

Pequannock Township  
Application of Site Plan

Applicant's Name: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

Date Received: \_\_\_\_\_

Escrow Paid: \_\_\_\_\_

Date Received: \_\_\_\_\_

DO NOT WRITE ABOVE THIS LINE

1. Applicant's Name, Address and Telephone Number: Lawrence Steimel, III  
137 West End Avenue, Pompton Plains, NJ 07444

2. Present Owner's Name, Address and Telephone Number: Same as Applicant

3. Attorney's Name, Address and Telephone Number: Thomas J. Molica, Jr.  
Vogel, Chait, Collins and Schneider, P.C.  
25 Lindsley Dr., Suite 200, Morristown, NJ 07960 (973) 538-3800

4. Location of Site: Street: 126 Newark Pompton Tpke.  
Block: 4103 Lot: 18 Zoning: C-1

5. Area of tract: 10,399 in SF  
Ground floor area of all structures \_\_\_\_\_ in SF  
Percentage of lot coverage by all buildings 16.02 %  
Area of building and pavement 5570 in SF  
Percentage of lot coverage by all buildings and pavement 55.49 %

6. Lot specifics as provided on plan:  
Are any variances requires? YES X NO \_\_\_\_\_  
Lot width: 65.16' Front yard setback 13.1' (variance required)  
Side yard setbacks 12.9(both) Rear yard setbacks 47.31  
Percentage of front yard used for parking 0 %  
Buffers provided: YES X NO \_\_\_\_\_  
Parking spaces provided 10  
Loading spaces provided N/A

7. Has this tract been involved in a prior application before the Planning Board or the Zoning Board of Adjustment? YES X NO \_\_\_\_\_  
If yes, Name of Board \_\_\_\_\_  
Type of Application To be provided under separate cover upon receipt of OPRA.  
Action Taken \_\_\_\_\_

8. List intended used of the site: Residential; two ground floor apartments  
and one second floor apartment with parking.

9. Does lot have frontage on a public street or ROW?  
YES x NO \_\_\_\_\_  
Property is located on a \_\_\_\_\_ Municipal, \_\_\_\_\_ County  
or \_\_\_\_\_ State Road. (check all that apply)

10. Number of buildings or structures existing 1, proposed 1.

11. Are there any existing covenants or deed restrictions on the property?  
YES \_\_\_\_\_ NO x  
If Yes, Describe: See attached Deed.

12. Are there are streams, ponds, ditches or wetlands on or adjoining the proposed  
Subdivision? YES \_\_\_\_\_ NO x

13. Is the property located in the 100 year Floodplain or floodway as shown on the  
FEMA Maps dated July 3, 1986? YES \_\_\_\_\_ NO \_\_\_\_\_

14. Name, Address and Title of person preparing the plats and exhibits presented:  
William J. Darmstatter, PE, LS

James Cutillo, Architect; David Troast, Planner

15. List all the plans and other exhibits submitted with this application: Site  
Plan consisting of three (3) sheets, Architectural Drawings

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS CORRECT TO THE  
BEST OF MY KNOWLEDGE.

Signature of Applicant

Thomas J. Melica, Jr.  
Attorney for Applicant

Sworn to and Subscribed  
Before me this 6<sup>th</sup> day  
of January 2021

Notary

Laurie K. Ford  
LAURIE K. FORD  
A Notary Public of New Jersey  
My Commission Expires July 15, 2023

PEQUANNOCK TOWNSHIP  
APPLICATION FOR VARIANCE

Applicant's Name: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

Date Received: \_\_\_\_\_

Escrow Paid: \_\_\_\_\_

Date Received: \_\_\_\_\_

DO NOT WRITE ABOVE THIS LINE

1. Applicant's Name, Address and Telephone Number: Lawrence Steimel, III

137 West End Avenue, Pompton Plains, NJ 07444

2. Present Owner's Name, Address and Telephone Number: Same as Applicant

3. Attorney's Name, Address and Telephone Number: Thomas J. Molica, Jr.

Vogel, Chait, Collins and Schneider, P.C.

25 Lindsley Dr., Suite 200, Morristown, NJ 07960 (973) 538-3800

4. N.J.S.A. 40:55D-70

\_\_\_\_\_ (a) Review of Order \_\_\_\_\_ (b) Interpretation

\_\_\_\_\_ (c) Hardship or C(2) Variance   x   (d) <sup>d(3)</sup> ~~Hardship~~ Variance

5. Permission to: \_\_\_\_\_ (a) Alter or add to an existing building  
(Check applicable) \_\_\_\_\_ (b) Construct a new building on vacant land  
  x   (c) Change from existing use  
\_\_\_\_\_ (d) Subdivide land creating one or more  
nonconforming lots  
\_\_\_\_\_ (e) Other

6. Proposed building or use is contrary to the following sections of the Zoning Ordinance:

Section	Brief Description
<u>C-1 Zone</u> <u>Requirements</u>	<u>The front and side yard setbacks, which will</u> <u>not change under this application, are pre-</u> <u>existing and conforming conditions. See also</u> <u>Rider to Application. See also Planner's Report.</u>

7. Location of Lot: Number and Street: 126 Newark Pompton Turnpike

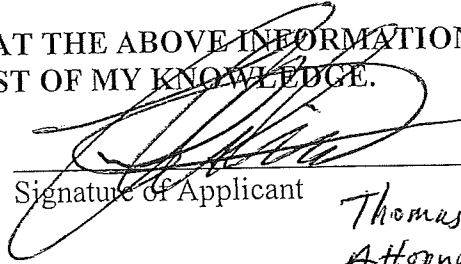
Block 4103 Lot 18 Zoning C-1

8. Dimensions of Lot .23 acres 10,399 square feet  
 Front yard setback 13.1' Rear yard setback 47.31'  
 Side yard setback 2.5' and 10.4'  
 Lot depth 97.89' Lot width 65.16'
9. Do lots have frontage on a public street or ROW?  
 Yes X No \_\_\_\_\_  
 Property is located on a \_\_\_\_\_ Municipal, \_\_\_\_\_ County or  
X State Road. (Check all that apply)
10. Has tract been involved in a prior application before the Zoning Board of  
 Adjustment or the Planning Board? Yes X No \_\_\_\_\_  
 If Yes, name of Board Resolutions to be provided under separate cover.  
 Type of Application \_\_\_\_\_  
 Action Taken Approval
11. Number of buildings or structures existing 1, proposed 1  
 Ground floor area of all structures \_\_\_\_\_  
 Dimensions of proposed addition N/A square feet.
12. Have efforts been made to acquire additional land to be joined with the  
 subject premises? Explain: \_\_\_\_\_  
No/Not Applicable
13. Are there any existing covenants or deed restrictions on the property?  
 Yes \_\_\_\_\_ No X If Yes, Describe: See attached Deed.
14. Is the property located in the 100 year Floodplain or Floodway as shown  
 on the FEMA Maps dated July 3, 1986? Yes \_\_\_\_\_ No \_\_\_\_\_
15. Name, Address and Title of person preparing the plats and exhibits  
 presented: William J. Darmstatter, P.E., L.S.
16. List all the plans and other exhibits submitted with this application:  
Site Plan consisting of three (3) sheets, Architectural Renderings

17. Explain reasons why relief should be granted (attach narrative giving complete factual and legal contentions)

See attached Rider to Application, attached hereto. See also Planner's Report.

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS CORRECT TO THE BEST OF MY KNOWLEDGE.

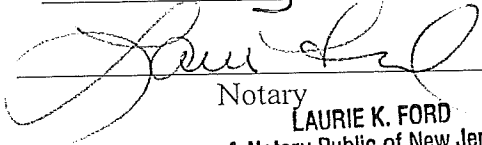
  
\_\_\_\_\_  
Signature of Applicant

Thomas J. Mastica, Jr.  
Attorney for Applicant

Sworn to and Subscribed

Before me this 6<sup>th</sup> day

of January 2021

  
\_\_\_\_\_  
Notary

**LAURIE K. FORD**  
A Notary Public of New Jersey  
My Commission Expires July 15, 2023

TOWNSHIP OF PEQUANNOCK

SUPPLEMENT TO VARIANCE APPLICATION

The following questions are necessary for the Health Department's review of your application. The completed form will also be made available to the Board of Adjustment prior to the hearing date. Filling out this form completely and accurately will facilitate the application process and is required for your application to be deemed complete.

Property Owner(s) Lawrence J. Steimel, III

Address: 126 Newark Pompton Turnpike, Pequannock, NJ 07440

Block 4103 Lot 18

Property to Sewered (  ) Property is on Septic (  )

Number of bedrooms presently in structure ( 0 )

Number of bedrooms to be added ( 4 )

Number of bedrooms to be deleted ( 0 )

Total number of bedrooms when project is completed ( 4 )

Size of Septic (if known) N/A

Type and size of disposal field (if known) N/A (already connected to sewer)

---

Please enclose an up to date plot plan or survey with this form. This survey should include all structures located on the property as well as any easements. The location of all septic system components must also be shown on the survey. The Health Department may have information that will assist you. Please contact them with your inquiries.

**Pequannock Township**

Application for FLOOD PLAIN DEVELOPMENT

Intake Date: \_\_\_\_\_

Completeness Date: \_\_\_\_\_

Applicant's Name: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

Date Received: \_\_\_\_\_

Escrow Paid: \_\_\_\_\_

Date Received: \_\_\_\_\_

DO NOT WRITE ABOVE THIS LINE

1. Applicant's Name, Address, Telephone Number & Email: Lawrence Steimel, III

137 West End Avenue, Pompton Plains, NJ 07444

2. Present Owner's Name, Address and Telephone Number: Same as Applicant

3. Attorney's Name, Address, Telephone Number & Email: Thomas J. Molica, Jr.  
Vogel, Chait, Collins and Schneider, P.C.

25 Lindsley Dr., Suite 200, Morristown, NJ 07960 (973) 538-3800

4. Location of Site: Street: 126 Newark Pompton Tpke.

Block: 4103 Lot: 18 Zoning: C-1

5. Type of Development Proposed:

Residential Yes X No \_\_\_\_\_

If yes, Number of structures 1

Number of dwellings 3

Number of stories per structure 2

Non Residential Yes \_\_\_\_\_ No \_\_\_\_\_ N/A

If yes, Number of structures including parking decks \_\_\_\_\_

Number of commercial buildings \_\_\_\_\_

Number of industrial buildings \_\_\_\_\_

Number of warehouse buildings \_\_\_\_\_

Number of stories per structure \_\_\_\_\_

Percent of parking spaces in the floodplain \_\_\_\_\_

6. Area of tract: 10,399 in SF

Ground Floor area of all structures \_\_\_\_\_ in SF

Percentage of lot coverage by all buildings 16.02 %

Area of building and pavement 5,776 in SF

Percentage of lot coverage by all buildings and pavement 55.49%  
Net fill required for project? No

7. Plan specifics:

Are any variances from Chapter 85 of the Pequannock Township Code required? Yes x No \_\_\_\_\_

If yes, provide section, number and reason for the variance request: (attach additional sheets as necessary)

Section	Description
	<u>See attached Variance Application and Rider attached hereto.</u>
	<u>See also Planner's Report and Zoning Chart.</u>

Ground elevation (in relation to mean sea level) at the proposed building corners:  
Existing \_\_\_\_\_ Proposed \_\_\_\_\_  
Elevation of 100 year flood (in relation to mean sea level) per FEMA maps dated 3 July, 1986 or perfected LOMA \_\_\_\_\_  
Elevation (in relation to mean sea level) of lowest supporting member of proposed structure \_\_\_\_\_  
Elevation of attached or detached garage N/A  
Have NJDEP Stream Encroachment permits been granted?  
YES \_\_\_\_\_ (attach copy) NO x  
If no, have NJDEP Stream Encroachment permits been applied for?  
YES \_\_\_\_\_ NO x (If yes, attach copy of application)

8. Has this tract been involved in a prior application before the Planning Board or the Zoning Board of Adjustment? YES \_\_\_\_\_ NO \_\_\_\_\_  
If yes, Name of Board \_\_\_\_\_  
Type of Application To be provided  
Action Taken \_\_\_\_\_

9. List intended uses of the site: Residential apartments (two first floor and one second floor).

10. Are there any existing covenants or deed restrictions on the property?  
YES \_\_\_\_\_ NO x  
If yes, Describe: See attached Deed.

11. Are there any streams, ponds, ditches or wetlands on or adjoining the tract?  
YES x NO \_\_\_\_\_

Flood Plain Development Application

12. Name, Address and Title of person preparing the plats and exhibits presented: William J. Darmstatter, PE, LS



James Cutillo, Architect; David Troast, Planner

---

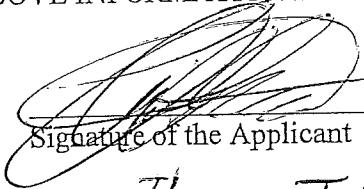
Flood Plain Development Application

13. List all the plans and other exhibits submitted with this application: \_\_\_\_\_

Site Plan consisting of three (3) sheets; Architectural drawings

---

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS CORRECT TO  
THE BEST OF MY KNOWLEDGE.

  
\_\_\_\_\_  
Signature of the Applicant

Thomas J. Molica, Jr.  
Attorney for Applicant

Sworn to and Subscribed  
before me this 6<sup>th</sup> day  
of January 2021

  
\_\_\_\_\_  
Notary

My commission ends \_\_\_\_\_  
**LAURIE K. FORD**  
A Notary Public of New Jersey  
My Commission Expires July 15, 2023

Flood Plain Development Application

Applicant: Lawrence J. Steimel, III

Site Address: 126 Newark-Pompton Turnpike, Pequannock, New Jersey 07440 (Block 4103, Lot 18)

**WAIVER REQUEST STATEMENT FOR  
SITE PLAN AND VARIANCE APPLICATION  
FOR 126 NEWARK-POMPTON TURNPIKE  
PEQUANNOCK, NEW JERSEY 07440  
BLOCK 4103, LOT 18**

Lawrence J. Steimel, III, the applicant seeking preliminary and final site plan approval together with variance relief pursuant to N.J.S.A. 40:55D-70c and 70d(3) to convert the existing building located at the subject property known and designated at Block 4103, Lot 18, 126 Newark-Pompton Turnpike, Pequannock, New Jersey 07440 (the "Property") into to a multi-family, residential use, consisting of three apartments (two, one-bedroom apartments located on the first floor, and one, two-bedroom apartment located on the second floor), together with certain parking, landscaping, lighting, and other site improvements and features, as depicted in greater detail on the engineering plans entitled "Site Plan for STEIMEL, 126 Newark Pompton Turnpike, Lot 18, Block 4103, Situated in, Township of Pequannock, Morris County, New Jersey," prepared by William J. Darmstatter, PE, LS, Darmstatter, Inc. P.O. Box 4287, Wayne, New Jersey 07470, dated December 15, 2020 (the "Site Plan") filed in connection with this application, and as also depicted on the architectural plans entitled "Proposed Unit Layout For LA Design 126 Newark Pompton Turnpike Pequannock, NJ 07440," prepared by James P. Cutillo, James P. Cutillo Associates, 593 Newark-Pompton Turnpike, Pompton Plains, New Jersey 07444 (the "Architectural Plans"), also filed in connection with this application. Accordingly, the Applicant respectfully requests the following waivers:

1. Waiver of documentation identifying wetlands at the Property;

The Applicant submits that this waiver request can and should be granted as the Property is an existing site and the building footprint will not be enlarged, nor will the existing parking lot serving the existing building. Accordingly, all setbacks shall remain at their current measurements, which are depicted on the Site Plan.

Respectfully Submitted,

VOGEL, CHAIT, COLLINS  
& SCHNEIDER, P.C.  
Attorneys for Applicant, Lawrence J. Steimel, III.

By: 

Thomas J. Molica, Jr.

Date: January 6, 2021

12/11/2020

PEQUANNOCK TOWNSHIP  
PEQUANNOCK TOWNSHIP  
VARIANCE CHECKLIST

APPLICANT'S NAME: LAWRENCE J. STEIMEL, III

- 1.  2 complete applications (once the application has been deemed complete the applicant shall submit 18 additional copies of the application).
- 2.  2 copies of the plat (an additional 18 copies will be required once the application has been deemed complete).
- 3.  Payment of the administrative and escrow review deposits. *To be provided*
- 4.  Proof of payment of taxes signed by the Tax Collector.
- 5.  Names and address of: (a) holders of 10% or more of stock in applicant and/or owner, if either is a corporation; or (b) holders of 10% or more of interest in applicant if partnership (per N.J.S.A. 40:55D-48.1).
- 6.  In the case where a building or structure is to be built on a vacant parcel of land, the applicant shall submit Health Department approval of a septic system where sanitary sewers are not available.
- 7.  Completed flood plain development application (where required by ordinance)
- 8.  Each submission shall be drawn at an appropriate scale not less than 1" equals 100' and shall be submitted on one of four of the following standard sheet sizes (8 1/2" x 13"; 15" x 21"; 24" x 36" or 30" x 42")
- 9.  ALL USE VARIANCE applications shall submit a report prepared by a licensed professional planner indicating the special reasons, zoning impacts and similar data under which the application is being prepared.

ONCE THE APPLICATION HAS BEEN DEEMED COMPLETE THE APPLICANT SHALL PROVIDE EIGHTEEN COPIES OF ALL MATERIALS RELATING TO THE PENDING APPLICATION.

In addition, the following information shall appear on all plans in order to be deemed complete:

- A.  A key map showing the entire tract, the zone in which the subject property and all property within 200' radius of the subject property including the tax map block and lot numbers and owners name. Said map to be drawn at a scale of 1" = 100'.

Variance Checklist

- B.  Title Block in accordance with the rules governing title blocks for professional engineers (N.J.S.A. 45:8-36);
  - 1. Name, title, address and license number of the professional or professionals who prepared the plat or plan.
  - 2. Scale (both graphic and written)
  - 3. Date of original preparation and of each subsequent revision thereof and a list of the specific revisions entered on each sheet.
  - 4. Existing block and lot numbers as they appear on the Township Tax Map.
- C. 
  - 1. North Arrow.
  - 2. Name, title, address and telephone number of the applicant.
  - 3. Name, title and address of the owner or owners of record.
  - 4. Graphic Scale.
- D.  Certification that the applicant is the owner of the land or his properly authorized agent, or that the owner has given his consent under an option agreement.
- E.  Approval Signature lines:
  - 1. Chairman
  - 2. Secretary
- F.  Acreage to the nearest hundredth of an acre and a computation of the area of the tract to be disturbed.
- G.  Identification of wetlands per NJ Freshwater Wetlands Act. (Affidavit of compliance required). Or permit from Army Corps of Engineers.
- H.  Identification of the Flood Hazard Area per FEMA maps dated July 3, 1986 as revised or submission of a perfected LOMA.
- I.  The location of all existing water courses, wooded areas, and major trees (trees with a six inch or greater caliper as measured three feet above ground shall be individually identified if they are to be disturbed during construction), easements, right-of-ways and streets.

12/11/2020

PEQUANNOCK TOWNSHIP

- J.  All existing lot lines per Township Tax Map; setbacks and yard dimensions as proposed, together with a table listing the required bulk areas for the zone, the proposed bulk dimensions and clearly identifying all variances required.
- K.  Preliminary architectural plans for the proposed building or structures, indicating typical floor plans, elevations, height and general design or architectural styling.
- L.  The location of the septic system if the structure is not served by sanitary sewer.
- Variance Checklist
- M.  The location of all existing and proposed principle buildings or structures and the location of all existing and proposed accessory structures or buildings and the distance to the nearest property line for each.
- N.  The location, quantity and type of off-street parking where prohibited.

IN THE CASE OF BIFURCATED APPLICATIONS, THE APPLICANT SHALL SUBMIT THE APPROPRIATE SITE PLAN OR SUBDIVISION PLANS TO THIS BOARD FOR REVIEW FOLLOWING THE APPROVAL OF A USE VARIANCE. THE SITE PLAN OR SUBDIVISION APPLICATION SHALL BE DEEMED COMPLETE ONCE THEY ARE IN CONFORMANCE WITH THE APPROPRIATE CHECKLIST.

WHERE THE APPLICANT IS REQUESTING THE SIMULTANEOUS REVIEW OF THE USE VARIANCE AND THE SITE PLAN OR SUBDIVISION, NEITHER APPLICATION WILL BE DEEMED COMPLETE UNTIL ALL ITEMS ON THE APPROPRIATE CHECKLIST ARE SATISFIED.

Variance Checklist

In addition the following information shall appear on all plans in order to be deemed complete:

- A.  A key map showing the entire tract, the zone in which the subject property and all property within 200' radius of the subject property, including the tax map block and lot numbers and owners name. Said map to be drawn at a scale of 1"= 100'.
- B.  Title Block in accordance with the rules governing title blocks for professional engineers (N.J.S.A. 45:8-36);
  - 1. Name of the development, Pequannock Township, Morris County.
  - 2. Name, title, address and license number of the professional or professionals who prepared the plat or plan.
  - 3. Scale (written)
  - 4. Date of original preparation and of each subsequent revision thereof and a list of the specific revisions entered on each sheet.
  - 5. Existing block and lot numbers as they appear on the Township Tax Map.
- C. 
  - 1. North Arrow
  - 2. Name, title and address of the owner or owners of record.
  - 3. Name, title and address of the owner or owners of record.
  - 4. Graphic scale
- D.  Certification that the applicant is the owner of the land or his properly authorized agent, or that the owner has given his consent under an option agreement.
- E.  Approval Signature lines:
  - 1. Chairman
  - 2. Secretary
- F.  Acreage to the nearest hundredth of an acre and a computation of the area of the tract to be disturbed.
- G.  (W) Identification of wetlands per NJ Freshwater Wetlands Act. (Affidavit of compliance required). Or permit from Army Corps of Engineers.
- H.  Identification of the Flood Hazard Area per FEMA maps dated July 3, 1986 as revised or submission of a perfected LOMA.

- I.  The location of all existing water courses, wooded areas, and major trees (trees with a 6" or greater caliper as measured 3' above ground shall be individually identified if they are to be disturbed during construction), easements, rights-of-way, streets, roads, highways, freeways, railroads, rivers, buildings, structures, or any other feature directly on the tract or off-tract, if such feature has an effect upon the use of subject property.
- J.  The location of all ground area of each building, structure, or any other land use. *To Be Provided*
- K.  The location, capacity and size of proposed off-street parking areas and loading and unloading facilities, including but not limited to aisle widths, location of bays and barriers.
- L. *N/A* The location and treatment of proposed entrances and exits to the public right-of-way, including the possible utilization of traffic signals, channelization, acceleration and deceleration lane, additional width, and any other device necessary to traffic safety and/or convenience.
- M. *N/A* The location and identification of proposed open spaces, parks, recreation areas, or land to be dedicated to the Township or other public body.
- N.  Design for method of soil erosion and sediment control and location of same.
- O.  The location, design, species, height and type of landscaping, buffer areas, and screening devices.
- P.  The location and details of sidewalks, walkways and all other areas proposed to be devoted to pedestrian use.
- Q.  *To Be Marked.* The location of all subsurface structures; including storm sewers, sanitary sewers, telephone, electrical, gas, waters, manholes, valve boxes, hydrants and other appurtenances, giving top and invert elevations, direction of flow, size of appurtenances, ownership, capacity, materials, type and projected routes. The location of existing structures such as water and sewer mains, utility structures, gas transmission lines and high tension power lines on the tract and within two hundred (200') feet of its boundaries.
- R.  The specific location and design and details of signs and lighting fixtures including isolux diagrams for proposed fixtures.

- S.  All existing lot lines Per Township Tax Maps together with setbacks and yard dimensions as proposed, together with a table listing the required bulk areas for the zone, the proposed bulk dimensions and clearly identifying all variances required.
- T.  The entire property in question, even though only a portion of said property is involved in the site plan, provided however where it is physically impossible to show the entire tract on the required sheet, a key map is permitted.
- U.  Existing and proposed spot elevations at all building corners, all floor levels, center lines and ROW's of abutting roads top and bottom of curbs, property corners, gutters, and other pertinent locations based on U.S. Coast and Geodatic Datum.
- V.  Existing and proposed contours of the site at one foot intervals, unless slopes are greater than 10%, in which case two foot contours are permitted.
- W.  N/A In the event a facility is to be constructed in stages, a sketch plan showing the entire facility shall be submitted in addition to the site plan for the particular stage under consideration.
- X.  Preliminary architectural plans for the proposed building or structures, indicating typical floor plans, elevations, height and general design or architectural styling.
- Y.  *To Be Provided* The location of all utilities, including heating and air conditioning which are external to the building and the method of screening. This section shall include the location of the trash removal area.
- Z.  If service for utilities (telephone, electric, water, sewer, etc.) is to be provided by an existing utility company, a letter must be submitted from the company stating that service will be available before issuance of any Certificate of Occupancy.
- AA.  N/A Plans, typical cross sections and construction details, horizontal and vertical alignments of the centerline of all proposed streets and of all existing street at the point of intersection with the proposed street.

Applicant: Lawrence J. Steimel, III

Site Address: 126 Newark-Pompton Turnpike, Pequannock, New Jersey 07440 (Block 4103, Lot 18)

**RIDER TO SITE PLAN AND VARIANCE APPLICATION**  
**FOR 126 NEWARK-POMPTON TURNPIKE**  
**PEQUANNOCK, NEW JERSEY 07440**  
**BLOCK 4103, LOT 18**

Applicant Lawrence J. Steimel, III (the "Applicant") hereby applies to the Township of Pequannock Zoning Board of Adjustment (the "Board"), for site plan approval and variance relief pursuant to N.J.S.A. 40:55D-70d and N.J.S.A. 40:55D-70c, to convert the existing building located at the subject property known and designated Block 4103, Lot 18, 126 Newark Pompton Turnpike, Pequannock, New Jersey 07440 (the "Property"), to a multi-family, residential use, consisting of three apartments (two, one-bedroom apartments located on the first floor, and one, two-bedroom apartment located on the second floor), together with certain parking, landscaping, lighting, and other site improvements and features, as depicted in greater detail on the engineering plans entitled "Site Plan for STEIMEL, 126 Newark Pompton Turnpike, Lot 18, Block 4103, Situated in, Township of Pequannock, Morris County, New Jersey," prepared by William J. Darmstatter, PE, LS, Darmstatter, Inc. P.O. Box 4287, Wayne, New Jersey 07470, dated December 15, 2020 (the "Site Plan") filed in connection with this application, and as also depicted on the architectural plans entitled "Proposed Unit Layout For LA Design 126 Newark Pompton Turnpike Pequannock, NJ 07440," prepared by James P. Cutillo, James P. Cutillo Associates, 593 Newark-Pompton Turnpike, Pompton Plains, New Jersey 07444 (the "Architectural Plans"), also filed in connection with this application<sup>1</sup>. To support its application and the relief the Applicant requires, the Applicant has also filed the report entitled "Pequannock Township, NJ – Conditional Use Variance and Bulk Variances: Professional Planner's Report and Outline for Testimony," prepared by David Troast, PP, Plan2 Consultants, 53 Ninth Avenue, Hawthorne, New Jersey 07506-1749 (the "Planning Report"), and a survey of the Property entitled "Property Survey For Steimel," dated November 13, 2019<sup>2</sup>.

As set forth on the Plans and as detailed in the Planning Report, the Applicant proposes to convert the existing commercial building located at the Property to a multi-family residential building containing three apartments including two, one-bedroom apartments located on the first floor, and one, two-bedroom apartment located on the second floor, together with certain parking, landscaping, lighting, and other site improvements and features. The Property is located in the Township of Pequannock's C-1 Commercial Zone District (the "C-1 Zone"), where "multifamily dwelling units" (i.e. multifamily residential uses) are permitted as conditional uses pursuant to Township of Pequannock Zoning Ordinance (the "Zoning Ordinance"), Section

---

<sup>1</sup> The Site Plan and the Architectural Plans are collectively referred to as the "Plans."

<sup>2</sup> A Survey Affidavit of No Change executed by the Applicant has also been filed with the application, and the metes and bounds description of the Property is included in the Deed dated October 25, 2019 from J&M Mancuso Realty, LLC to the Applicant (the "Deed"), which is also part of the application. See Deed, page 3.



189.05.010A(3)(b), subject to the applicable conditions set forth in Section 189.07.030B(1)-(16) of the Zoning Ordinance. Additionally, Section 189.05.010B regulating bulk requirements in the C-1 Zone could apply. Consequently, Applicant respectfully requests the following relief:

1. Preliminary and final site plan approval;
2. Variance relief pursuant to N.J.S.A. 40:55D-70d(3) for Applicant's deviation from the maximum density per acre limitation of 12 units per acre as set forth in Section 189.07.030B(1) of the Zoning Ordinance, where a density of 12.55 units is proposed;
3. Variance relief pursuant to N.J.S.A. 40:55D-70d(3) for Applicant's deviation from the minimum lot size requirement of 2.5 acres as set forth in Section 189.07.030B(2) of the Zoning Ordinance, where .239 acres exists and is proposed;
4. Variance relief pursuant to N.J.S.A. 40:55D-70d(3) for Applicant's deviation from the minimum lot width requirement of 200 feet as set forth in Section 189.07.030B(3) of the Zoning Ordinance, where 65.16 feet (to Newark-Pompton Turnpike) and 97.89 feet (to Greenwood Avenue) exist and are proposed;
5. Variance relief pursuant to N.J.S.A. 40:55D-70d(3) for Applicant's deviation from the minimum front yard depth requirement of 50 feet as set forth in Section 189.07.030B(4) of the Zoning Ordinance, where 13.1 feet exists and is proposed;
6. Variance relief pursuant to N.J.S.A. 40:55D-70d(3) for Applicant's deviation from the minimum side yard setback requirement of 35 feet as set forth in Section 189.07.030B(5) of the Zoning Ordinance, where 2.5 feet exists and is proposed;
7. Variance relief pursuant to N.J.S.A. 40:55D-70d(3) for Applicant's deviation from the minimum rear yard setback requirement of 35 feet as set forth in Section 189.07.030B(6) of the Zoning Ordinance, where 47.31 feet exists and is proposed (but a deviation exists because over 12.32 feet of this setback is based upon the parking lot located in the rear of the Property);
8. Variance relief pursuant to N.J.S.A. 40:55D-70d(3) for Applicant's deviation from the minimum side and rear yard buffering requirement of 10 feet as set forth in Section 189.07.030B(7) of the Zoning Ordinance, where less than 10 feet exists and is proposed;
9. Variance relief pursuant N.J.S.A. 40:55D-70d(3) for Applicant's deviation from the minimum number of units to be located in a multifamily dwelling in the C-1 Zone of 4 units as set forth in Section 189.07.030B(14) of the Zoning Ordinance, where 3 units are proposed; and
10. Variance relief pursuant to N.J.S.A. 40:55D-70c(1) and/or (2) for Applicant's deviations from C-1 Zone bulk requirements as set forth in the following Zoning Ordinance sections:

- a. Section 189.05.010B(4) for a minimum front yard setback of 25 feet, where 13.1 feet exists and is proposed;
- b. Section 189.05.010B(6) for a minimum side yard setback of 3 feet, where 2.5 feet exists and is proposed; and
- c. Section 189.05.010B(6) for a combined minimum side yard setback of 25% (or 16.29 feet) is required, and 10.4 feet exists and is proposed.

In addition, the Applicant respectfully requests any and all additional variance relief, waiver relief, interpretative relief, or any other relief deemed necessary by the Board and/or its experts and professionals in connection with this application. The Applicant notes that all of the above variance relief except that set forth in enumerated Items 2 and 9, above, represent pre-existing, non-conforming conditions.

With regard to the variance relief required pursuant to N.J.S.A. 40:55D-70d(3) for deviations from the conditional use standards (i.e. the relief enumerated in Items 2-9, above), the Applicant submits that this relief can and should be granted because the proposed multifamily, residential housing use represents a low intensity transitional use, on a Property that is ultimately particularly suited to such a use. The location and the site elements will enhance the Newark-Pompton Turnpike corridor from a visual/aesthetic perspective (note that the building and Property has been vacant for some time and the building currently appears dilapidated), and will also serve to benefit both the adjacent commercial property to the west of the site, and also the residential neighborhood to the immediate east of the site. Significantly, proper design elements as depicted on the Plans (including the Architectural Plans) diminish and/or even eliminate any and all negative impacts, through the granting of the required variance relief. The renovated building with the contemplated architectural features will complement and enhance the neighborhood, will be consistent with the Township's Master Plan and Housing Element, and nicely blends into and transitions into the residential neighborhood located to the immediate east of the Property, whereby diminishing and/or eliminating negative impacts and detriments. Ultimately, the Applicant submits that the proposed residential use can be approved with the sought "d(3)" variances without any substantial impact or detriment to the Township Master Plan and Zoning Ordinance, and the surrounding neighborhoods. In fact, the benefits that will result from the approval of the application and the conversion of the Property to a multifamily residential use will be significant and are needed in the Township. The Applicant and its application and required d(3) variance relief complies with Coventry Square v. Westwood Zoning Board of Adjustment, 136 N.J. 30 (1994), and the Property remains suitable for the proposed residential use notwithstanding the need for the d(3) variances. Any detriments, impacts or problems resulting from the deviations (which the Applicant asserts do not exist) can easily be accommodated. See also, pages 10-14 and 16-17 of the Planner's Report. With regard to the variance relief required for Applicant's deviations from the C-1 Zone bulk requirements (i.e. the relief enumerated in Item 10a-c, above), the Applicant submits that this relief can and should be granted pursuant to the reasons set forth on pages 14-17 of the Planner's Report. In summary, the d(3) variances and the bulk variances can easily be granted pursuant to the applicable statutory criteria set forth in N.J.S.A. 40:55D-70d(3) and N.J.S.A. 40:55D-70c,

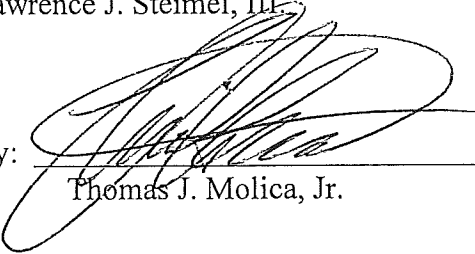
respectively, and pursuant to applicable case law such as Coventry Square v. Westwood Zoning Board of Adjustment, 136 N.J. 30 (1994).

Furthermore, the Applicant shall submit expert testimony in further support of the Plans, the Planner's Report, and all of the required relief at the time of the public hearing.

Respectfully Submitted,

VOGEL, CHAIT, COLLINS  
& SCHNEIDER, P.C.  
Attorneys for Applicant,  
Lawrence J. Steimel, III

By: \_\_\_\_\_

  
Thomas J. Molica, Jr.

Date: January 6, 2021