

ORIGINAL

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JUN 13 2022

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

PLANNING & ZONING OFFICE
TOWNSHIP OF CRANFORD



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.

<u>To Be Completed by Township Staff Only</u>	
Dated Received:	<u>6/13/22</u>
Application No.:	<u>PB-22-003</u>

To Be Completed by Applicant

1. Subject Property

Location/Address: 201 Walnut Avenue
Tax Map: Block: 484, Lot(s): 19.01
Block: _____, Lot(s): _____
Dimensions: Frontage: _____ Depth: _____ Total Area: .85 Acre
Zoning District: Downtown Transition Zone (D-T)

2. Applicant Information

Name: 201 Walnut Ave LLC
Address: 55 Bleecker Street, 2nd Floor, Millburn, NJ 07041
Phone: (201) 371-1026 (Attorney) Email: jason@primelaw.com (Attorney)

Applicant is a: Corporation _____ Partnership _____ Individual _____
Limited Liability Company X 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.]

Name(s) Address(es)

See attached Corporate Disclosure Statement

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

Owner's Name: N/A

Address: _____

Telephone Number: _____

5. Property Information:

Present use of the premises: Commercial Use

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

Yes [attach copies]: _____ No: X

Proposed use of the premises: 3-Story Multi-Family Apartment building with 34 market-rate residential units, 2 COAH units, and 3 special needs housing units

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: Jason R. Tuvel, Esq.

Address: 1 University Plaza Drive, Ste. 500

City/State/ZIP: Hackensack, NJ 07601

Phone Number: (201) 883-1010

E-mail: jason@primelaw.com

B. Planner's Name: _____

Address: _____

City/State/ZIP: _____

Phone Number: _____

E-mail: _____

C. Engineer's Name: French & Parrello Associates

Address: 1800 Rt. 34, Ste. 101

City/State/ZIP: Wall, NJ 07719

Phone Number: (732) 312-9800

E-mail: _____

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

Name:	Blackbird Group Architects	Dynamic Traffic
Area of Expertise:	Architect	Traffic Consultant
Address:	190 Avenue L	245 Main Street, Ste. 110
City/State/ZIP:	Newark, NJ 07105	Chester, NJ 07930
Phone Number:	(973) 954-4650	732-681-0760
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):

Applicant is asking for waivers in areas not applicable to the instant application, as indicated by any "N/A" designation contained herein, because the aforementioned indicated areas are not applicable to the instant application, with the aforementioned waivers being requested for completeness purposes only.

C. INFORMAL REVIEW: Subdivision Site Plan N/A

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

E. DIRECT ISSUANCE OF A PERMIT: N/A

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 N/A

_____ (C1) "Hardship" Variance

_____ (C2) "Flexible" Variance (benefits v. detriments)

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

_____ (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): N/A

_____ (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]

See attached Statement of the Applicant

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? N/A
13. Are any off-tract improvements required or proposed? TBD
14. Is the subdivision to be filed by Deed or Plat? N/A
15. What form of security does the applicant propose to provide as performance and maintenance guarantees? TBD
16. Other approvals which may be required and date plans submitted: To be 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
_____	Traffic Impact & Parking Assessment
_____	Stormwater Management Report
_____	_____
_____	_____

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:

_____ All reports

Send reports to:

Name/Address _____ Jason R. Tuvel, Esq.

_____ 1 University Plaza Drive, Ste. 500,

Name/Address _____ Hackensack, NJ 07601

_____ jason@primelaw.com

Name/Address _____

STATEMENT OF APPLICANT

**201 Walnut Avenue, Block 484, Lot 19.01
Cranford, NJ 07016 (the “Property”)**

201 Walnut Ave, LLC (the “Applicant”) is the owner of the Property, which is .85 acres in size, is located in the Township of Cranford’s (the “Township”) Downtown Transition Zone District (the “D-T Zone”), and is also a designated Rehabilitation Area located within Subdistrict 2 of the Township’s South Avenue & Chestnut Avenue Redevelopment Plan (the “Redevelopment Plan”).

The Applicant is seeking minor site plan approval (the “Application”) to construct a three (3) story multi-family apartment building, consisting of thirty-four (34) market-rate residential units, two (2) COAH affordable housing units, and three (3) special needs housing units, for a total of thirty-nine (39) units. The Application does not require any variance, deviation or design waiver relief¹ from the Township’s Ordinances or the Redevelopment Plan, and the Application’s proposed use is permitted as of right in the D-T Zone. The Applicant seeks a waiver from Checklist 10 Item 4 – permit or exemption issued under the “Soil Erosion and Sedimentation Control Act”.

The Property is currently developed with a Wells Fargo drive-in bank. The Application proposes to demolish all structures currently on the Property and construct the aforementioned multi-family apartment building as set forth in the Application and supporting plans.

Expert testimony will be provided at the hearing to further support the approvals and relief requested above.

¹ Exclusive of waivers sought due to sections of the Township’s application package being inapplicable to the Application, with the aforementioned waivers being requested for completeness purposes only, and the waiver sought from Checklist 10 Item 4.

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
8th day of June, 2022

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
____ day of _____, 20 ____

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

ALETA RONCALLO
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES DECEMBER 24, 2024

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
8th day of June, 2022



NOTARY PUBLIC

 Managing Member

SIGNATURE OF APPLICANT

ALETA RONCALLO
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES DECEMBER 24, 2024

Escrow Certification

21. Escrow Certification I (please print name) Brandon K. Boffard
understand that I have provided the non-refundable sum of \$ 3,900.00 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.



SIGNATURE OF APPLICANT

6/8/22

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, Jason Tuvel, Esq. (Attorney for Applicant) of 1 University Plaza Dr. #500, Hackensack, NJ
Name Address

am submitting an application to the

PLANNING BOARD ZONING BOARD OF ADJUSTMENT TBD*

for the development of Block 484 Lot 19.01 in Zone D-T

located at 201 Walnut Avenue, Cranford, NJ
Address

The owner of record is 201 Walnut Ave LLC of 1323 Stuyvesant Ave, Union, NJ
Name Address

I acquired interest in this property on 9/15/17 and request the Tax
Date

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

Jason R. Tuvel
Applicant's Signature
Attorney for Applicant

4/21/22
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.

[Signature]
Tax Collector
Cranford Township
Union County



4/28/22
Date

RECEIVED

JUN 13 2022

PLANNING & ZONING OFFICE
TOWNSHIP OF CRANFORD



Form 09/Preliminary Approval of Site Plan 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 22-003 Date received: 6/13/22

Application is hereby made for approval of the proposed Site Plan for the land herein described:

1. PLAN DESCRIPTION:

See attached Statement of the Applicant

a) **PREPARED BY:** French & Parrello Associates

b) **LATEST REVISION:** 12/6/2021

2. CLASSIFICATION OF SITE PLAN: Major X Minor _____

a) Does the site plan involve the creation of any new streets? YES **NO**

b) Does the site plan involve the extension of any off-tract improvements?
YES **NO**

c) Does the site plan involve a planned development? YES **NO**

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 site plans. (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? **YES** **NO** If yes, City Clerk of adjacent municipality and County Planning Board shall be notified of hearing by applicant. (Note 1)
- b) 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)
- c) Is the property in question greater than one hundred fifty (150) acres or involves more than five hundred (500) dwelling units? **YES** **NO** If yes, applicant shall notify the Director of the New Jersey State Planning Commission of the hearing. Notice shall include a copy of maps and 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.

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

RECEIVED

JUN 13 2022

PLANNING & ZONING OFFICE
TOWNSHIP OF CRANFORD

Form 10/Final Approval of Site Plan 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-22-003 Date received: 6/13/22

Application is hereby made for approval of the proposed site plan for the land hereinafter more particularly described.

1. a) DATE OF PRELIMINARY APPROVAL: Application submitted simultaneously

b) DATE OF ANY EXTENSIONS GRANTED (attach documentation):

Pursuant to N.J.S.A. 40:55D-49, preliminary site plan approvals expire three (3) years from the date of preliminary approval. The applicant may apply to the reviewing Board for extensions for additional periods of at least one (1) year but not to exceed a total extension of two (2) years.

c) DATE OF LATEST REVISION: _____

d) CONTACT PERSON: _____
Phone: _____ Email: _____

2. Does the Application include (check all that apply):

- a) Drainage Plan X
- b) Paving Plan X
- c) Utility Plan X
- d) Landscaping Plan X
- e) Sign Plan X
- f) Lighting Plan X
- g) Elevation Drawing X

3. Does the final plan follow exactly the plan granted preliminary approval in regard to development plans, area covered, other details? YES NO If not, indicate any changes (attach copy if necessary). Submitted simultaneously with preliminary site plan

4. Have all conditions of preliminary approval been met? YES NO Attach evidence of compliance, if not included on plans. If conditions have not been met, specify reasons. Submitted simultaneously with preliminary site plan

Hold Harmless And Indemnification Agreement

FORM 15/Updated 4/09

This agreement made this 8th day of June, 2022, witnesses:

WHEREAS, 201 Walnut Ave LLC, Applicant, has submitted an application to the Planning (Board) of the Township of Cranford with said application designated as Application No. _____; and

WHEREAS, it may be necessary for the members of the Planning (Board) to inspect and walk the subject property known as 201 Walnut Avenue Block 484, Lot 19.01; and

WHEREAS, the Planning (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, Brandon Biffard on behalf of 201 Walnut Ave LLC, Applicant, shall indemnify and hold harmless the Planning (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 8th day of June, 2022

ALETA RONCALLO
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES DECEMBER 24, 2024

Notary Public of the State of New Jersey
My Commission Expires on 12-24-24

Corporate Ownership Disclosure Statement

This Corporate Ownership Disclosure statement is provided in compliance with the requirements of N.J.S.A. 40:55D-48.1 et seq.

The following entities hold 10% or more of any class of stock/interest in 201 Walnut Ave, LLC:

Boffard Holdings, LLC, 276 Essex Street, Millburn, NJ 07041 – 100%

The following individuals hold 10% or more of any class of stock/interest in Boffard Holdings, LLC:

1. Brandon Boffard, 167 Perry Street, Apt. 1R, New York, NY 10014 – 33%
2. Brett Boffard, 323 Lupine Way, Short Hills, NJ 07078 – 33%
3. Brielle Boffard, 1125 Alhambra Circle, Coral Gables, FL 33134 – 33%