

PB-21-02

COVER SHEET

(Please attach this sheet to your application)

APPLICANT Barasso, LLC

BLOCK 4401 LOT(S) 10

ADDRESS OF PROPERTY 149 Newark Pompton Turnpike

BRIEF NARRATIVE DESCRIPTION OF PROPOSED DEVELOPMENT:

Construction of permanent roofing over outdoor patio area.

Check Application
Requested at this time

Type of Application
(Notice requirements)*

Appeal of Administrative Decision
Interpretation or Statutory Referral (A&B)

X

Dimensional Bulk Variance (A&B)

Sign Variance (A&B)

Flood Variance (A&B)

Use Variance (A&B)

Conditional Use (A&B)

Minor Subdivision (none)

Major Subdivision Preliminary (A&B)

Major Subdivision Final (none)

Minor Site Plan (none)

Site Plan Preliminary (A&B)

X

Site Plan Final (A&B)

* (A) Personal notice or notice by certified mail to owners of property within 200 feet of the boundary of the property at least 10 days prior to the hearing date set by the Board.
(B) Notice of a public hearing to be published in the official newspaper at least 10 days prior to the public hearing.

ALL PLANS MUST BE FOLDED TO NO LARGER THAN 9" X 12" IN SIZE. ALL PLANS MUST BE NUMBERED CONSECUTIVELY AND STAPLED TOGETHER INTO SEQUENTIAL SETS. PLANS WILL NOT BE ACCEPTED UNLESS THEY MEET THE ABOVE CRITERIA.

8PEQUANNOCK 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:

Barasso, LLC
149 Newark Pompton Tpk.,
Pequannock, NJ 07440
(973) 417 2434

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

Barasso, LLC, C/o Joe Gruzdis
149 Newark Pompton Tpk
Pequannock, NJ 07440
(973) 417 2434

3. Attorney's Name, Address and Telephone Number:

Lindsay R. Janel
260 Wanaque Avenue
Pompton Lakes, NJ 07442
(973) 513-9802

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

<input type="checkbox"/> (a) Review of Order	<input type="checkbox"/> (b) Interpretation
<input checked="checked" type="checkbox"/> (c) Hardship or C(2) Variance	<input type="checkbox"/> (d) Use Variance

5. Permission to: X (a) Alter or add to an existing building
 (Check applicable) (b) Construct a new building on vacant land
 (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
S189.05.010 (B) (4)	front yard setback is pre-existing non-conforming condition - 25' required, 13.49' existing
S189.05.010 (B) (6)	side yard setback (both) – 17.75' required, 17.90' existing and 6.93' proposed

S189.050.010 (B) (7) building coverage – 30% required, 42% existing and 50% proposed; impervious coverage is a pre-existing non-conforming condition – 90% required, 100% existing with no additional impervious coverage proposed

7. Location of Lot: Number and Street: 149 Newark Pompton Tpk.

Block : 4401 Lot: 26 Zoning: C1

8. Dimensions of Lot: .176 acres 7682 square feet

Front yard setback 13.49' Rear yard setback 18'

Side yard setback 4.23' and 17.9'

Lot depth: 117.00 Lot width: 71.00

9. Do lots have frontage on a public street or ROW?

Yes No

Property is located on a: Municipal, County or 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 NO

If Yes, name of Board: Planning Board

Type of Application: Minor site plan and "C" Variance for construction of an outdoor patio area.

Action Taken: Granted

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

Ground floor area of all structures: 3185 square feet

Dimensions of proposed addition: 645 square feet

12. Have efforts been made to acquire additional land to be joined with the subject premises? Explain: Not applicable

13. Are there any existing covenants or deed restrictions on the property?

Yes No If Yes, Describe: _

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:

James P. Cutillo, R.A., 593 Hamburg Tpk., Pompton Plains NJ

16. List all the plans and other exhibits submitted with this application:

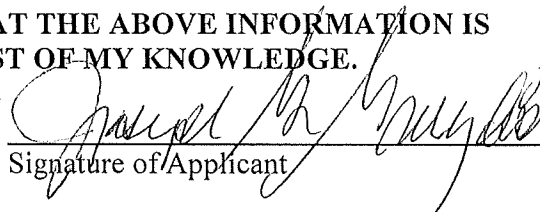
plot plan, front elevation and right side elevation; floor plan

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

Due to the COVID 19 Pandemic and subsequent state mandated limitations on indoor dining, the applicant is seeking to make their outdoor dining area a more permanent option for diners. A permanent roofing structure would allow outdoor dining throughout the permitted outdoor dining season, despite minor weather conditions (drizzle, wind, etc.), giving the applicant more flexibility in dining options offered to patrons.

The applicant therefore seeks a variance in accordance with NJSA 40:55D-70c (2). More specifically, a deviation from the code would provide a better alternative for the property, whose only other choice was to provide a retractable awning over the outdoor patio, which was found to be flimsy and unsafe during periods of even light wind. The permanent roofing structure is therefore a better zoning alternative to the property.

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



Signature of Applicant

Sworn to and Subscribed

Before me this 19 day

of May 20 21



Notary

Lindsay R. Janel, Esq
Attorney at Law
New Jersey and Pennsylvania

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):

Barasso, LLC

Address: 149 Newark Pompton Turnpike, Pequannock, NJ 07440

Block: 4401 Lot 26

Property to Sewered () Property is on Septic ()

Number of bedrooms presently in structure (0)

Number of bedrooms to be added (0)

Number of bedrooms to be deleted (0)

Total number of bedrooms when project is completed (0)

Size of Septic (if known) : N/A

Type and size of disposal field (if known): N/A

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 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:**

Barrasso, LLC
149 Newark Pompton Tpk.,
Pequannock, NJ 07440
(973) 417 2434

2. **Present Owner's Name, Address and Telephone Number:**

Barrasso, LLC, C/o Joe Gruzdis
149 Newark Pompton Tpk.,
Pequannock, NJ 07440
(973) 417 2434

3. **Attorney's Name, Address and Telephone Number:**

Lindsay R. Janel
260 Wanaque Avenue
Pompton Lakes, NJ 07442
(973) 513 9802

4. **Location of Site:** 149 Newark Pompton Turnpike

Block: 4401 **Lot:** 26 **Zoning:** C1

5. **Area of tract:** 7682 in SF

Ground floor area of all structures: 3185 in SF

Percentage of lot coverage by all buildings: 42%

Area of building and pavement: 7682 in SF

Percentage of lot coverage by all buildings and pavement: 100%

6. **Lot specifics as provided on plan:**

Are any variances required? YES NO

Lot width: 71

Front yard setback: 13.49 existing

Side yard setbacks: 4.23/17.9

Rear yard setbacks: 18'
Percentage of front yard used for parking: 0%
Buffers provided: YES NO
Parking spaces provided: 33
Loading spaces provided: 1

7. **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: Planning Board
Type of Application: Site Plan
Action Taken: Granted

8. **List intended used of the site:**
Continued use as restaurant. Applicant seeks approval to add permanent roof structure over outdoor patio area.

9. **Does lot have frontage on a public street or ROW?**
 YES NO
Property is located on a Municipal, County, State Road.

10. **Number of buildings or structures existing: 1 proposed: 1**

11. **Are there any existing covenants or deed restrictions on the property?**
YES NO

12. **Are there are streams, ponds, ditches or wetlands on or adjoining property:**
YES NO

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:**

James P. Cuttillo, R.A.
593 Newark Pompton Turnpike
Pompton Plains, NJ 07444

15. **List all the plans and other exhibits submitted with this application:**

Plot Plan; Front Elevation and Right Side Elevation: Floor Plan

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



Joe Gruzdis, Managing Member of Burrasso, LLC

Sworn to and Subscribed
Before me this 25 day
of March 2021.

Notary 

Lindsay R. Taul, Esq.
An Attorney at Law in N.J.

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: Barrasso, LLC

149 Newark Pompton Tpk., Pequannock NJ; 973 417 2434

2. Present Owner's Name, Address and Telephone Number: Barrasso, LLC

149 Newark Pompton Tpk., Pequannock NJ; 973 417 2434

3. Attorney's Name, Address, Telephone Number & Email: Lindsay R. Janel

260 Wanaque Ave, Pompton Lakes NJ; 973 513 9802; LindsayRLaw@gmail.com

4. Location of Site: Street: 149 Newark Pompton Tpk

Block: 4401 Lot: 26 Zoning: C1

5. Type of Development Proposed:

Residential Yes _____ No _____

If yes, Number of structures _____

Number of dwellings _____

Number of stories per structure _____

Non Residential Yes x No _____

If yes, Number of structures including parking decks 1

Number of commercial buildings 1

Number of industrial buildings _____

Number of warehouse buildings _____

Number of stories per structure 1

Percent of parking spaces in the floodplain 100%

6. Area of tract: 7682 in SF

Ground Floor area of all structures 3185 in SF

Percentage of lot coverage by all buildings 42 %

Area of building and pavement 7682 in SF

Percentage of lot coverage by all buildings and pavement 100 %
Net fill required for project? 0

7. Plan specifics:

Are any variances from Chapter 85 of the Pequannock Township Code required? Yes _____ No X

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

Section	Description

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 X NO _____

If yes, Name of Board Planning Board

Type of Application Site Plan

Action Taken Granted

9. List intended uses of the site: Restuarant

10. Are there any existing covenants or deed restrictions on the property?

YES _____ NO X

If yes, Describe: _____

11. Are there any streams, ponds, ditches or wetlands on or adjoining the tract?

YES _____ NO X

Flood Plain Development Application

12. Name, Address and Title of person preparing the plats and exhibits presented: _____

James P. Cuttillo, R.A., 593 Hamburg Tpk., Pompton Plains NJ

Flood Plain Development Application

13. List all the plans and other exhibits submitted with this application: _____
plot plan; front elevation and right side elevation; floor plan

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

X *Joe Gruzdis*
Signature of the Applicant

Joe Gruzdis, Managing Member of Barrasso, LLC

Sworn to and Subscribed
before me this 25 day
of March 2021.

Notary *[Signature]*

My commission ends _____

Lindsay R. Tanel, Esq.
An Attorney at Law in N.J.

Flood Plain Development Application