



**Memo**

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**Date:** October 5, 2023

**To:** Greer Patras, AICP, PP – Cranford Township Planner

**From:** Katherine Sarmad, PP, AICP, Harbor Consultants

**CC:** Cranford Development Review Committee Members  
Gary Goodman, Esq.

**Subject:** Application No. ZBA-23-017  
J. Tan & M. Tog, LLC  
545A & 547-549 Lexington Avenue, Block 457, Lots 8 + 9  
Use Variance Relief – Bifurcated Application

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Enclosed for distribution to the Board and its professionals are certain updated plans, reports, and other documents pertaining to the above-referenced application. These materials contain certain further modifications to the applicant's proposed site plan that are responsive to the September 6, 2023 DRC meeting and the September 28, 2023 memo summarizing the items discussed at the September 6<sup>th</sup> meeting.

Enclosed are the following updated plans:

1. Architecture Plan, consisting of sixteen (16) sheets prepared by Dantas Carrete Architecture, dated June 20, 2023 and revised through September 26, 2023.
2. Site Plan Layout, consisting of four (4) sheets prepared by Harbor Consultants Inc., dated July 7, 2023, revised through October 3, 2023.

Most significantly, the site plan and the materials enclosed detail that the application has been revised to incorporate certain threshold modifications discussed by the DRC. Most significantly, the proposed layout plan has been updated with the following changes:

1. The site density has been reduced by 2 market rate units, from 26 units - including 22 market rate and 4 affordable units - to 24 total units – including 20 market rate and 4 affordable units;
2. The affordable units have been revised to be for-sale units that are intermixed within the market rate unit buildings as stacked townhouses;
3. The building setbacks from all yards have been increased, along with an increase in the setback from the railroad right-of-way and gas pipeline as noted by the Cranford Fire Department:

- a. Whereas the front yard setback was previously 30 feet, and proposed to be 35 feet from Lexington Avenue;
  - b. Whereas the rear yard setback was previously proposed to be 18.5 feet and has increased to 44 feet from the patio extent and 50 feet from the building wall;
  - c. Whereas the single side yard setback and both side yard setbacks were previously proposed to be 8.4 feet and 20.5 feet, and have increased to 23 feet for a single side yard and 47 feet for the combined side yards.
  - d. Whereas the closest distance to the property line adjacent to the railroad was previously proposed to be 12.1 feet for the rear building and 21.4 feet for the adjacent building, it has increased to 43.2 feet for the rear building and 23 feet from the patio extent and 28.7 feet from the building wall for the adjacent building.
4. The building height has been reduced to 34' 7.25" to the top of roof, alleviating the need for a D(6) variance raised in the memo;
  5. Site details requested by the DRC, including parking spaces; addition of individual porch areas; truck turning template; depiction of elevators; landscape buffering; and outdoor amenity space (including walking paths, community garden, benches, and outdoor fire pit) have been designed on the site layout and architectural plans; and
  6. Architectural plans and elevations have been revised to depict the above updates.

Finally, the DRC requested that the proposed plan be compared against the Supplemental use regulations for Townhouses under Section 255-37.C, which notes "Townhouse dwellings shall comply with the following regulations", as follows:

<b>545A &amp; 547-549 Lexington Avenue, Block 457, Lots 8 + 9</b>			
<b>Section 255-37.C: Supplemental use regulations for Townhouses</b>			
<b>Description</b>	<b>Required</b>	<b>Proposed</b>	<b>Notes</b>
<b>(1) Tract Development</b>			
(a) Minimum tract area.	30,000 square feet	77,956 SF	Conforming
(b) Minimum tract frontage	150 Feet	242 Feet	Conforming
(c) Development density	Individual lots of 5,000 square feet per dwelling unit (15.6 units)	24 units	<b>Not Conforming</b>
<b>(2) Individual Lots</b>			
<b>Note: The lots are not proposed to be individual – the units are condominiumized and the following is based on the individual <u>unit</u> dimensions</b>			
(a) Minimum width	Average 20 feet, no less than 18 feet*	<u>10 units</u> are 18'10.25" and <u>10 units</u> are 23'4" (the 4 Affordable units are stacked)	Not lots, but the unit widths would be conforming

(b) Minimum area.	Average 1,600 SF, no less than 1,400 SF**	<1,400 SF	<b>Not Conforming</b>
(c) Front and rear yards	Average 25 feet, no less than 20 feet***	>25 feet	Conforming
(d) Side yards	10 feet for each individual lot occupied by a semidetached dwelling unit.	>10 feet	Conforming
<b>(3) Buildings</b>			
(a) Design	[1] Each dwelling unit shall have not fewer than two means of ingress and egress.	All units except 2 Ground Floor Affordable 1-B units do not have 2 means	Conforming
	[2] Each dwelling unit shall have not fewer than two exposures.	2 or more exposures provided	Conforming
	[3] There shall be no more than eight dwelling units in any single group of dwelling units.	Maximum 7 in Building Type 2 with Affordable Stacked Units	Conforming
	[4] No living space shall be permitted above the second story.	Bedrooms on 3 <sup>rd</sup> floor	<b>Not Conforming</b>
	[5] No more than two adjacent dwelling units may be constructed without providing a front wall setback of not less than four feet.	Varying front walls provided (see Architectural Plans)	Conforming
(b) Siting	[1] Each group of dwelling units shall set back not less than 35 feet from primary or secondary arterial streets as designated in the Master Plan and not less than 25 feet from all other streets, roads or ways, whether public or private. New buildings shall not project closer to the street than the established setback, except where a prevailing setback has been established on improved lots within 200 feet of the subject lot. However, in no case need the setback from any public street exceed 50 feet.	35 Feet from Lexington Avenue	Conforming
	[2] Each group of dwelling units shall set back not less than 35 feet from a zone district boundary line, except that, where abutting an R-7 or R-8 Zone, the setback may be reduced to 20 feet.	>35 Feet from C-2 Zone and R-3 Zone	Conforming
	[3] Each group of dwelling units within a tract shall be set back not less than 30 feet from any other group of dwelling units within the same tract and shall set back not less than 15 feet from the tract boundary line.	Minimum 10 feet between Buildings  >15 Feet to tract boundary	<b>Not Conforming for separation of buildings</b>

<b>(4) Garages</b>			
(a) Design.	All garages shall conform architecturally to, and be of similar materials as, the principal building in the development.	See Architectural Plans	Conforming
(b) Location.	Garages may be built into townhouses or may be constructed on individual lots or on common areas, all subject to the approval of the Planning Board.	Proposed to be built into townhouses	Conforming
(c) Private garages.	<p>Garages constructed on individual lots under this article shall be subject to Subsection C(4)(a) and (b) above and the following:</p> <p>[1] A garage need not be set back from one side line of an individual lot and may be attached to a garage on an adjacent individual lot.</p> <p>[2] No garage which is not attached to or part of a townhouse on the same individual lot shall be closer than 20 feet to said townhouse.</p>	N/A	N/A
(d) Common garages	Common garages shall meet the setback requirements for parking areas as set forth in Article IV, § 255-26G(3), except that the rear walls of such garages may be situated as close as 25 feet to a peripheral public street subject to any greater existing setbacks and approval by the Planning Board.	N/A	N/A
<b>(5) Ownership of Common Areas</b>			
(5) Ownership of common areas.	<p>Common areas of any tract utilized for a townhouse development which are not accepted by the Township shall be deeded to a corporation, association, individual or individuals or other legal entity consisting of a majority of the property owners within the development for their use, control, management and maintenance. Any agreement providing for such ownership shall be reviewed and approved by the Township Attorney to ensure that adequate safeguards are included guaranteeing the continuance of the agreement in perpetuity and protecting the Township from harm. In any event, said agreement shall give the Township the right to perform maintenance and assess the cost to the property owners in the event that said property owners fail to maintain the property in accordance with the agreement.</p>	Will be common areas under the HOA	Conforming

*\*For each individual lot with a width less than the required average, there shall be not less than one individual lot with a width greater than the required average, and the deviation from the required average of the larger lot shall be at least equal to the deviation from the required average of the smaller lot.*

*\*\* For each individual lot with an area less than the required average, there shall be not less than one individual lot with an area greater than the required average, and the deviation from the required average of the larger lot shall be at least equal to the deviation from the required average of the smaller lot.*

*\*\*\* Except that where the front or rear property line of an individual lot abuts open space and which open space shall have a minimum dimension of 50 feet measured at right angles along the full length of the abutting property line, then the required average and minimum yard requirements set forth herein may be reduced by not more than 10 feet for the abutting yard. In addition, for each individual lot with a front or rear yard less than the required average, there shall be not less than one individual lot with corresponding yard greater than the required average, and the deviation from the required average of the larger yard shall be at least equal to the deviation from the required average of the corresponding smaller yard.*

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Sarmad', with a stylized, cursive script.

Katherine Sarmad, PP, AICP  
Harbor Consultants