which consists of a right in / right out driveway to NJ Route 33, a left and right in / right out driveway to Robbinsville Edinburg Road, and an interconnection to Union Street are proposed to remain unchanged. Parking is provided via a combination of surface parking spaces and garage / driveway combinations.

To: Robbinsville Land Use Board
Re: **Sharbell Building Company, LLC (Application #LU26-01-02)**
Proposed Stacked Townhomes, Block 8, Lot 1.18
Township of Robbinsville, Mercer County, NJ
Traffic Engineering Review No. 2

Traffic Impact

3. Table 2 of the Traffic Impact and Parking Assessment provides a trip generation comparison of the existing Rite Aid use to the proposed mixed-use development and concludes that the proposed changes will fall below the NJDOT threshold of 100 peak hour trips, with a net decrease of 56 trips during the AM peak hour, a net decrease of 12 trips during the PM peak hour, and a net increase of 55 trips during the SAT peak hour. The following items relating to trip generation shall be addressed:
    a. Table 2 shall be revised to addresses any mathematical errors present, such as the calculated net increase in the PM peak hour.
    Continuing comment. The Applicant has indicated the Traffic Impact Assessment will be revised as a condition of approval.
    b. Testimony shall be provided confirming that use of ITE 12th Edition trip generation rates as detailed above do not change the conclusions made in the traffic assessment.
    Continuing comment. The Applicant has indicated testimony will be provided regarding use of ITE 12th Edition trip generation rates.

Parking and Loading

5. A total of **64 parking spaces minimum** and **84 parking spaces maximum** are required for the proposed project. The governing parking space requirement calculations are provided below for reference:

    Per Section 142 Attachment 5-1 Town Center Zoning and Design Regulations, Section F:
    Townhouse: 1 garage space per first bedroom, plus 1 space for more than 1 bedroom
    Retail: Minimum 1 space per 350 sf, Maximum 1 space per 250 sf
    Office: Minimum 1 space per 350 sf, Maximum 1 space per 250 sf

    The proposed development consists of 8 stacked townhouses, 9,141 sf of retail space (Italian Market), and 7,679 sf of office space for a resulting parking requirement of:

    8 Townhouses = 16 spaces (8 garages & 8 surface spaces)
    9,141 sf retail space = 26 spaces minimum, 37 spaces maximum
    7,679 sf office space = 22 spaces minimum, 31 spaces maximum

    Total Parking Required = 64 spaces (minimum); 84 surface spaces (maximum)

    Parking Provided for Proposed Site
    107 surface parking spaces, 8 private garage spaces, and 8 private driveway spaces are provided on the Site Plan for a total of 123 parking spaces. Of this total, 21 spaces are reserved for the existing adjacent residential development, resulting in 102 available parking spaces for the proposed site.

To: Robbinsville Land Use Board
Re: **Sharbell Building Company, LLC (Application #LU26-01-02)**
Proposed Stacked Townhomes, Block 8, Lot 1.18
Township of Robbinsville, Mercer County, NJ
Traffic Engineering Review No. 2

Parking Summary
Required: 64 spaces Minimum, 84 spaces Maximum
Provided (available): 102 spaces

Based on the above, the minimum parking requirement is satisfied; however the maximum parking requirement is exceeded. We recommend the applicant provide testimony regarding any potential detriment to providing parking in excess of the maximum parking supply permitted.
Continuing comment. The Applicant has indicated testimony will be provided regarding parking calculations. The maximum parking requirement of 84 spaces remains exceeded by the proposed 102-space parking supply.

6. A total of 3 (including 1 ADA Accessible) Electric Vehicle (EV) / Make-Ready parking spaces are required for the proposed project. The EV parking space requirement calculations are provided below for reference:

Section 40:55D-66.20 of the NJ Revised Statues:
Townhouses: 15% of the off-street parking spaces required, with 5% of the EV spaces being ADA Accessible

16 residential spaces required * 15% = 3 EV spaces required
3 EV spaces required * 5% = 1 ADA Accessible EV space required

Total EV Parking Required for Townhouse Component = 3 (including 1 ADA Accessible) EV spaces

The Site Plan provides 8 EV spaces, all contained within private residential garages for the townhouse component. Please clarify how the ADA Accessible component of the EV parking requirement will be met.
Continuing comment. The Applicant has indicated testimony will be provided regarding the ADA component of the EV parking requirement.

To: Robbinsville Land Use Board
Re: **Sharbell Building Company, LLC (Application #LU26-01-02)**
Proposed Stacked Townhomes, Block 8, Lot 1.18
Township of Robbinsville, Mercer County, NJ
Traffic Engineering Review No. 2

Site Plan (Townhouse Component Only)

12. The site plan provides a 6' wide crosswalk west of the proposed steps to the front of the residential building. ADA accessible ramps and appropriate pedestrian warning signage shall be provided for the crossing.
Partially addressed. The requested "PEDESTRIAN CROSSING" warning signs have been added. However, they are shown installed within an at-grade asphalt area and are subject to being hit by a vehicle. These signs should be relocated to the other side of the crosswalk behind the sidewalk. Additionally, the warning signs should be fit with W16-7PL/R "DOWARD DIAGONAL ARROW" plaques pointing towards the crosswalk markings.

Access and Circulation

15. Design Vehicle Circulation Plans have been provided for a garbage truck and fire truck. The following shall be addressed:
    a. Garbage Truck – Please provide testimony clarifying if the residential units will utilize the dumpsters located on site or if garbage collection for the residential units will be via some other means.
    Continuing comment. The Applicant has indicated testimony will be provided regarding garbage collection for the townhouses.
    c. Delivery Truck (SU-40 or largest anticipated) – Provide an additional circulation plan which shows a delivery vehicle entering the site, accessing the designated loading area(s), and exiting the site in one continuous movement. Loading operations shall not be permitted within access aisles.
    Continuing comment. The Applicant has indicated a Delivery Truck Circulation Plan will be provided as a condition of approval.

Transportation Improvement Plan (TIP) Fee for Route 130 & Voelbel Road

16. The Applicant is required to pay a fair share contribution (TIP fee) for roadway improvements in accordance with Section 142-90.C.2.a.3 of the Municipal Code. The calculation is based on the following:
    a. Add the total proposed Site Generated peak hour traffic for AM, PM, & Weekend trips
    b. Multiply the total trips by the anticipated percent distribution of traffic utilizing the intersection of Route 130 & Voelbel Road
    c. Multiply the resultant number of trips by 2025 base fee of $731.31, then adjust this fee as appropriate for the current year based on the "rate of interest charged on judgments docketed with the Superior Court of New Jersey", which is established as 4.5% for 2026.

To: Robbinsville Land Use Board
Re: **Sharbell Building Company, LLC (Application #LU26-01-02)**
Proposed Stacked Townhomes, Block 8, Lot 1.18
Township of Robbinsville, Mercer County, NJ
Traffic Engineering Review No. 2

The TIP fee calculation is as follows:

TIP Fee = (0 AM + 0 PM + 55 SAT "new" trips) x 20% distribution x ($731.31 x 1.045 rate of interest)

TIP Fee = $8,406.41

Continuing comment. The Applicant states that as part of prior approvals for the TC-3 Commercial Corner in Town Center project, they already funded substantial off-site traffic improvements including over $800,000 in upgrades to the Route 33 and Route 526 intersection and additional off-tract payments memorialized in earlier resolutions and agreements. The Applicant therefore believes these prior contributions satisfy their required off-site traffic obligations. We defer determination of the required TIP Fee to the Board Engineer and Board Attorney.

If you have any questions or require additional information, please do not hesitate to call.

Very truly yours,
T&M ASSOCIATES

BRUCE P. KLEIN, P.E., P.T.O.E.
ROBBINSVILLE L.U. BOARD TRAFFIC ENGINEER

BPK:JAF:CJD

G:\Projects\ROBB\R0024\Correspondence\ROBBR0024_LU26-01-02_2nd Traffic Engineering Review.docx

Robbinsville TOWNSHIP
BE AT THE CENTER OF IT ALL
Planning/Zoning/Engineering Office
2298 Route 33, Robbinsville, NJ 08691
Phone (609) 259-3600, ext. 1122 e-mail:tthompson@robbinsville.net

DISTRIBUTION OF PLANS

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Date: February 27, 2026

From: Planning/Zoning Board Secretary

Re:
Application #: **LU26-01-02**
Application for: **Preliminary and Final Major site plan/ Minor sub & Variance**
Applicant: **Sharbell Building, Co., LLC**
Project: **Sharbell Building, Co., LLC**
Block: **Block 8, Lot 1.18**
Zone: **TC-3**
REVIEW #1
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I have reviewed the above-referenced plans and have the following comments:
Traffic, Sewer for the entire Space
Signage, lights, noise
Impervious / Coverage

Signature: J. Thompson Date: 5/4/26
Print name and Title: LUB Secretary / Coordinator

Attachment(s)

Cc: Application File

Robbinsville Township
Board of Health

Mercer County
2298 Route 33, Robbinsville, New Jersey 08691
Telephone (609) 936-8400, Fax (609) 799-2136

Memorandum

To: Tianna Thompson, Land Use Coordinator

From: Greg Guttadora, Senior REHS

RE: LU26-01-02 Sharbell Building LLC Block 8 Lot 1.18

Date: March 23, 2026

The Robbinsville Health Department has reviewed the Site Plan application proposal for the above referenced site, and offers the following comments:

1. The Health Department takes no exception to granting the waiver request for items #24-26 on the Final Site Plan Checklist.
2. The Health Department takes no exception to granting the waiver requests for items #26 and #29 on the D Use variance Checklist.
3. The Health Department takes no exception to granting the waiver request for items #36 through 42 on the Preliminary Site Plan Checklist.
4. The Health Department takes no exception to granting the waiver request for items #24 through 31 on the Minor Subdivision Checklist.

These comments neither stated nor implied, guarantees the approval of this application and does not relieve the applicant from seeking or gaining any other necessary approvals from other Agencies, Departments or Boards

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	Construction Official	
	Public Works	
	Police Department	
	Tax Assessor	
	Affordable Housing	

Date: February 27, 2026

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Re:
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I have reviewed the above-referenced plans and have the following comments: See Attached Sheet for Comments.

Signature: Brian F. Johnson Date: 3/24/26
Print name and Title: Brian F. Johnson Fire Official

Attachment(s)

Cc: Application File

DOWNTOWN ROBBINSVILLE

PROPOSED CONDO BUILDINGS

ROBBINSVILLE, MERCER COUNTY, NEW JERSEY



ILLUSTRATIVE PERSPECTIVE

PROJECT UNIT MIX:

TOTAL PROJECT

2 -BEDROOM	4 DU
3-BEDROOM	4 DU
TOTAL	8 DU



LOCATION MAP

NTS

PROJECT DATA

BLOCK / LOT:	
ZONING DISTRICT:	
LOT AREA:	24,085 SF (0.55AC/RES)
BUILDING HEIGHT:	3 STORIES
BUILDING FOOTPRINT:	
DWELLING UNITS:	8 DU
GARAGE PARKING:	8 SP

SHEET INDEX

C-01	COVER SHEET
A-02	SITE PLAN
A-03	GROUND FLOOR PLAN
A-04	SECOND FLOOR PLAN
A-05	THIRD FLOOR PLAN
A-06	BUILDING ELEVATIONS
A-07	BUILDING ELEVATIONS
A-08	TYPICAL UNIT PLANS
A-09	TYPICAL UNIT PLANS

PLANNING BD. APPROVAL

PRELIMINARY AND FINAL SITE PLAN APPROVAL IS HEREBY GRANTED TO THIS SITE PLAN BY THE PLANNING BOARD OF THE CITY OF XXXX, NEW JERSEY. THIS __ DAY OF _____ 2023.

Board Chairman

Board Secretary

Board Engineer

PREPARED BY:

MINNO ■ WASKO

ARCHITECTS AND PLANNERS

DOWNTOWN ROBBINSVILLE

ROBBINSVILLE, MERCER COUNTY, NEW JERSEY

PREPARED FOR:

SHARBELL

ISSUE:	
DATE:	FOR:
12-16-2025	PRELIM & FINAL SITE PLAN

C-01

COVER SHEET

COPYRIGHT © MINNO & WASKO ARCHITECTS AND PLANNERS

ROBBINSVILLE TOWNSHIP FIRE DEPARTMENT

Brian F. Johnson
Fire Official

1149 Route 130
Robbinsville, NJ 08691
Phone: (609) 259-7814 x 4103
Mobile: (609) 977-9818
Fax: (609) 259-3869
bjohnson@robbinsville.net

Application LU26-01-02
Sharbell Building Co.

March 24, 2026

Only comments for this application are,

1. Will the drive entrance from route 33 remain or will it no longer exist ?
2. Will Electric Vehicle Charging be allowed Inside the garage areas ?

Brian F. Johnson,CFEI,FIT,ECT
Fire Official
Robbinsville Twp

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Date: February 27, 2026

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I have reviewed the above-referenced plans and have the following comments:

Apply for permits when Approved

Signature: Roger Torr Date: 3-20-26
Print name and Title: Roger Torr

Attachment(s)

Cc: Application File

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I have reviewed the above-referenced plans and have the following comments:
No Comment

Signature: Chris Rupp Date: 3/3/26
Print name and Title: Chris Rupp Director of DPW

Attachment(s)

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	Construction Official	
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I have reviewed the above-referenced plans and have the following comments:
NO COMMENTS AT THIS TIME

Signature: Sgt W [signature] Date: 2-27-26
Print name and Title: Sgt Wayne Haugh

Attachment(s)

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I have reviewed the above-referenced plans and have the following comments:

No comments at this time

Signature: Mary Thun
Print name and Title: Mary Thun - Tax Assessor Date: 3/3/26

Attachment(s)

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I have reviewed the above-referenced plans and have the following comments:

It is the office of affordable housing's understanding that the applicant intents to satisfy its affordable housing obligation for this site by building the units within the Gordon Simpson Redevelopment Site. Applicant is asked to provide testimony as to the feasibility of providing its affordable housing obligation in this manner.

Signature: _____ Date: 04/21/2026

Print name and Title: Cheressa DiNatale MHL/AA

Attachment(s)

Cc: Application File