

**ORIGINAL**

**RECEIVED**

MAR 08 2024

PLANNING & ZONING OFFICE  
TOWNSHIP OF CRANFORD

**Form 01/Board Application**

TOWNSHIP OF CRANFORD - ZONING DEPARTMENT  
8 Springfield Avenue - Cranford, NJ 07016  
Phone: (908) 709-7216 • Fax: (908) 276-7664  
Email: [Zoning@CranfordNJ.org](mailto:Zoning@CranfordNJ.org)



Form Updated 10-12

The application, with supporting documentation, must be filed with the Planning and Zoning Department of the Township, and will be reviewed by Township professionals prior to scheduling the meeting at which the application is to be considered.

**To Be Completed by Township Staff Only**

Dated Received: 3/8/24

Application No.: PB-24-001

**To Be Completed by Applicant**

**1. Subject Property**

Location/Address: 320 Prospect Avenue  
Tax Map: Block: 271, Lot(s): 5  
Block: \_\_\_\_\_, Lot(s): \_\_\_\_\_  
Dimensions: Frontage: 237.95 Depth: 200 Total Area: 39,684 square feet  
Zoning District: R-1 Single-family detached residence district

**2. Applicant Information**

Name: Lisa and Anthony Carbone  
Address: 53 S. Union Avenue, Unit 1, Cranford, NJ 07016  
Phone: 908 276-2877 Email: lisa@trcnj.com and ac@trcnj.com  
Applicant is a: Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ Individual  X  
Limited Liability Company \_\_\_\_\_ Other (Specify) \_\_\_\_\_

**3. Disclosure Statement**

Pursuant to N.J.S.A. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S.A. 40:55d-48.2 that disclosure requirement applies to any corporation, limited liability company or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate

stockholders and partners exceeding the 10% ownership criterion have been disclosed. [Attach pages as necessary to fully comply.]

<u>Name(s)</u>	<u>Address(es)</u>
NA	
_____	_____
_____	_____
_____	_____

**4. If Owner is other than the Applicant -  
Please provide the following information on the Owner(s):**

Owner's Name: IFG BVI Inc Trustee  
Address: 320 Prospect Avenue, New York, NY 10169  
Telephone Number: \_\_\_\_\_

**5. Property Information:**

Present use of the premises: Existing single-family dwelling  
Restrictions, covenants, easements, association by-laws, existing or proposed on the property:  
Yes [attach copies]: \_\_\_\_\_ No: X  
Proposed use of the premises: Subdivision of existing 39,684 square foot property into three residential lots, as well as the retention of the existing dwelling and garage.

**NOTE: All deed restrictions covenants, easements, and association by-laws, existing and proposed, must be submitted for review and must be written in easily understandable English.**

**6. Licensed professionals representing the Applicant before the Board (if any):**

A. Attorney's Name: Richard Schkolnick, Esq.  
Address: Law Offices of Richard Schkolnick, 75 Main Street, Suite 201  
City/State/ZIP: Millburn, N.J. 07041  
Phone Number: 973 232-5061  
E-mail: rick@schkolnicklaw.com

B. Planner's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/ZIP: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_

C. Engineer's Name: Victor Vinegra  
Address: Harbor Consultants, Inc., 320 North Avenue East  
City/State/ZIP: Cranford, N.J. 07016  
Phone Number: 908 276-2715 E-mail: Victorv@hcicg.net

D. List any other Expert who will submit a report or will testify for the Applicant:  
[Attach Additional sheets as may be necessary.]

Name: \_\_\_\_\_  
Area of Expertise: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/ZIP: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**7. Application Type**

A. SUBDIVISION

- Minor Subdivision Approval
- Subdivision Approval [Preliminary]
- Subdivision Approval [Final]

B. SITE PLAN

- Minor Site Plan Approval
- Preliminary Site Plan Approval [Phases (if applicable)]
- Final Site Plan Approval [Phases (if applicable)]
- Amendment or Revision to an Approved Site Plan
- Request for waiver from Site Plan review and approval

Reason requesting waiver of site plan approval (use additional pages if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C. INFORMAL REVIEW:     Subdivision     Site Plan

D. CONDITIONAL USE APPROVAL per N.J.S.A. 40:55D-67

E. DIRECT ISSUANCE OF A PERMIT:

- N.J.S.A. 40:55D-34 (permit building or structure in the bed of a mapped Street or public drainage way, flood control basin or public area reserved pursuant to N.J.S.A. 40:55D-32)
- N.J.S.A. 40:55D-36 (permit building or structure not related to an official suitably improved street pursuant to N.J.S.A. 40:55D-35).

F. VARIANCES PURSUANT TO N.J.S.A. 40:55D-70.C

- X (C1) "Hardship" Variance
- X (C2) "Flexible" Variance (benefits v. detriments)

G. VARIANCES PURSUANT TO N.J.S.A. 40:55D-70.D

No D variances associated with the application.

- \_\_\_\_\_ (D1) A use or principal structure in a district restricted against such use or principal structure
- \_\_\_\_\_ (D2) An expansion of a nonconforming use
- \_\_\_\_\_ (D3) Deviation from a specification or standard pursuant to Section 54 of P.L. 1975, c.291 (C.40:55D-67) pertaining solely to a conditional use
- \_\_\_\_\_ (D4) An increase in the permitted floor area ratio as defined in Section 3.1 of P.L. 1975, c.291 (C.40:55D-4)
- \_\_\_\_\_ (D5) An increase in the permitted density as defined in Section 3.1 of P.L. 1975, c.291 (C.40:55D-4) except as applied to the required lot area for a lot or lots for detached one or two dwelling unit buildings which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision.
- \_\_\_\_\_ (D6) A height of a principal structure which exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure.

H. APPEAL/INTERPRETATION PURSUANT TO N.J.S.A. 40:55D-70, (a) & (b):

- \_\_\_\_\_ (a) Appeal to Board of Adjustment of Order, Requirement, Decision or Refusal by an administrative officer based on or made in the enforcement of the zoning ordinance.
- \_\_\_\_\_ (b) Request for Interpretation of the zoning map or ordinance or for Decisions upon other special questions upon which the Board of Adjustment is authorized to pass by any zoning or offered map or ordinance.

8. **Explain in detail** the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises: [attach additional pages if needed]

The applicant proposes to subdivide the existing 39,684 square foot property into three residential lots. The existing single-family dwelling and detached garage will be retained on proposed lot 5.02. A single family dwelling is proposed on each of the other two lots.

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9. Is a public water line available? Yes
10. Is public sanitary sewer available? Yes
11. Does the application propose a well and septic system? No
12. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block numbers? Not at this time
13. Are any off-tract improvements required or proposed? No
14. Is the subdivision to be filed by Deed or Plat? Deed
15. What form of security does the applicant propose to provide as performance and maintenance guarantees? Bonding
16. Other approvals which may be required and date plans submitted:  
Yes \_\_\_\_\_ No \_\_\_\_\_ Date Plans Submitted \_\_\_\_\_

- \_\_\_\_\_ Any Utilities Authority
- \_\_\_\_\_ County Health Department
- County Planning Board
- \_\_\_\_\_ County Soil Conservation District
- \_\_\_\_\_ NJ Dept. of Environmental Protection
- \_\_\_\_\_ Sewer Extension Permit
- \_\_\_\_\_ Sanitary Sewer Connection Permit
- \_\_\_\_\_ Stream Encroachment Permit
- \_\_\_\_\_ Waterfront Development Permit
- \_\_\_\_\_ Wetlands Permit
- \_\_\_\_\_ NJ Department of Transportation
- Public Service Electric & Gas Company
- \_\_\_\_\_ Other \_\_\_\_\_

17. **List of maps, reports and other materials accompanying the application (attach additional pages as required for complete listing.)**

Quantity	Description of Item
<u>5</u>	<u>Minor Subdivision Plans (4 sheets), prepared by Harbor Consultants, Inc., dated February 23, 2024</u>
<u>5</u>	<u>Survey, prepared by Harbor Consultants, Inc., dated January 10, 2024</u>

18. **The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals.**

Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

**Reports Requested:**

**Send reports to:**

All reports

Name/Address Richard Schkolnick, Esq.  
rick@schkolnicklaw.com

All reports

Name/Address Victor Vinegra and Ronald Dalton, engineers  
rond@hcticg.net and victorv@hcticg.net

\_\_\_\_\_

Name/Address \_\_\_\_\_  
\_\_\_\_\_

## Certifications

Complete #19 or #20 a and b as indicated:

**19. Applicant is Property Owner:** I certify that I am the Owner of the property which is the subject of this application, for which I am also the Applicant, and that the foregoing statements and the materials submitted are true. As such, I further certify that I am authorized to sign this application, and that I agree to be bound by the application and the decision. [If the Owner who is also the Applicant is a corporation this must be signed by an authorized corporate officer. If the Owner who is also the Applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
SIGNATURE OF APPLICANT and OWNER

**20. a) Applicant Who is Not the Property Owner:** I certify that the foregoing statements and materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant. [If the Applicant is a corporation this must be signed by an authorized corporate officer. If the Applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this  
5<sup>th</sup> day of March, 20 24

SUZANNE M. WELSH  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 4/30/2025

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
SIGNATURE OF APPLICANT

**b) Owner Who is Not the Applicant:** I certify that I am the Owner of the property which is the subject of this application, that I have authorized the Applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the Applicant. [If the Owner is a corporation this must be signed by an authorized corporate officer. If the Owner is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
SIGNATURE OF OWNER

See  
next  
page

**Official Certification**

Seen for authentication of the reverse side signatures, affixed in our presence by

Ms. **Andrea Adelheid EHRBAR JOHO**, born 23rd December 1966, Swiss citizen of Urnäsch AR, according to her information residing at Farnstrasse 8, 5507 Mellingen, Switzerland, identified by identity card,

Ms. **Silvia Christine MATHIS**, born 18th February 1977, Nationality: Austria, according to her information residing at Soodrain 1, 8134 Adliswil, Switzerland, identified by passport.

This legalization refers only to the authentication of the signature and not to the contents or validity of the document.

Zürich, 5th March 2024  
BK no. 41266-41267/ems  
Fee CHF 40.00

  
**NOTARIAT ZÜRICH (ALTSTADT)**  
M. Lazarevic, Deputy Notary Public





## Checklist Certification

**21. To be completed by the applicant:** I certify that all of the required checklist items and any waiver requests (which includes a listing of each waiver requested and a statement of arguments in support of granting each waiver requested) have been provided as part of this application. I understand that a determination of completeness is not a determination of approval and that the Board of jurisdiction has the right to request additional information. [If the Applicant is a corporation this must be signed by an authorized corporate officer. If the Applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this  
5<sup>th</sup> day of March, 2024

SUZANNE M. WELSH  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 11/20/25

NOTARY PUBLIC

  
SIGNATURE OF APPLICANT

## Escrow Certification

**21. Escrow Certification** I (please print name) Lisa Carbone  
understand that I have provided the non-refundable sum of \$            to be deposited in a Township of Cranford escrow account. In accordance with the Ordinances of the Township of Cranford, I further understand that the escrow account is established to cover the cost of professional services including but not limited to engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned upon my written request to the Zoning Department for same. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

*to be determined*

  
SIGNATURE OF APPLICANT

3/7/24  
DATE

**TAX STATEMENT**

22. Applicant is to complete and sign form, and bring it to the Cranford Township Tax Collector for signature. If you would like the signed form returned to you by mail, please provide a self-addressed, stamped envelope for same. One copy of the signed Tax Statement should be included in each of the *eighteen completed sets* of Form 01.

I, Anthony and Lisa Carbone of 320 Prospect Avenue  
Name Address

am submitting an application to the

PLANNING BOARD  ZONING BOARD OF ADJUSTMENT

for the development of Block 271 Lot 5 in Zone R-1

located at 320 Prospect Avenue  
Address

The owner of record is Anthony and Lisa Carbone of 320 Prospect Avenue  
Name Address

I acquired interest in this property on December 2023 and request the Tax  
Date

Collector to determine whether or not there are any delinquent taxes or other assessments due.

*Richard Seholnick, Esq. / agent for applicants*

January 30, 2024

Applicant's Signature


Date


**TO BE COMPLETED BY TAX COLLECTOR**


All taxes due have been paid.

All assessments due have been paid.

The following are delinquent and past due:  
*I verify that this information accurately reflects municipal tax records.*



  
Tax Collector  
Cranford Township  
Union County



Date January 30, 2024

# Form 04/Appeal for Relief from Zoning Requirements

**NOTE: For "C" Variances and Design Waivers Only**

TOWNSHIP OF CRANFORD - ZONING DEPARTMENT

8 Springfield Avenue - Cranford, NJ 07016

Phone: (908) 709-7216 • Fax: (908) 276-7664



Form Updated 8-12

## To be completed by Township Staff Only

Application No.: PB 24-001 Date received: 4/5/24

Appeal is hereby made by the applicant pursuant to NJSA 40:55D-70(c) of the New Jersey Municipal Land Use Law, for permission to vary from the requirements set forth in the Land Development Code of the Township of Cranford as follows:

### 1. Applicant information

Name: Lisa and Anthony Carbone

Address: 320 Prospect Avenue

Phone: 908 276-2877 Email: lisa@trcnj.com and ac@trcnj.com

### 2. Appeal information

Section(s) of Land Development Code	Requirement(s) set forth in the Land Development Code	Relief Requested
S.255-34 Min. lot area within 150' of R-O-W	12,000 sf for interior lots	11,250 sf - lot 5.01 10,171.5 - lot 5.02
S.255-34 Min. lot area within 150' of R-O-W	13,800 sf for corner lots	12,012 sf - lot 5.03
S.255-35B34(c) Min. lot size	13,800 sf for corner lots	12,012 sf - lot 5.03

**3. Please list all pre-existing non conforming conditions**

Section(s) of Land Development Code	Requirement(s) set forth in the Land Development Code	Existing Conditions
S.255-34 Max. height - accessory structure	1 story/16 feet	1.5 stories/22 feet
S.255-34 Min. side yard - accessory structure	3 feet	2.84 feet
S.255-34 Min. rear yard - accessory structure	5 feet	2.9 feet

**4. Arguments submitted in support of the requested relief.**

On a separate sheet of paper, for each variance requested, explain fully how the physical characteristics of the property in question prevents compliance with the strict application of the code requirements creating an undue hardship for the applicant. \* Testimony will be

provided at public hearing

**5. Public Hearing Notification Information**

Notice shall be given by the applicant at least ten (10) days prior to the date of the hearing to the following parties where applicable. Notice shall be by personal service or certified mail. An affidavit of proof of service demonstrating compliance with this requirement shall be filed with the Board Administrator in the Planning and Zoning Department at least four (4) business days prior to the date of the hearing.

**Please circle responses:**

1. Is the subject property located within two hundred feet (200') of any municipal boundary?

YES NO  If yes, Municipal Clerk of adjacent municipality and County Planning Board shall be notified of hearing by applicant. (Note 1)

2. Is the subject property adjacent to an existing or proposed county road or adjoining other County Land?

YES NO  If yes, County Planning Board shall be notified of hearing by applicant. (Note 1).

3. Is the subject property adjacent to a State highway?

YES NO  If yes, applicant shall notify the Commissioner of Transportation of the hearing. (Note 2).

4. Is the subject property greater than one hundred fifty (150) acres or involve more than 500 dwelling units?

YES NO  If yes, applicant shall notify the Director of New Jersey State Planning Commission of the hearing. Notice shall include a copy of any maps or documents required to be on file with the Municipal Clerk. (Note 3).

THE APPLICANT SHALL NOTIFY ALL OWNERS OF PROPERTY LOCATED WITHIN TWO HUNDRED FEET (200') IN ALL DIRECTIONS OF THE PROPERTY IN QUESTION AND OTHERS AS REQUIRED.

#### **6. Disclosure Information**

Is applicant and/or owner a corporation, Limited Liability Company or partnership and does the application involve variances to construct a multiple dwelling of twenty-five (25) or more family units or approval of a site to be used for commercial purposes?

YES NO If yes, submit disclosure of all stockholders holding ten percent (10%) or greater interest in the partnership pursuant to N.J.S.A. 40:55D-48.1 et.seq. (see Form 01)

#### **NOTES:**

“1” Union County Planning Board  
Attn: Union County Department of Engineering and Planning  
Union County Administration Building, Elizabethtown Plaza  
Elizabeth, New Jersey 07207

“2” New Jersey Department of Transportation  
P.O. Box 600  
Trenton, NJ 08625

“3” New Jersey Business Action Center  
Office for Planning Advocacy  
State Planning Commission  
Department of State  
P.O. Box 820  
Trenton, New Jersey 08625-0820

# Form 07/Preliminary Approval of Minor/Major Subdivision Application

TOWNSHIP OF CRANFORD - ZONING DEPARTMENT  
8 Springfield Avenue - Cranford, NJ 07016  
Phone: (908) 709-7216 • Fax: (908) 276-7664



Form Updated 8-12

## To be completed by Township Staff Only

Application No.: PB-24-001 Date received: 4/5/24

Application is hereby made for approval of the proposed Subdivision Plat for the land herein described:

### 1. PLAN DESCRIPTION:

~~The applicant proposes to subdivide the existing property into three residential lots. The existing dwelling will be retained.~~

a) PREPARED BY: Vincent Vinegra, Harbor Consultants Inc.

b) LATEST REVISION: February 23, 2024

2. CLASSIFICATION OF SUBDIVISION: Major \_\_\_\_\_ Minor X

a) Does the subdivision involve the creation of any new streets? YES NO X

b) Does the subdivision involve the extension of any off-tract improvements?  
YES NO X

c) Does the subdivision involve a planned development? YES NO X

### 3. UNION COUNTY PLANNING BOARD REVIEW:

A Union County Development Review application form must be filed with the Union County Planning Board by the applicant on ALL subdivisions. (Note 1) The application form may be obtained at their website:

<http://www.ucnj.org/p&cr/landstd/applform.pdf> (Note 1)

**4. NOTIFICATION INFORMATION:**

Notification of the hearing shall be given to the Union County Planning Board by the applicant. (Note 1)

**5. PUBLIC HEARING NOTIFICATION INFORMATION:**

Notice shall be given by the applicant at least ten (10) days prior to the date of the hearing to the following parties where applicable. Notice shall be by personal service or certified mail. An affidavit of proof of service demonstrating compliance with this requirement shall be filed with the Board Administrator in the Planning/Zoning Department at least four (4) business days prior to the date of the hearing.

**Please circle responses:**

- a) Is the subject property located within two hundred feet (200') of any municipal boundary? If yes, City Clerk of adjacent municipality and County Planning Board shall be notified of hearing by applicant. (Note 1)    **YES**    **NO**    **X**
- b) Is the subject property adjacent to a State highway?    **YES**    **NO**    **X** If yes, applicant shall notify the Commissioner of Transportation of the hearing. (Note 2)

**THE APPLICANT SHALL NOTIFY ALL OWNERS OF PROPERTY LOCATED WITHIN TWO HUNDRED FEET (200') IN ALL DIRECTIONS OF THE PROPERTY IN QUESTION AND OTHERS AS REQUIRED.**

**6. DISCLOSURE INFORMATION:**

Is applicant and/or owner a corporation, limited liability company or partnership and does the application involve variances to construct a multiple dwelling of twenty-five (25) or more family units or approval of a site to be used for commercial purposes?    **YES**    **NO**    **X**  
If yes, submit disclosure of all stockholders holding ten percent (10%) or greater interest in the partnership pursuant to N.J.S.A. 40:55D-48.1 et.seq.

**NOTES:**

“1”      Union County Planning Board  
          Attn: Union County Department of Engineering and Planning  
          Union County Administration Building, Elizabethtown Plaza  
          Elizabeth, New Jersey 07207

“2”      New Jersey Department of Transportation  
          1035 Parkway Avenue  
          P.O. Box 600  
          Trenton, NJ 08625

“3”      New Jersey State Planning Commission  
          150 West State Street  
          P.O. Box 204  
          Trenton, New Jersey 08625

**Hold Harmless And Indemnification Agreement**

FORM 15/Updated 4/09

This agreement made this 7<sup>th</sup> day of March, 2024, witnesses:

**WHEREAS**, Anthony and Lisa Carbone, Applicant, has submitted an application to the Planning Board (Board) of the Township of Cranford with said application designated as Application No. \_\_\_\_\_; and

**WHEREAS**, it may be necessary for the members of the Cranford Planning Board (Board) to inspect and walk the subject property known as 320 Prospect Avenue Block 271, Lot 5; and

**WHEREAS**, the Cranford Planning Board (Board) deems it advisable and fiscally prudent to obtain permission from the individual applicants for the members inspection of said property and to preclude claims for alleged damage in connection with the inspection;

**NOW, THEREFORE, BE IT RESOLVED**, in consideration of the mutual promises and covenants made by and between the parties, and is hereby agreed as follows:

I, Anthony and Lisa Carbone, Applicant, shall indemnify and hold harmless the Planning Board (Board) with regard to claims for damages associated with the inspection and shall preclude claims for alleged damage in connection with the inspection and give my permission for members of said Board to walk the property listed above.



Signature of Applicant

Sworn and subscribed to before me this 7<sup>th</sup> day of March, 2024



**Richard S. Schkolnick**  
Attorney-At-Law  
State of New Jersey

Notary Public of the State of New Jersey  
My Commission Expires on \_\_\_\_\_