



For Office Use Only

Date Filed: _____ Appl. No.: _____

Appl. Fee: \$ _____ Escrow Deposit: \$ _____

Check One:

- ☐ Zoning Board of Adjustment
☐ Planning Board

Revision Date: 9/2020

TOWNSHIP OF NORTH BRUNSWICK

Variance Application (FORM C)

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, stormwater, 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. Single-family or two-family homeowners preparing variance applications on their own behalf shall not be subject to this electronic submission requirement, provided that such applications do not require site plan or subdivision approval.

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 194 & 349.01 Lot(s) 4 & 4.01 Zone I-2
Property Location 360 Georges Road, North Brunswick & 120 Georges Road, New Brunswick
Size of Property 141,147 SF

Present Use: ☒ Residential ☒ Non-Residential ☐ Vacant
Proposed Use: ☒ Residential ☒ Non-Residential Specify: _____

CONTACTS:

Applicant: ☐ Corporation ☐ Partnership ☐ Individual
☒ Other/Explain Limited Liability Company
Name: Pioli Properties, LLC (c/o Mi Young Lim)
Address: 322 Commercial Avenue, Suite 201, Palisades Park, NJ 07650
Telephone: 201-944-7755 Fax: _____
Email: mlim@pioliusa.com

Owner (if different from Applicant):

Name: _____
Address: _____
Telephone: _____ Fax: _____
Email: _____

Engineer:

Name: William A. Lane, PE (Menlo Engineering Associates)
Address: 261 Cleveland Avenue, Highland Park, NJ 08904
Telephone: 732-846-9439 Fax: _____
Email: blane@menloeng.com

Attorney:

Name: James E. Stahl, Esq. / Borrus, Goldin, Foley, Vignuolo, Hyman & Stahl, P.C.
Address: 2875 US Highway 1, North Brunswick, NJ 08902
Telephone: 732-422-1000 Ext. 222 Fax: 732-422-1016
Email: jstahl@borrus.com



PART II

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

Currently, Block 194, Lot 4 is 141,146 SF and consists of two buildings. One two-story commercial building is located at 360 Georges Road, while the three-story mixed use building is located at 120 Georges Road. The proposed subdivision would divide Lot 4 into two lots, and each would have one building. There are two passage ways between the proposed two lots, a pedestrian bridge and a vehicle bridge.

It is important to note that the building located on 120 Georges Road is also situated on Block 349.01 Lot 4.01 of the Tax Map of the City of New Brunswick. As such, Applicant has recieved a letter of no interest from the City of New Brunswick regarding this proposed subdivision.

VARIANCE(S) REQUESTED (Check all that apply):

☐ "C" Variance(s):

- ☒ C(1) - The strict application of the provisions of Chapter 205 would result in peculiar and exceptional practical difficulties or exceptional and undue hardship.
- ☐ C(2) - The purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment.

☐ "D" Variance(s):

- ☐ D(1) - Use or principal structure in a district restricted against such use or principal structure.
- ☐ D(2) - Expansion of a nonconforming use.
- ☐ D(3) - Deviation from a specification or standard pertaining solely to a conditional use.
- ☐ D(4) - Increase in the permitted floor area ratio.
- ☐ D(5) - Increase in the permitted density.
- ☐ D(6) - Height of a principal structure exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure.



ASSOCIATED APPROVALS REQUESTED:

Site Plan:

- ☐ Site Plan
☐ Amended Site Plan
☐ Conditional Use

Subdivision:

- ☒ Minor Subdivision
☐ Preliminary Major Subdivision
☐ Final Major Subdivision
☐ Amended Preliminary Major Subdivision
☐ Amended Final Major Subdivision

☐ Other (specify): _____

A change to a nonpermitted use shall require a site plan approval or, as a minimum, a site plan waiver request. Such request may be considered by the Board, and, if granted, will constitute an acknowledgment by the Board that the condition of the property is satisfactory and meets the requirements of Chapter 205. No site plan waiver will be granted if the condition of the property is not satisfactory in such matters as traffic, circulation, access, parking, lighting, setbacks, lot coverage, safety, landscaping, buffer, fire safety, noise or other requirements of Chapter 205

Is a site plan waiver requested?

☐ YES ☒ NO

☐ If a site plan waiver is sought, explain why the request shall be granted:

Is the application proposed to be bifurcated?

☐ YES ☒ NO

If bifurcated, identify the nature of subsequent development approvals to be sought:

Identify Requested Variances:

Ordinance Section:

Requirement:

Proposed Deviation:

§205- 75A

Min. Front Yard Setback 60 ft.

12.9 ft. (4.01) (Existing) (New Brunswick)

Previously granted variance which required 140 parking spaces.
Total of 140 spaces still provided.



§205- 75A	Sideyard Setback (One) 40 ft.	27.7 ft.-(4A) / 3 ft.-(4B)-(Existing)	
§205- 75A	Sideyard Setback (Two) 80 ft.	63.9 ft.-(4A)/ 57.2 ft.-(4B)	Currently existing 39.2 ft.
§205- Table 2	Min Lot Width 350ft.	274 ft.-(4A)/ 257.8 ft. (4B)	
§205- Table 2	Min Lot Area 3 acres	1.71 acres-(4A)/ 1.79 acres (4B)	
§205- 100	103 parking-(4A) 86 parking-(4B)	79 parking-(4A) / 61 parking (4B)	
§205-	PREVIOUSLY GRANTED VARIANCES		
§205- 75	Residential Buffer 25 ft	10 ft	
§205- 100	Parking Spaces 189	140	
§205- 74	Use Variance	mixed use	
§205- 96E	Parking areas located in front yard area		
§205- 97B	Two driveways within 300ft.		
§205-			

Identify Requested Design Waivers:

Ordinance Section:	Requirement:	Proposed Deviation:
§205-		
§205-		
§205-		
§205-		
§205-		
§205-		
§205-		
§205-		

“C” Variance(s) (Check one that applies):

☒ A variance under N.J.S.A. 40:55D-70.C(1):

Detail your argument for how this case conforms to this requirement, including, if applicable, reference to exceptional narrowness, shallowness or shape of the property, or exceptional topographic conditions or physical features uniquely affecting the property, or extraordinary and exceptional situations uniquely affecting the property or the structures lawfully existing thereon: The buildings are existing and will not have an effect on the Zone scheme or the neighborhood.



and/or

☐ A variance under N.J.S.A. 40:55D-70.C(2):

Detail your argument for how this case conforms to this requirement: _____

D Variance(s):

State special reasons why the refusal to allow the project would impose on the applicant an undue hardship and/or how the proposed project carries out a purpose of zoning as defined in N.J.S. 40:55D-2. Detail your argument for 1) how the proposed use inherently serves the public good, and/or 2) why the property cannot reasonably be adapted to a conforming use, and/or 3) what unique characteristics of the site make it particularly appropriate for the proposed use rather than a permitted use: _____

C and D Variance(s):

Supply a statement of facts why relief can be granted without substantial detriment to the public good: The buildings are existing, therefore, the granting of this variance(s) is not detrimental to the public good and will not have an affect on the neighborhood or zone scheme.

Supply a statement of facts why relief can be granted without substantial detriment to the intent and purpose of the zone plan and zoning ordinance: The granting of this variance(s) will not impair the intent and purpose of the zoning plan and zoning ordinance.



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 matter:

March 24, 2011 - Use and Bulk Variance - Granted / May 17, 2012 - Site Plan Approval and Bulk Variances - Granted

/ Z-2011-20 - New Brunswick - Major Site Plan Approval - Granted.

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:
15 + 15	Minor Subdivision Plan - Menlo Engineering - Dated February 24, 2025
3	Metes and Bounds Description as to proposed Lot 4.01
3	Metes and Bounds Description as to proposed Lot 4.02
3	Metes and Bounds Description as to Proposed 20' Wide Storm Sewer Outfall Easement
3	Proposed Storm Sewer Outfall Easement
3	Statement as to the Character of the Minor Subdivision
3	Letter of No Interest issued by the City of New Brunswick

See letter of transmittal for additional items and USB



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: Mi Young Lim - 70% Address: 237 Wilson Drive, Cresskill, NJ 07626

Name: Chae Ho Lim - 30% Address: 237 Wilson Drive, Cresskill, NJ 07626

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Ploil Properties, LLC

Applicant's Signature: _____

By: Mi Young Lim, Authorized Signatory

Date: 4/15/2025



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.

Pioli Properties LLC

Applicant's Signature: _____

By: Mi Young Lim, Authorized Signatory

Date: 4/15/2025

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.

Pioli Properties, LLC

Owner's Signature: _____

Date: _____

By: Mi Young Lim, Authorized Signatory

APPLICANT'S CERTIFICATION:

I, Mi Young Lim, of full age, being duly sworn according to law and upon my oath, depose that: I ~~reside at~~ am the authorized signatory of Pioli Properties, LLC** in the **with offices located at 322 Commercial Avenue, Suite 201, Palisades Park County of Bergen 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.

STATE OF NEW JERSEY

COUNTY OF BERGEN

SIGNATURE _____

Mi Young Lim, Authorized Signatory

Sworn to and subscribed before me this 15th day of

April, 2025

NOTARY PUBLIC

Daniel S. Rocque-Seraphin
Notary Public of New Jersey
Commission # 50229448
Commission Expires: 01/21/2030

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):

I, Mi Young Lim, of full age, being duly sworn according to law and upon my oath depose that: I ~~reside at~~ am the authorized signatory of Pioli Properties, LLC** in the **with offices located at 322 Commercial Avenue, Suite 201, Palisades Park County of Bergen 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)
194 & 349.01 and Lot(s) 4 & 4.01,

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.

STATE OF NEW JERSEY
COUNTY OF BERGEN

Sworn to and subscribed before
me this 15th day of

April, 2025


NOTARY PUBLIC


SIGNATURE

Mi Young Lim, Authorized Signatory

Daniel S. Rocque-Seraphin
Notary Public of New Jersey
Commission # 50229448
Commission Expires: 01/21/2030