



TOWNSHIP OF NORTH BRUNSWICK

710 HERMANN ROAD
NORTH BRUNSWICK, NJ 08902

Tel.: (732) 247-0922 x440

Fax: (732) 289-3822

Website: WWW.NORTHBRUNSWICKNJ.GOV

DEPARTMENT OF COMMUNITY DEVELOPMENT

MEMORANDUM

TO: Mr. Peter U. Lanfrit, Esq.
Borrus, Golden, Foley, Vignuolo, Hyman & Stahl
2875 Route 1 & Finnegans Lane
North Brunswick, New Jersey 08902

FROM: Sal Profaci, Zoning Officer

DATE: February 22, 2023

SUBJECT: Block: 140.01 Lots: 5.02 & 7.01
Street Address: 1460 Livingston Avenue
Applicant: 1460 Livingston Avenue LLC

Dear Mr. Lanfrit:

I have reviewed the application to modify resolution conditions from a previously granted use variance and site plan approval at the above-referenced address, and I am issuing the following report.

Application Materials Reviewed

- 8 - Sheet Site Plan / Conditional Use Application (Form A), dated 1/30/2023
- Mr. Peter Lanfrit Esq. (Attorney for the Applicant) letter dated 1/17/2023

Project Description

1. The applicant is seeking to remove certain conditions imposed by the Zoning Board of Adjustment on two previously approved warehouse buildings. The applicant is stating these restrictions have caused a great hardship on marketing these warehouse buildings to potential tenants. The type of tenants, hours of operation and vehicle access are spelled out in Peter Lanfrit's January 17th 2023 letter which is attached.

Background

2. By resolution adopted September 21, 2021, the Zoning Board of Adjustment granted use variance and site plan approval with bulk variances to construct two new multi-unit warehouse buildings with associated parking and loading areas. Pursuant to Municipal Ordinance 205-67 (A) warehouses are not a permitted use in the C-2 Zone. Pursuant to Municipal Ordinance 205-68 (B) a thirty (30) foot buffer strip shall be added to any required rear or side yard which abuts a residential use. The parking area is 7.67 feet from the side property line. Both variances were granted.
3. Building #1 will consist of 38,960 sq. ft. of warehouse space and 4,350 sq. ft. of office space (6 units, 7,218 sq. each), and building #2 will consist of 38,850 sq. ft. of warehouse space and 4,350 sq. ft. of office space (6 units, 7200 sq. ft. each).
4. The subject property consists of approximately 21.03 acres, and is a split-zone lot located within the I-1 Industrial and C-2 General Commercial Zoning Districts. The portion of the lot along Route 1 where the proposed development will mainly be situated is zoned C-2 General Commercial, and warehouses are not permitted in the C-2 zone.
5. The property consists of four existing buildings with associated parking, driveways and two access points from Livingston Avenue (See Photos). The applicant does not have access from Route 1. The existing buildings contain different type of uses, such as offices, an indoor recreational facility, warehouse and adult day care center.

The applicant is requesting relief and or a modification of the following restrictions:

- **The applicant agreed that no space in the subject site will be leased to any Amazon or similar type of distribution facility.**
- **Applicant will agree to a limitation that no single tenant shall be permitted to occupy more than 21,655 square feet in any of the new proposed buildings.**
- **The proposed gate will be closed at 8:00 PM and will reopen at 7:00 AM in order to prohibit trucks from parking overnight on site who arrive after 8:00 PM and prevent overnight loading and unloading.**

Truck Access

The access restrictions imposed by the September 21st 2021 Zoning Board approval are identical to the access restrictions in the Municipal truck access code enforcement ordinance 243-31A (13)e, as can be seen below. The granting of the requested restrictions would be in direct conflict with our ordinance and would cause a constant violation.

Municipal ordinance 243-31A (13)e states as follows: The following are truck access restrictions applicable to warehouse/distribution operations. Truck access to loading/unloading facilities in rear or side yards abutting residential zones shall be restricted during the hours of 8:00 p.m. to 7:00 a.m. Monday to Friday and 8:00 p.m. to 9:00 a.m. Saturday and Sunday by the installation of a fence with a gate. Said gate shall remain closed during prohibited hours to keep trucks out of rear or side yard areas. However, trucks stored at the vehicles operator's place of business shall be permitted to be parked overnight in side yard areas subject to truck idling restrictions of this section.

The applicant proposes the following for the proposed home installation tenant:

- Operating Hours:

Monday - Friday – 6:00 a.m. to 7:00 p.m.

Saturday – 8:00 a.m. to 4:00 p.m.

- Vehicle Access:

Trailers (53 foot) and Box Trucks:

1-2 deliveries daily between 6:00 a.m. to 4:00 p.m.

Trucks are on site for approximately 1 hour.

The applicant proposes the following for the distribution/fulfillment facility:

- As a condition of approval, no tenant shall occupy more than 21,655 square feet in any of the existing buildings. The proposed new tenant will occupy the entire building. 25,500 square feet for storage, 15,000 square feet for refrigerated storage, and 2,500 square feet for office.

- Operating Hours:

Monday - Friday – 6:00 a.m. to 8:00 p.m.

Saturday – 6:00 a.m. to 4:00 p.m.

- Vehicle Access:

Inbound Shipments: Three 40-foot-long containers per day

Outbound Shipments: 2-5 shipments per day on average

Site Plan, Parking & Traffic Circulation

6. There are no site plan or parking modifications being proposed as part of this application. The September 21st 2021 approval did not supply any reports with respect to truck traffic, pedestrian and vehicular movement. The applicants traffic expert provided testimony that

with respect to the proposed operation of the new tenants being unknown they were unable to provide detailed information. The applicant may wish to provide testimony and or a traffic vehicular movement report. Also note that there have been no proposed revisions to the interior floor plan or architectural.

Completeness

Fees and Escrow Deposits (205-139)

The applicant must remit the following application fees and technical review escrow deposits in order for a Completeness Certification to be issued.

Land Use Application Fees:

Zoning Report	\$200.00
Revised Site Plan	<u>\$500.00</u>
Total	\$700.00

Technical Review Escrow Deposit:

Revised Site Plan (1/3 of original escrow)	\$6,242.00
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Please remit two separate checks in the above total amounts and provide items identified above. Upon receipt and review of the requested materials, you will be notified regarding the status of your application with respect to a Board hearing, for which proper notification will be required. If you have any questions, you may contact Kristen Olcsvay, Secretary to the Zoning Board, at 732-247-0922, extension 209.

Sincerely,



Sal Profaci, Zoning Officer

cc: Mayor and Council
Michael Hritz, Director of Community Development
Tom Vigna, Planner
Planning Board



OF LEGAL SERVICES FOR
CENTRAL NEW JERSEY

PETER U. LANFRIT, ESQ.
E-MAIL: peter@borrus.com

**BORRUS, GOLDIN, FOLEY
VIGNUOLO, HYMAN & STAHL**

A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

2875 US HIGHWAY #1
ROUTE 1 & FINNEGANS LANE
NORTH BRUNSWICK, N.J. 08902
(732) 422-1000

FAX: (732) 422-1016

JACK BORRUS
(1962-2021)

MARTIN S. GOLDIN
(1962-2002)

January 17, 2023

Via E-mail
and Regular Mail

Sal Profaci, Zoning Officer
Department of Community Development
Township of North Brunswick
710 Hermann Road
North Brunswick, NJ 08902

Re: 1460 Livingston Avenue LLC
1460 Livingston Avenue
Township of North Brunswick, NJ
Block 140.01, Lots 5.02 & 7.01

Dear Mr. Profaci:

As you are aware, this office represents the above applicant who received Use Variance and Bulk Variance relief on September 21, 2021 and Preliminary and Final Site Plan approval on December 14, 2021 to permit the construction of two (2) multi-unit warehouse buildings with associated office space on the site.

As part of the approval, the Zoning Board imposed certain restrictions on the warehouses which have caused great hardship on the applicant marketing these warehouse buildings to potential tenants. These restrictions are stated in Condition 5a of both the September and December resolutions:

- "...Applicant agreed that no space in the subject site will be leased to any Amazon or similar type of distribution facility..."
- "...proposed gate will be closed at 8:00 PM and will reopen at 7:00 AM in order to prohibit trucks from parking overnight on site who arrive after 8:00 PM and prevent overnight loading and unloading..."

- "...Applicant will agree to a limitation that no single tenant shall be permitted to occupy more than 21,655 square feet in any of the new proposed buildings."

This correspondence is to request relief and/or modification of the aforementioned restrictions.

As it relates to "...Applicant agreed that no space in the subject site will be leased to any Amazon or similar type of distribution facility...". Amazon has many types of facilities including but not limited the following:

1. Sortable fulfillment center;
2. Non-sortable fulfillment center;
3. Sortation centers;
4. Receive centers;
5. Specialty; and
6. Delivery stations.

Each of the above generate different traffic. The Board never considered the traffic but made a generic statement thus making the condition a burden on the Applicant. As you may further be aware there are different types of distribution facilities:

1. Those that deliver directly to retail companies;
2. Those that deliver to individual consumers; and
3. Those that deliver to both.

In accordance with those different types of distribution facilities there are different needs based on the tenant and distribution/fulfillment needs of said distribution facility. Further, there is a difference between a fulfillment center which is a third-party logistics (3PL) warehouse that receives, processes, and fills customer orders on behalf of eCommerce retailers and a distribution center which is a facility used for receiving, temporary storage, and distribution of goods according to orders as they're received which serve retail. As written the resolution prohibits each type of use which severely limits the potential tenants for the spaces. Applicants seeks clarification of this restriction.

As it relates to "...proposed gate will be closed at 8:00 PM and will reopen at 7:00 AM in order to prohibit trucks from parking overnight on site who arrive after 8:00 PM and prevent overnight loading and unloading...", applicant has a proposed tenant whose operation consists of storage with the provision of home-installation services. The proposed tenant would use the space for storage for their home installation services division of their company. Contractors hired by their company would access the site to pick up the stored materials. Their corporation requires that they be able to access the site 24 hours a day 7 days a week for infrequent deliveries outside of the normal business operation hours. Even though this company requires this access, the truck traffic and typical hours of operation for this use are minimal. Below are the requirements and vehicle information for this use:

- **Operating Hours:**
 - Monday-Friday – 6:00 a.m. – 7:00 p.m.
 - Saturday – 8:00 a.m. – 4:00 p.m.

- Vehicle Access:
 - Trailers (53 foot) and Box Trucks:
 - 1-2 deliveries daily between 6:00 a.m. – 4:00 p.m.
 - Trucks are on site for approximately 1 hour.
 - Work vehicles (personal trucks)
 - 5 trucks on site daily for pick-ups between 6:00 a.m. – 9:00 a.m.
 - Trucks are on site for approximately 1 hour.

As you can see from the proposed use. The site access will be minimal and we have no objection to the restriction of overnight parking.

As it relates to "...Applicant will agree to a limitation that no single tenant shall be permitted to occupy more than 21,655 square feet in any of the new proposed buildings." another prospective tenant, requires to occupy the entire building. 25,500 square feet would be storage space, 15,000 square feet would be refrigerated storage space and the remaining 2,500 square feet would be office. Even though this tenant would require the occupancy of the whole building, the access and hours of operation are minimal. Below are the requirements and vehicle information for this use:

- Operating Hours:
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- Vehicle Access/Site Usage:
 - Inbound Shipments: Three (3) 40-foot-long containers per day on average
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 - One (1) Less-than-truckload truck or less per day on average.

As you can see, from the foregoing, this proposal is a better alternative for the usage of this site than multiple tenants in the buildings. Further, site maintenance and control is easier with one tenant than with multiple tenants.

At your earliest convenience, kindly advise when this can be placed on the Zoning Board Agenda for discussion.

Should you have any questions or wish to discuss this further, please do not hesitate to contact.

Very truly yours,

Peter U. Lanfrit
Peter U. Lanfrit *OSL*

PUL:eesl

cc: 1460 Livingston Avenue LLC (via e-mail only)



For Office Use Only	
Date Filed: _____	Appl. No.: _____
Appl. Fee: \$ _____	Escrow Deposit: \$ _____
Check One:	
<input type="checkbox"/> Zoning Board of Adjustment	
<input type="checkbox"/> Planning Board	

Revision Date: 9/2020

TOWNSHIP OF NORTH BRUNSWICK

Site Plan/Conditional Use Application (FORM A)

The original and fourteen (14) copies of the completed application form supplied by the Township and the required number of copies of supporting documents listed in the applicable checklist must be filed with the Department of Community Development. If a waiver is being requested for any item on the checklist, it must be noted in the “waiver requested” section, and each item must be listed by checklist number and a detailed reason for the request must be provided. Any application that does not include an item required by the checklist, and for which a waiver has not been requested, will be automatically deemed incomplete.

All applications must be accompanied by appropriate fees and escrow deposits together with a written explanation of the amount calculations. Separate application fee and escrow deposit checks must be provided.

In addition to submittal of hard copies of documents, copies of all applications, surveys, plans, reports and studies, such as environmental impact, traffic, storm water, sewer and water reports, and any other documents associated with the application, shall be submitted on a CD in portable document format (pdf) at 400 × 400 dpi. Submittal of such digital copies shall be required to constitute an application for development, and all revised files shall be resubmitted as the originals are changed or amended. Every electronic submission must be accompanied by a cover letter listing all attached documents and any revisions, where applicable.

The following proof of satisfying the notice requirements must be filed with the Secretary of the appropriate Board at least five (5) days prior to the date fixed for the hearing:

- Affidavit of Service
- Copy of notice served
- Certified List of Property Owners within 200 feet and others served with manner of service
- Certified Mail receipts stamped by the USPS
- Affidavit of Publication from the newspaper in which the notice was published.



PART I

SUBJECT PROPERTY:

Block 140.01 Lot(s) 5.02 & 7.01 Zone I-1 & C-2
Property Location 1460 Livingston Avenue & Route 1
Size of Property 20.96 acres

Present Use: Residential Non-Residential Vacant
Proposed Use: Residential Non-Residential **Specify:** No change.

CONTACTS:

Applicant: Corporation Partnership Individual
 Other/Explain _____

Name: 1460 Livingston Avenue LLC

Address: c/o Zev Spira, 1189 Lakewood Farmingdale Road, Howell, NJ 07731

Telephone: 732-367-8273 Fax: _____

Email: zspira@dmserviceus.com

Owner (if different from Applicant):

Name: Same as Applicant.

Address: _____

Telephone: _____ Fax: _____

Email: _____

Engineer:

Name: N/A

Address: _____

Telephone: _____ Fax: _____

Email: _____

Attorney:

Name: Peter U. Lanfrit, Esq., Borrus, Goldin, Foley, Vignuolo, Hyman and Stahl, P.C.

Address: 2875 US Route One, North Brunswick, NJ 08902

Telephone: 732-422-1000 Fax: 732-422-1016

Email: peter@borrus.com & erin@borrus.com



PART II

TYPE OF APPROVAL REQUESTED (Check all that apply):

- Site Plan
- Amended Site Plan
- Conditional Use

ASSOCIATED APPROVALS REQUESTED:

Variiances:

(Complete and attach Form C, Part II)

- "C" Variance(s)
- "D" Variance(s)

Subdivision:

(Complete and attach Form B, Part II)

- Minor Subdivision
- Preliminary Major Subdivision
- Final Major Subdivision
- Amended Preliminary Major Subdivision
- Amended Final Major Subdivision

Other (specify): _____

Describe Proposed Development (continue on a separate sheet if necessary):

See attached correspondence dated January 17, 2023 which describes relief being requested.



PART III

Has there been any previous application to any Township Board involving these premises?

YES NO

If yes, provide file number(s) and state the nature, date and disposition of said mater:
Numerous site plan and variance applications.

Is public water available?

YES NO

If no, how will water service be supplied? _____

Is public sewer available?

YES NO

If no, provide proposed method of sewage disposal: _____

Are there any existing deed restrictions, easements or covenants?

YES NO

If yes, are copies provided?

YES NO

Are any deed restrictions, easements or covenants contemplated?

YES NO

If yes, are copies provided?

YES NO

Does the owner own or have any ownership interest in any contiguous property?

YES NO

If yes, provide type of ownership, address, block and lot(s): _____

LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:

Quantity: Description of Item:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



DISCLOSURE OF OWNERS OF CORPORATION OR PARTNERSHIP:

A corporation or partnership applying to a Board for permission to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes shall list the names and addresses of all stockholders or individual partners owning at least 10% of its stocks of any class or at least 10% of the interest in the partnership, as the case may be, as required by N.J.S.A. 40:55D-48.1. Applications which do not comply with N.J.S.A. 40:55D-48.1 et seq. will be deemed incomplete.


Name: Zev Spira Address: 1189 Lakewood Farmingdale Road, Howell, NJ 07731
 Name: _____ Address: _____
 Name: _____ Address: _____
 Name: _____ Address: _____
 Name: _____ Address: _____
 Name: _____ Address: _____
 Name: _____ Address: _____
 Name: _____ Address: _____
 Name: _____ Address: _____
 Name: _____ Address: _____

Applicant's Signature: JAMES E. STALLIA AS ATTY FOR APPLICANT Date: 1/30/23
 Page 5 of 8



ESCROW FUNDS AGREEMENT:

The Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) authorizes the collection of Technical Review Escrow Fees to cover the costs incurred by the Township for professional services involved in the review of land use development applications. Subsection 205-139 of the North Brunswick Township Land Use Ordinance establishes the amount of Technical Review Escrow Fees and the procedures for collecting and replenishing same. I hereby acknowledge and agree to the following: 1) I am responsible for the cost of all reasonable professional services rendered to the Planning Board or Board of Adjustment during the review and processing of my development application. 2) If I receive a written Deficiency Notice from the Chief Financial Officer or his/her designee (CFO) that the balance of funds remaining in the account is insufficient to cover invoices, vouchers or bills submitted to the Township for services which have already been performed, no further consideration, review or processing of the application will be permitted until such time as the funds requested in the Deficiency Notice have been deposited, and this cessation of work could result in carrying my application to the next regularly scheduled public meeting of the designated land use agency. 3) Failure to deposit the amount requested in the Deficiency Notice within ten days of receipt shall toll the period for action by the Planning Board or Board of Adjustment as stipulated in N.J.S.A. 40:55D-1 et seq., and shall bar me from seeking a default approval under N.J.S.A. 40:55D-10.4. 4) Failure to post funds requested in the Deficiency Notice within 45 days shall be grounds for dismissal of my application without prejudice, and I acknowledge that failure to pay the shortfall shall result in the shortfall being deemed a lien on the property which is subject of the land development application. 5) In the event that my application is approved and a Deficiency Notice is received after the approval is memorialized, failure to pay the shortfall amount shall be grounds for voiding the approval. 6) In the event that my application is denied and a Deficiency Notice is received after the denial is memorialized, I am still obligated to pay any shortfall amount, and I acknowledge that failure to pay the shortfall shall result in the shortfall being deemed a lien on the property which is subject of the land development application.

Applicant's Signature:  AS ATTORNEY FOR APPLICANT Date: 1/30/23
JANUS E. STALL

Owner's Signature (if different from Applicant): _____ Date: _____



SITE INSPECTION AUTHORIZATION

I hereby give permission for North Brunswick professional staff or municipal agencies and their agents to come upon and inspect these premises with respect to this application.

Owner's Signature: JAMES E. STANLEY AS ATTY FOR OWNER Date: 1/30/23

APPLICANT'S CERTIFICATION:

1460 Livingston Avenue LLC
I, c/o Zev Spira, of full age, being duly sworn according to law and upon my oath, depose that: I reside at 189 Lakewood Farmingdale Road, Howell in the County of Monmouth and State of New Jersey, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the individual applicant, or a general partner of the partnership applicant, or an officer of the corporate applicant, and I am authorized to sign the application for the partnership or corporation.

JAMES E. STANLEY AS ATTY FOR APPLICANT
SIGNATURE JAMES E. STANLEY

Sworn to and subscribed before me this 30th day of January, 20 23

Donna L. Belliveau
NOTARY PUBLIC
DONNA L. BELLIVEAU
A NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES MARCH 5, 2026

OWNER'S CERTIFICATION (If the owner is a corporation, this section must be signed by an authorized corporate officer. If the owner is a partnership, this section must be signed by a general partner):

1460 Livingston Avenue LLC
I, c/o Zev Spira, of full age, being duly sworn according to law and upon my oath depose that: I reside at 189 Lakewood Farmingdale Road, Howell in the County of Monmouth and State of New Jersey, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the owner in fee of all that certain lot, piece or parcel of land



situated, lying, and being in the municipality aforesaid, and known and designated as Block(s) 140.01 and Lot(s) 5.02 & 7.01, and that I am either the applicant or I have authorized the applicant to make this application, and I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

Sworn to and subscribed before me this 30th day of January, 20 23

Donna L. Belliveau
NOTARY PUBLIC

DONNA L. BELLIVEAU
A NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES MARCH 5, 2026

[Signature] AS ATTORNEY FOR
SIGNATURE OWNER/APPLICANT
JAMES E. STALL



OF LEGAL SERVICES FOR
CENTRAL NEW JERSEY

PETER U. LANFRIT, ESQ.
E-MAIL: peter@borrus.com

BORRUS, GOLDIN, FOLEY VIGNUOLO, HYMAN & STAHL

A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

2875 US HIGHWAY #1
ROUTE 1 & FINNEGANS LANE
NORTH BRUNSWICK, N.J. 08902
(732) 422-1000

FAX: (732) 422-1016

JACK BORRUS
(1962-2021)

MARTIN S. GOLDIN
(1962-2002)

January 17, 2023

Via E-mail
and Regular Mail

Sal Profaci, Zoning Officer
Department of Community Development
Township of North Brunswick
710 Hermann Road
North Brunswick, NJ 08902

Re: **1460 Livingston Avenue LLC**
1460 Livingston Avenue
Township of North Brunswick, NJ
Block 140.01, Lots 5.02 & 7.01

Dear Mr. Profaci:

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As part of the approval, the Zoning Board imposed certain restrictions on the warehouses which have caused great hardship on the applicant marketing these warehouse buildings to potential tenants. These restrictions are stated in Condition 5a of both the September and December resolutions:

- "...Applicant agreed that no space in the subject site will be leased to any Amazon or similar type of distribution facility..."
- "...proposed gate will be closed at 8:00 PM and will reopen at 7:00 AM in order to prohibit trucks from parking overnight on site who arrive after 8:00 PM and prevent overnight loading and unloading..."

- “...Applicant will agree to a limitation that no single tenant shall be permitted to occupy more than 21,655 square feet in any of the new proposed buildings.”

This correspondence is to request relief and/or modification of the aforementioned restrictions.

As it relates to “...Applicant agreed that no space in the subject site will be leased to any Amazon or similar type of distribution facility...”. Amazon has many types of facilities including but not limited the following:

1. Sortable fulfillment center;
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3. Sortation centers;
4. Receive centers;
5. Specialty; and
6. Delivery stations.

Each of the above generate different traffic. The Board never considered the traffic but made a generic statement thus making the condition a burden on the Applicant. As you may further be aware there are different types of distribution facilities:

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 - Monday-Friday – 6:00 a.m. – 7:00 p.m.
 - Saturday – 8:00 a.m. – 4:00 p.m.

- **Vehicle Access:**
 - Trailers (53 foot) and Box Trucks:
 - 1-2 deliveries daily between 6:00 a.m. – 4:00 p.m.
 - Trucks are on site for approximately 1 hour.
 - Work vehicles (personal trucks)
 - 5 trucks on site daily for pick-ups between 6:00 a.m. – 9:00 a.m.
 - Trucks are on site for approximately 1 hour.

As you can see from the proposed use. The site access will be minimal and we have no objection to the restriction of overnight parking.

As it relates to “...Applicant will agree to a limitation that no single tenant shall be permitted to occupy more than 21,655 square feet in any of the new proposed buildings.” another prospective tenant, requires to occupy the entire building. 25,500 square feet would be storage space, 15,000 square feet would be refrigerated storage space and the remaining 2,500 square feet would be office. Even though this tenant would require the occupancy of the whole building, the access and hours of operation are minimal. Below are the requirements and vehicle information for this use:

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 - One (1) Less-than-truckload truck or less per day on average.

As you can see, from the foregoing, this proposal is a better alternative for the usage of this site than multiple tenants in the buildings. Further, site maintenance and control is easier with one tenant than with multiple tenants.

At your earliest convenience, kindly advise when this can be placed on the Zoning Board Agenda for discussion.

Should you have any questions or wish to discuss this further, please do not hesitate to contact.

Very truly yours,

Peter U. Lanfrit
Peter U. Lanfrit *PUL*

PUL:eesl

cc: 1460 Livingston Avenue LLC (via e-mail only)



GRAPHIC SCALE
 HORIZONTAL DIMENSIONS: 1" = 80'
 SCALE: 1" = 80'
 VERTICAL DIMENSIONS: 1" = 80'
 DATE: 06/24/2021
 PROJECT: NEW JERSEY STATE HIGHWAY 26 & 28
 SHEET: 28-1
 DRAWN BY: J. SMITH
 CHECKED BY: M. JONES
 APPROVED BY: K. BROWN



THIS DRAWING IS ONE OF A SET OF DRAWINGS FOR THE PROJECT DESCRIBED ABOVE. THIS DRAWING IS TO BE USED IN CONJUNCTION WITH THE OTHER DRAWINGS IN THE SET.
 NO FOR CONSTRUCTION UNLESS THE SET HAS BEEN CHECKED AND SEALED.
 DATE: 06/24/2021



LIVINGSTON WAREHOUSE
 2911 Chestnut Avenue
 Livingston, NJ 07033
 732-946-5865
 732-946-1424

TOWNSHIP OF MOUNTAIN LAUREL, MOORELAND COUNTY, NEW JERSEY
 BLOCK 143.01
 LOT 4.02 & 7.01
 TAX MAP REFERENCE: 30
 28-1
 2020-06-22
 DP-1
 3

PARKING TABLE FOR ENTIRE SITE

USE	AREA (SF)	PARKING REQUIREMENT	REQUIRED
OFFICE	45,611	1 SPACE/225 SF	203 SPACES
RESTROOM	6,884	1 SPACE/100 SF	69 SPACES
CHILD CARE	9,583	N/A	0 SPACES
MEDICAL OFFICE	10,726	1 SPACE/270 SF	39 SPACES
RETAIL	54,724	1 SPACE/270 SF	203 SPACES
AUTO SERVICE	795	1 SPACE/100 SF	8 SPACES
PROPOSED WAREHOUSE	78,115 SF WAREHOUSE	1 SPACE/300 SF PLUS 1 SPACE PER 5 TONNAGE OFFICE WORKERS	33 SPACES (25% MINIMUM)
TOTAL REQUIRED	8,300 SF OFFICE	1 SPACE/225 SF	33 SPACES
TOTAL PROVIDED	8,300 SF TOTAL		33 SPACES
ELECTRIC CHARGING STATION	1.5 SPACES/100 SF		15 SPACES
PROPOSED		1.5 SPACES/100 SF	15 SPACES
FUTURE	1% OF PROPOSED PARKING (254 STALLS) = 9 SPACES		9 SPACES

EXISTING SITE CONTAINS 482 SPACES (INCLUDES 26 ADDITIONAL SPACES PREVIOUSLY APPROVED)

NOTES:

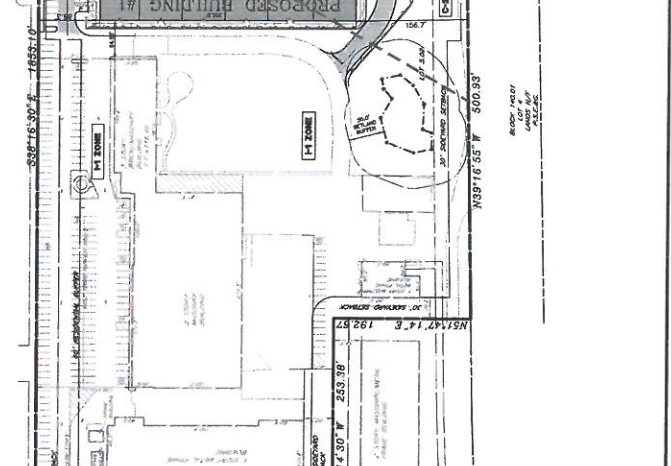
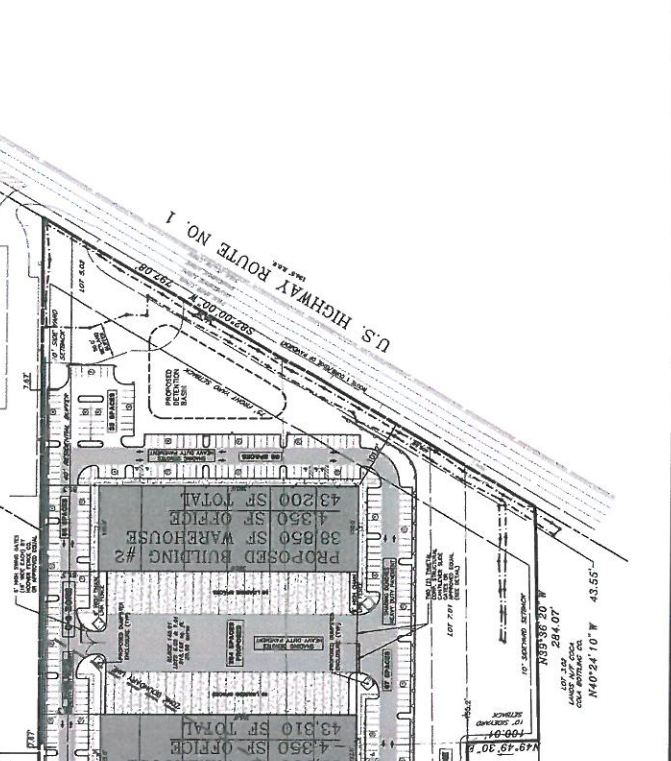
- LOADING/UNLOADING AND THE OPERATION OF FORKLIFTS OUTSIDE OF THE BUILDING ARE PROHIBITED DURING THE HOURS OF 8:00 P.M. TO 7:00 A.M. MONDAY TO FRIDAY AND 8:00 TO 12:00 P.M. ON SATURDAY. THIS PROHIBITION DOES NOT APPLY TO THE TRUCK COURT OR TO THE AREA OF THE TRUCK COURT. NO TRUCKS ARE TO BE OPERATED IN THE TRUCK COURT OR IN A NEAR BY SIDE YARD DURING THE HOURS OF 8:00 P.M. TO 7:00 A.M. MONDAY TO FRIDAY AND 8:00 TO 12:00 P.M. ON SATURDAY. THIS PROHIBITION DOES NOT APPLY TO THE TRUCK COURT OR TO THE AREA OF THE TRUCK COURT.
- NO TRUCKS ARE TO BE OPERATED ON THE GATES ON EITHER SIDE OF THE TRUCK COURT OR IN A NEAR BY SIDE YARD DURING THE HOURS OF 8:00 P.M. TO 7:00 A.M. MONDAY TO FRIDAY AND 8:00 TO 12:00 P.M. ON SATURDAY. THIS PROHIBITION DOES NOT APPLY TO THE TRUCK COURT OR TO THE AREA OF THE TRUCK COURT.
- THE INSTALLATION OF FORKLIFTS AND INSIDE LOADEXCHANGER SYSTEM BETWEEN THE HOURS OF 8:00 P.M. TO 7:00 A.M. MONDAY TO FRIDAY AND 8:00 TO 12:00 P.M. ON SATURDAY SHALL BE PROHIBITED UNLESS ALL OVERHEAD DOORS WITHIN 300 FEET OF THE OUTSIDE LOADEXCHANGERS ARE CLOSED. THE INSTALLATION OF OUTSIDE LOADEXCHANGERS SHALL BE PROHIBITED.

I-1 INDUSTRIAL DISTRICT ZONE DATA

SECTION	MINIMUM LOT AREA	REQUIRED	PROPOSED	CONDITION
MINIMUM LOT AREA	250 FT	250 FT	250 FT	COMPLIES
MINIMUM LOT DEPTH	100 FT	100 FT	100 FT	COMPLIES
MINIMUM LOT WIDTH	40 FT	40 FT	40 FT	COMPLIES
FRONT YARD (FROM ROUTE ONE)	0 FT	0 FT	0 FT	COMPLIES
FRONT YARD (FROM ROUTE ONE)	0 FT	0 FT	0 FT	COMPLIES
FRONT YARD (OTHER THAN ROUTE ONE)	0 FT	0 FT	0 FT	COMPLIES
REAR YARD	0 FT	0 FT	0 FT	COMPLIES
MAXIMUM LOT COVERAGE (BUILDING)	40%	40%	40%	COMPLIES
MAXIMUM LOT COVERAGE (TOTAL)	40%	40%	40%	COMPLIES
MAXIMUM WAREHOUSE COVERAGE	40%	40%	40%	COMPLIES
MAXIMUM OFFICE COVERAGE	40%	40%	40%	COMPLIES
MAXIMUM RETAIL COVERAGE	40%	40%	40%	COMPLIES
MAXIMUM GARAGE COVERAGE	40%	40%	40%	COMPLIES
MAXIMUM DRIVEWAY COVERAGE	40%	40%	40%	COMPLIES
MAXIMUM SIDEWALK COVERAGE	40%	40%	40%	COMPLIES
MAXIMUM DRIVEWAY COVERAGE	40%	40%	40%	COMPLIES

C-2 COMMERCIAL ZONE DATA

SECTION	MINIMUM LOT AREA	REQUIRED	PROPOSED	CONDITION
MINIMUM LOT AREA	250 FT	250 FT	250 FT	COMPLIES
MINIMUM LOT DEPTH	100 FT	100 FT	100 FT	COMPLIES
MINIMUM LOT WIDTH	40 FT	40 FT	40 FT	COMPLIES
FRONT YARD (FROM ROUTE ONE)	0 FT	0 FT	0 FT	COMPLIES
FRONT YARD (FROM ROUTE ONE)	0 FT	0 FT	0 FT	COMPLIES
FRONT YARD (OTHER THAN ROUTE ONE)	0 FT	0 FT	0 FT	COMPLIES
REAR YARD	0 FT	0 FT	0 FT	COMPLIES
MAXIMUM LOT COVERAGE (BUILDING)	40%	40%	40%	COMPLIES
MAXIMUM LOT COVERAGE (TOTAL)	40%	40%	40%	COMPLIES
MAXIMUM WAREHOUSE COVERAGE	40%	40%	40%	COMPLIES
MAXIMUM OFFICE COVERAGE	40%	40%	40%	COMPLIES
MAXIMUM RETAIL COVERAGE	40%	40%	40%	COMPLIES
MAXIMUM GARAGE COVERAGE	40%	40%	40%	COMPLIES
MAXIMUM DRIVEWAY COVERAGE	40%	40%	40%	COMPLIES
MAXIMUM SIDEWALK COVERAGE	40%	40%	40%	COMPLIES
MAXIMUM DRIVEWAY COVERAGE	40%	40%	40%	COMPLIES



1. THERE ARE NO SCHOOL ZONES WITHIN 200 FEET OF THE PROPERTY.

NEW JERSEY STATE HIGHWAY ROUTE NO. 26 LIVINGSTON AVENUE

U.S. HIGHWAY ROUTE NO. 1

REFERENCE: LIVINGSTON TOWNSHIP, TOWNSHIP ENGINEER FOR BLOCK 143.01, LOT 4.02 & 7.01, TOWNSHIP OF MOUNTAIN LAUREL, MOORELAND COUNTY, NEW JERSEY. THE TOWNSHIP ENGINEER HAS REVIEWED THE NATIONAL MAP PROVIDED BY GPS. 3. THERE ARE NO SCHOOL ZONES WITHIN 200 FEET OF THE PROPERTY.

RESOLUTION OF THE
NORTH BRUNSWICK TOWNSHIP BOARD OF ADJUSTMENT
MIDDLESEX COUNTY, NEW JERSEY

1460 Livingston Avenue, LLC
Block 140.01, Lots 5.02 & 7.01
1460 Livingston Avenue

WHEREAS, 1460 Livingston Avenue, LLC (the "Applicant") has applied to the North Brunswick Township Board of Adjustment for Use Variance and Bulk Variance approval to construct two multi-unit warehouse buildings. Building 1 would be 43,310 square feet with 10% of the building dedicated to office space while Building 2 would be 43,200 square feet with 10% of the building dedicated to office space along with associated site improvements at Property located on 1460 Livingston Avenue, Block 140.01, Lots 5.02 & 7.02 on the North Brunswick Township Tax Map, (the "Application"); and

WHEREAS, a public hearing was held on said Application by the Board of Adjustment on July 20, 2021; and the public was given the opportunity to be heard; and

WHEREAS, the Applicant published a proper newspaper hearing notice of the hearing and notified the Property owners within 200 feet of the subject Property of the Board's scheduled hearing pursuant to N.J.S.A. 40:55D-12; and

WHEREAS, on July 20, 2021 the Board granted the requested Use Variance and Bulk Variances, subject to certain conditions set forth below; and

WHEREAS, the Board, after carefully considering the evidence presented to it by the Applicant, the Applicant and the documents filed by the Applicant, and the comments of the appropriate township officials and agencies, has made the following findings of fact:

Findings and Conclusions

1. The Property is located at 1460 Livingston Avenue. The Property is 21.03 acres and is located in both the I-1 Industrial Zone and C-2 General Commercial Zones. The property is currently utilized for a variety of mixed uses.

2. The Applicant was represented by Peter Lanfrit, Esq. The following individuals testified and presented testimony in support of the Application; to wit:

- a) Professional Engineer – Gregory Oman
- b) Traffic Engineer – John Rea
- c) Professional Planner – Frank Antisell
- d) Architect – David Feldman

all of whom were accepted as experts in their respective fields.

3. The Applicant has submitted, and the Board has relied upon:
- a) Preliminary and Final Site Plan prepared by Menlo Engineering Associates, dated February 12, 2021 and revised to June 30, 2021.
 - b) Boundary and Partial Topographic Survey prepared by Control Layouts, dated February 18, 2021.
 - c) Architectural Plans, prepared by Feldman Architects Feldman, dated February 22, 2021.
 - d) Stormwater Management Report, prepared by Menlo Engineering, dated February 12, 2021.
 - e) Operations and Maintenance Manual, prepared by Menlo Engineering dated February 12, 2021.
 - f) Traffic Impact Statement, prepared by McDonough & Rea Associates, dated February 23, 2021.
 - g) Letter of No Interest prepared by McDonough & Rea Associates, dated February 23, 2021.
 - h) Field Investigation Report prepared by Underwood Engineering Company, dated February 10, 2020.
 - i) NJDEP Freshwater Wetlands General Permit #7 & #11, Transitional Area Waiver – Averaging Plan and Water Quality Certificate, dated October 7, 2020.
 - j) Township of North Brunswick Site Plan/Conditional Use Application (Form A).
 - k) Township of North Brunswick Variance Application (Form C.)
 - l) Township of North Brunswick Site Plan Completeness Checklist.
 - m) Letter of Intent prepared by 1460 Livingston Avenue.
 - n) Memorandum prepared by the Township of North Brunswick Zoning Officer, dated March 25, 2021.
 - o) Traffic Impact Statement, prepared by McDonough & Rea Associates, dated May 21, 2021.
 - p) Transmittal, issued by Borrus, Goldin, dated May 21, 2021.
 - q) Letter of No Interest, issued by NJDOT, dated May 13, 2021.
 - r) New Jersey Department of Transportation Letter of No Interest, dated June 30, 2021.
 - s) Verizon will serve letter, dated January 14, 2021.
 - t) CME Associates Letter of No Interest, dated January 15, 2021.
 - u) Middlesex County Planning Board Conditional Approval, dated April 16, 2021.

- v) Reply correspondence prepared by Menlo Engineering Associates, dated June 30, 2021.
- w) Transmittal prepared by Borrus, Goldin, Foley, Vignuolo, Hyman & Stahl, dated July 2, 2021.

4. In addition, the Board heard the testimony of the Zoning Officer, Andrei Alexeev and received his report dated March 25, 2021, and, heard the testimony of the Board's Engineer, Charles Carley, PE and received the final report of Charles Carley, PE, dated July 19, 2021 and received the reports of the Township Staff appended to Mr. Carley's report.

5. The following Use Variance pursuant to N.J.S.A. 40:55D-70(d)(1) from the requirements of the C-2 General Commercial Zone District is required. The Property is located in both the I-1 and C-2 Zone Districts. As warehouse facilities are not a permitted use in the C-2 General Commercial District, a use variance is required. Bulk variance relief is being sought for residential buffer which is a pre-existing condition and directional signage size.

6. Mr. Gregory Oman, PE, provided professional engineering testimony on behalf of the Applicant. Mr. Oman described the site as containing 20.76 acres with the northern 40% of the site located in the I-1 zone and the southern 60% of the site located in the C-2 zone. The site is bounded by Route 1 to the south, Livingston Avenue to the north, residential apartments to the east and a PSE&G substation to the west. No access to the site is contemplated from Route 1 South and two existing

driveways on Livingston Avenue will continue to be utilized for ingress/egress. According to Mr. Oman, there are four existing buildings on site which host a variety of uses including medical offices, warehouse facilities, indoor batting cages, general offices, childcare facilities and a moving company. A cross access easement exists between the subject site and the adjacent Middlesex County Medical Examiner's building. Mr. Oman indicated that two new proposed buildings are to be constructed. The northern building will be 43,310 square feet and the southern building will be 43,200 square feet for a total of 86,510 square feet. 28 loading bays are proposed for the two buildings with four new dumpsters with enclosures. 254 new parking stalls will be provided which will be 9' x 18' with 25' wide drive aisles. The total number of parking stalls on site will be 509 where 497 are required. In addition, electric vehicle charging stations will be provided. Mr. Oman noted that existing northern driveway will be restricted to egress/ingress for passenger vehicles only and the western driveway will be utilized for both trucks and passenger vehicles. Appropriate signage will be provided indicating same. Mr. Oman stated that a NJDEP permit for stormwater discharge has been obtained. In terms of lighting, all fixtures will be LED, 24½' high and will meet all required lighting levels. In term of landscaping, additional buffering will be provided with the Applicant making a contribution to the tree fund for 487 trees. In terms of signage, Mr. Oman noted that directional signage and

ID signage will be provided at the site entrances and façade signage on each new building. The existing guard house will be removed. On behalf of the Applicant, Mr. Oman offered several conditions of approval, to wit; The existing Amazon delivery trucks will be removed from the site prior to the submission of any site plan application, the Applicant agreed that no space in the subject site will be leased to any Amazon or similar type of distribution facility, the Applicant will agree to an tenancy review by the Township for each new prospective tenant to review parking demands, the proposed gate will be closed at 8:00 PM and will reopen at 7:00 AM in order to prohibit trucks from parking overnight on site who arrive after 8:00 PM and prevent overnight loading and unloading, the cross access easement between the Applicant and Middlesex County will be provided to the professional staff and Board attorney for review and approval, additional landscaping will be provided at the Route 1 site frontage subject to the review and approval of the professional staff and the Applicant will agree to a limitation that no single tenant shall be permitted to occupy more than 21,655 square feet in any of the new proposed buildings.

7. Mr. John Rea, PE, provided professional traffic testimony on behalf of the Applicant. Mr. Rea noted that the Applicant received a letter of no interest from the NJDOT for the proposed project and confirmed that access from Route 1 would not be feasible due to

environmental constraints on site. According to Mr Rea, site ingress/egress and circulation are satisfactory from a traffic standpoint and adequate parking exists on site to accommodate both passenger vehicles and trucks.

8. Mr. David Feldman, a licensed architect provided architectural testimony on behalf of the Applicant. Mr. Feldman confirmed that square footage of the two new proposed buildings and indicated that 10% of the space in each building will be devoted to office space with each leasable unit having restroom facilities and a kitchenette. The exterior façade will be tilt up concrete, painted and with glass entry doors and upper windows to provide natural lighting. Each new building will have a maximum height of 40' and all mechanical equipment will be installed on the roof with appropriate shielding.

9. Mr. Frank Antisell, PP provided professional planning testimony on behalf of the Applicant. Mr. Antisell noted that two bulk variances are required for residential buffer (30' required; 7.67' provided) and directional signage size (30 square feet maximum; 100' square feet provided). According to Mr. Antisell, both variances can be granted under a "C-2" analysis as the benefits of directional signage and the addition of landscaping to abate the pre-existing buffer deviation are benefits which outweigh any detriments. As to the use variance, Mr. Antisell indicated that the site is suitable for the proposed use as it is

already an existing warehouse site and with the restrictions imposed as conditions of approval, there will be no negative impact to the surrounding residential area. Moreover, the proposed use is less intensive than permitted uses in the C-2 General Commercial Zone District and therefore with less traffic generation, there will be no negative impact to the surrounding area, zone plan and zoning ordinance.

10. The Applicant agreed to the following conditions of approval, as follows:

a) The existing Amazon delivery trucks will be removed from the site prior to the submission of any site plan application, the Applicant agreed that no space in the subject site will be leased to any Amazon or similar type of distribution facility, the Applicant will agree to an tenancy review by the Township for each new prospective tenant to review parking demands, the proposed gate will be closed at 8:00 PM and will reopen at 7:00 AM in order to prohibit trucks from parking overnight on site who arrive after 8:00 PM and prevent overnight loading and unloading, the cross access easement between the Applicant and Middlesex County will be provided to the professional staff and Board attorney for review and approval, additional landscaping will be provided at the Route 1 site frontage subject to the review and approval of the professional staff and the Applicant will agree to a limitation that no single

tenant shall be permitted to occupy more than 21,655 square feet in any of the new proposed buildings.

11. The following individuals testified either in opposition or support of the application during the public portion of the hearing, to wit; Mr. Karl Mount.

12. The Applicant agreed as a condition of approval to comply with the Zoning Officer's report of March 25, 2021, the Board Engineer's final report of July 19, 2021 and any Township Staff reports appended to Mr. Carley's report except to the limited extent modified herein. In addition, the Applicant also agreed to the following conditions, to wit;

a. The existing Amazon delivery trucks will be removed from the site prior to the submission of any site plan application, the Applicant agreed that no space in the subject site will be leased to any Amazon or similar type of distribution facility, the Applicant will agree to an tenancy review by the Township for each new prospective tenant to review parking demands, the proposed gate will be closed at 8:00 PM and will reopen at 7:00 AM in order to prohibit trucks from parking overnight on site who arrive after 8:00 PM and prevent overnight loading and unloading, the cross access easement between the Applicant and Middlesex County will be provided to the professional staff and Board attorney for review and approval, additional landscaping will be provided at the Route 1 site frontage subject to the review and approval of the

professional staff and the Applicant will agree to a limitation that no single tenant shall be permitted to occupy more than 21,655 square feet in any of the new proposed buildings.

13. As further set forth and detailed in the record, the Applicant submits that they have met the positive and negative criteria and have shown that the site is suitable for the proposed use and satisfied the special reasons pursuant to NJSA 40:55D-70(d)(1). The Applicant submits that the proposed development plan advances a number of express purposes set forth in the Municipal Land Use Law under NJSA 40:55D-2 et seq. As such, the Applicant submits that subject to the conditions agreed upon, there is no negative impact on the public good, the master plan or zoning ordinances if this Application is approved.

14. As further set forth and detailed in the record, the Applicant submits that they have met the positive and negative criteria for the requested Bulk Variances pursuant to N.J.S.A 40:55D-70(c)(1) and NJSA 40:55D-70(c)(2) for the reasons expressed for the Use Variance. In light of the foregoing, the Bulk Variances with the conditions agreed upon will not cause a substantial detriment to the master plan, zoning ordinance or the surrounding area and these benefits substantially outweigh any detriments and the Variances can be granted. In sum, the Applicant submits that the negative impacts are outweighed by the positive impacts and that the Bulk Variances advance the Municipal Land Use Law regarding providing

for an appropriate use in an appropriate location as set forth in N.J.S.D.A. 40:55D-2, et seq.

WHEREAS, the Board has made the following ultimate findings and conclusions based upon the foregoing findings and fact:

- A. The Board finds that the proposed Project is appropriate and suitable at the proposed site for the reasons provided on the record. The Board finds from the testimony presented, subject to the conditions agreed upon by the Applicant and those imposed by the Board, that the Applicant has satisfied the positive and negative criteria requirements for the Use Variance pursuant to N.J.S.A. 40:55D-70(d)(1) and NJSA 40:55D-70(c)(2) and that it can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Township's Master Plan and Zoning Ordinances and the Board adopts the Applicant's testimony, specifically that of their Planner in this regard. The Board concludes that the proposed Use Variance can be granted without substantial detriment to the Master Plan and Zoning Ordinance and without substantial detriment to the surrounding area. The Board was provided with no evidence, and the Board concludes that the

proposed Use Variance will not have a detrimental effect on the surrounding area.

- B. The Board finds from the testimony presented, subject to the conditions agreed upon by the Applicant and those imposed by the Board, that the Applicant has satisfied the positive and negative criteria requirements for the Bulk Variances pursuant to N.J.S.A. 40:55D-70(c)(2) and that they can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Township's Master Plan and Zoning Ordinances and the Board adopts the Applicant's testimony, specifically, that of their Planner in this regard.

WHEREAS, at the conclusion of the hearing on July 20, 2021 the Board has taken action by voting on said Application in accordance with N.J.S.A. 40:55D-10(g) of the Municipal Land Use Law and has directed that a resolution memorializing such action be prepared.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Adjustment on July 20, 2021, on the basis of the evidence presented to it, the foregoing findings of fact and ultimate findings and conclusions, that the Board does hereby grant Use Variance and Bulk Variance approval applied for by the Applicant subject to the following conditions:

1. The granting of the Use Variance and Bulk Variance, approval shall not be construed to eliminate satisfaction of any other requirements of the zoning ordinance and/or other requirements of the agencies, boards and authorities of the Township of North Brunswick, County of Middlesex or State of New Jersey.
2. Any and all fees properly due and owing the Municipal Board of Adjustment for hearing the Application must be paid in advance of building permits being issued.
3. Applicant shall comply with representations and agreements as well as all Township Staff reports except as otherwise indicated in this Resolution.
4. All conditions contained in this Resolution and in the record of the proceedings in this matter, including any agreements made by the Applicant, were essential to the Board's decision to grant the approvals set forth herein. A breach of any such condition or a failure by the Applicant to adhere to the terms of any agreement within the time required may result in the automatic revocation of the within.

5. The Applicant agreed to the following additional conditions of approval, as follows:

a) The existing Amazon delivery trucks will be removed from the site prior to the submission of any site plan application, the Applicant agreed that no space in the subject site will be leased to any Amazon or similar type of distribution facility, the Applicant will agree to an tenancy review by the Township for each new prospective tenant to review parking demands, the proposed gate will be closed at 8:00 PM and will reopen at 7:00 AM in order to prohibit trucks from parking overnight on site who arrive after 8:00 PM and prevent overnight loading and unloading, the cross access easement between the Applicant and Middlesex County will be provided to the professional staff and Board attorney for review and approval, additional landscaping will be provided at the Route 1 site frontage subject to the review and approval of the professional staff and the Applicant will agree to a limitation that no single tenant shall be permitted to occupy more than 21,655 square feet in any of the new proposed buildings.

The foregoing Resolution was

Offered by: Mr. Wright

Seconded by: Ms. Malvone

and adopted by the Zoning Board of Adjustment of the Township of North Brunswick by the following vote:

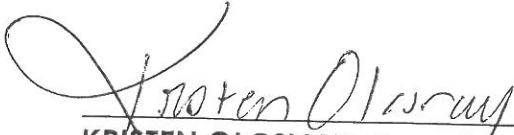
AFFIRMATIVE: Wright, Guadagnino, Policastro, Malvone,
Hutchinson, Goldenfarb and McGrath.

NAYES: None

ABSTAINED: None

CERTIFICATION

The foregoing is a true copy of the Resolution adopted by the Board of Adjustment of the Township of North Brunswick at this meeting of September 21, 2021.



KRISTEN OLCSVAY, Secretary
North Brunswick Township Zoning Board

AFFIRMATIVE: Wright, Guadagnino, Policastro, Malvone,
Hutchinson, Goldenfarb and McGrath.

NAYES: None

ABSTAINED: None

CERTIFICATION

The foregoing is a true copy of the Resolution adopted by the Board of Adjustment of the Township of North Brunswick at this meeting of September 21, 2021.



KRISTEN OLCSVAY, Secretary
North Brunswick Township Zoning Board