

**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: \_\_\_\_\_

Application No.: \_\_\_\_\_

**To Be Completed by Applicant**

**1. Subject Property**

Location/Address: 13 Cherokee Road, Cranford NJ 07016  
Tax Map: Block: 618, Lot(s): 8  
Block: \_\_\_\_\_, Lot(s): \_\_\_\_\_  
Dimensions: Frontage: 51.83' Depth: 100' Total Area: 5,922 Sq. Ft.  
Zoning District: R-4

**2. Applicant Information**

Name: NICHOLAS MANO C/O MATTHEW G. CAPIZZI, ESQ.  
Address: 11 HILLSIDE AVENUE, 2ND FLOOR, TENAFLY, NJ 07670  
Phone: 201-266-8300 Email: matthew@capizzilaw.com

Applicant is a: Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ Individual X  
Limited Liability Company \_\_\_\_\_ Other (Specify) \_\_\_\_\_

**3. Disclosure Statement N/A**

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)

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

Owner's Name: Same as Applicant

Address: 13 Cherokee Road, Cranford NJ 07016

Telephone Number: 732-895-5654

**5. Property Information:**

Present use of the premises: Single-family residence

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

Yes [attach copies]: \_\_\_\_\_ No: X

Proposed use of the premises: Single-family residence

**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: MATTHEW G. CAPIZZI, ESQ.  
Address: 11 HILLSIDE AVENUE, 2ND FLOOR  
City/State/ZIP: TENAFLY, NJ 07670  
Phone Number: 201-266-8300  
E-mail: matthew@capizzilaw.com

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

C. Engineer's Name: Jeff Egarian, P.E. of DJ Egarian & Associates Inc.  
Address: 271 ROUTE 46, SUITE G208  
City/State/ZIP: FAIRFIELD, NJ 07004  
Phone Number: 973-898-1401  
E-mail: jeffegarian@djegarian.com

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

Name: Same as above  
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.~~ D. CONDITIONAL USE APPROVAL per N.J.S.A. 40:55D-67

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

xxx \_\_\_\_\_ (C1) "Hardship" Variance

xxx \_\_\_\_\_ (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]**

Removal of existing patio in the rear yard and construction of 10x20 pool requiring variance relief as to rear yard setback. Given the location of the existing house, there is limited area in the rear yard to construct the pool resulting in practical difficulty upon the applicant in complying with the rear yard setback requirement for a pool. The rear yard setback variance can be granted without causing a substantial negative impact upon the neighborhood. The pool replaces a patio that provided a similar setback. The pool will only be used for a few months each year. The pool is at grade and therefore has no impact on light, air and open space.

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

Quantity	Description of Item
5	Pool Location and Grading Plan prepared by DJ Egarian & Associates Inc.

**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:**

_____	Name/Address _____
	_____
_____	Name/Address _____
	_____
_____	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  
15 day of February, 2023

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

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

**Barbara E Dougherty**  
**Notary Public**  
New Jersey  
My Commission Expires 12-02-2025  
No. 22284

**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\_\_

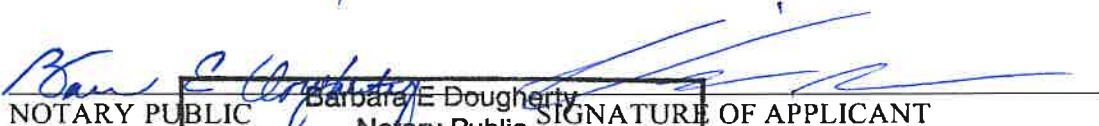
\_\_\_\_\_  
NOTARY PUBLIC

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

## 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  
15 day of February, 20 23

  
NOTARY PUBLIC      Barbara E. Dougherty      SIGNATURE OF APPLICANT  
Notary Public  
New Jersey  
My Commission Expires 12-02-2025  
No. 22284

## Escrow Certification

**21. Escrow Certification** I (please print name) Nicholas Manu  
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.

  
SIGNATURE OF APPLICANT

FEBRUARY 15, 2023  
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, Nicholas Mano of 13 Cherokee Road, Cranford NJ 07016  
Name Address

am submitting an application to the

PLANNING BOARD  ZONING BOARD OF ADJUSTMENT

for the development of Block 618 Lot 8 in Zone R-4

located at 13 CHEROKEE ROAD  
Address

The owner of record is Nicholas Mano of 13 Cherokee Road, Cranford NJ 07016  
Name Address

I acquired interest in this property on May 20 2019 and request the Tax  
Date

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

[Signature]  
Applicant's Signature

FEBRUARY 15, 2023  
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:



Tax Collector's Signature

Date

**TAX STATEMENT**

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for the development of Block 618 Lot 8 in Zone R-4

located at 13 CHEROKEE ROAD  
Address

The owner of record is Nicholas Mano of 13 Cherokee Road, Cranford NJ 07016  
Name Address

I acquired interest in this property on \_\_\_\_\_ and request the Tax  
Date

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

[Signature]  
Applicant's Signature

\_\_\_\_\_  
Date

**TO BE COMPLETED BY TAX COLLECTOR**

- All taxes due have been paid.
- All assessments due have been paid.
- I verify that this information accurately reflects following are delinquent and past due:



Tax Collector  
Cranford Township  
Union County



[Signature]  
Tax Collector's Signature

2-13-23  
Date

# 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.: \_\_\_\_\_ Date received: \_\_\_\_\_

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: Nicholas Mano c/o Matthew G. Capizzi, Esq.

Address: 11 Hillside Avenue, 2nd Floor, Tenafly NJ 07670

Phone: 201-266-8300 Email: matthew@capizzilaw.com

#### 2. Appeal information

Section(s) of Land Development Code	Requirement(s) set forth in the Land Development Code	Relief Requested
1. Minimum Rear Yard Setback as to Pool 255-38	15'	7.8'
2. Maximum Impervious Coverage 255-34	40%	39.6%

**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
1. Minimum Lot Area 255-34	6,000 Sq. Ft.	5,923 Sq. Ft.
2. Minimum Lot Width 255-34	60'	51.83'
3. Minimum Rear Yard Setback 255-34	30'	29.3'

**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. Please refer to page 4, #8

**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

**Address of Property:** 13 Cherokee Road, Cranford NJ 07016

**Checklist 1. Required items for all applications submitted to the Planning and Zoning Board of Adjustment.**

<b>Item Number</b>	<b>Required Item</b>	<b>To be completed by applicant.</b>		<b>To be completed by the Planning and Zoning Office.</b>	
		<b>Provided ("P") or Waiver Requested ("W")</b>	<b>Applicant's Initials</b>	<b>Date item received by Planning and Zoning Office</b>	<b>Zoning Officer's initials</b>
1.	One original and 17 copies of the completed Standard Board Application Form ( see Form 01).	P			
2.	One original and 17 copies of the Hold Harmless Indemnification Agreement (see Form 15).	P			
3.	One original and 17 copies of the property survey of the subject property prepared by a New Jersey licensed surveyor and that details the following items: <ul style="list-style-type: none"> <li>- All existing site conditions.</li> <li>- All proposed site conditions.</li> <li>- The location of all easements and encumbrances upon the subject property.</li> <li>- Graphic scale, north arrow, and reference meridian.</li> <li>- A scale of not more than 1:40.</li> <li>- The existing and proposed lot coverage totals.</li> <li>- Title block containing the survey preparer's name and the date the survey was prepared and any revision dates.</li> </ul>	P			
4.	18 copies of any protective covenants and deed restrictions related to the subject property.	N/A			
5.	One original and 17 copies of the certification from the Tax Collector that all taxes are paid in full (see Form 1).	P			
6.	Proof that all fees are paid in full and all escrow accounts (if required) are current.				
7.	One original and 17 copies of the checklist documenting all items provided and all checklist items waivers requested and statement of arguments in support of waiver requests (see Form 18).	P			
8.	One original application for the list of owners within 200 ft. of the subject property.	P			
9.	One original and 17 copies of any approved site plans for the subject site. The original must be sealed by licensed professional.	P			

**Address of Property:** 13 Cherokee Road, Cranford NJ 07016

**Checklist 4. Required items for "C" variance relief and design waiver applications pursuant to NJSA 40:55D-70c.**

<b>Item Number</b>	<b>Required Item</b>	<b>To be completed by applicant.</b>		<b>To be completed by the Planning and Zoning Office.</b>	
		<b>Provided ("P") or Waiver Requested ("W")</b>	<b>Applicant's Initials</b>	<b>Date item received by Planning and Zoning Office</b>	<b>Zoning Officer's initials</b>
1.	One original and 17 copies of the Request for Relief from the Zoning Requirements application form (Form 04).	P			
2.	One original and 17 copies of plans detailing all existing and proposed conditions.	P			
3.	If the proposed use is not a single or two family use, all plans must be prepared by a New Jersey licensed design professional.	P			