Overview

This planning analysis is prepared on behalf of 3 Industrial Rd Property LLC in connection with its application to permit outdoor storage of granite, marble, and similar products at 3 Industrial Road. The outdoor storage is part of an established countertop business that occupies the site.

Outdoor storage is not permitted in any zone district in Pequannock. The applicant is seeking a use variance. This planning analysis finds that the statutory criteria for grant of such relief is met, and approval is warranted.

Existing Conditions

The subject site is located at 3 Industrial Road and is identified as Block 4601 Lot 14 on the tax rolls. It has a lot area of approximately 15,190 square feet (0.34 acres) and is developed with a one-story masonry building with a floor area of approximately 3,200 square feet.

Surrounding land uses are all nonresidential. The site is part of a cluster of businesses fronting on Industrial Way and Newark Pompton Turnpike. Neighboring businesses include an auto service station, a kitchen shop, a multitenant industrial park, and a multitenant business center.

Photographs of the site are provided in Appendix A.

Proposed Conditions

Euro Marble and Stone is a countertop business that offers high quality custom fabrication and installation stonework to both residential and commercial clients. It is an established business and the sole occupant at 3 Industrial Road.

As part of its operation, Euro Marble seeks to stone slabs and materials behind the building. The area behind the building is presently paved and the application seeks to expand the pavement to accommodate delineated storage areas to the rear and side of the building.

Photographs of the proposed storage areas are provided in Appendix B.

Zoning Considerations

The site is in the I-I Industrial District. The zone permits a wide variety of uses including offices, veterinary hospitals, research laboratories, product development laboratories, warehousing, metal- and wood-fabricating facilities, wholesale distribution, and assembly and packaging of products.

Ordinance §189.07.030.J. reads "outdoor display or storage shall be prohibited in all commercial or industrially zoned or used property unless otherwise permitted". The application seeks relief from this section of the ordinance to allow for outdoor storage of stone slabs as described above.
Planning Justifications for Relief

The municipal zoning board has authority to grant the requested use relief pursuant to N.J.S.A. 40:55D-70.d.(1) and the statutory criteria established in Medici v. BPR Co., 107 N.J. 1 (1987). The application satisfies the 4 parts of the Medici test as follows:

1. The site is particularly suited for the use.
   
   The site is particularly suited for the use by virtue of its context and condition. The site is in a non-residential area. The site layout accommodates outdoor storage in a concealed space behind the building. The building is clad in brick and presents an attractive appearance from the street. The outdoor storage is unperceivable from the street.

2. The proposal will promote one or more purposes of the municipal land use law.
   
   The proposal promotes the general welfare by enhancing an established business in the community. The outdoor storage will enable the business to operate more efficiently. The proposal will also promote planning goals for efficient land use and a desirable visual environment. All of the above advance purposes of the land use law at N.J.S.A. 40:55D-2, especially “a”, “g”, “i”, and “m”.

3. Relief can be granted without substantial detriment to the public.
   
   Visually and functionally, the proposed outdoor storage is innocuous. The area is well concealed from public view by building massing, privacy fencing, and vegetative buffering. The relief is limited to storage only and does not involve customer sales or fabrication outside the confines of the building. The proposal simply frees up space within the interior of the building where the primary business operations take place.

4. Relief can be granted without substantial impairment to the zone plan.
   
   Relief relates to a small portion of a small site in the context of the overall zone. In this regard grant of relief will not substantially alter the character of the district or undermine the integrity of the zone intent. The zone intent to avoid visual nuisances is met.

   The proposal is substantially consistent with the municipal master plan goal for economic development and stable ratable base. Grant of relief will enhance an established business in the community. The master plan encourages both business attraction and retention.

Conclusion

The application involves a relatively small-scale outdoor storage use in a well-concealed location. It will not create an eyesore and create any substantially negative performance impacts. The statutory test for grant of relief are met, and approval is warranted.
Appendix A

Site Photographs
Figure 1 - View of existing building at 3 Industrial Road occupied by Euro Marble & Stone. The proposed outdoor storage area is blocked by the building and unperceivable from the road.
Figure 2 - View of business sign for Euro Marble & Stone at 3 Industrial Road.
Figure 3 – View of countertop and stonework samples on display in the interior of the building.
Figure 4 – View of interior office and product samples for Euro Marble & Stone at 3 Industrial Road.
Figure 5 - View of storage of stone slabs used by the business.
Figure 6 – View of stored stone slabs used by the business.
Figure 7 – View of proposed outdoor storage area for stone slabs, behind the building. Note solid privacy fencing.
Figure 8 - View of proposed outdoor storage area for stone slabs, behind the building. Note solid privacy fencing.
Figure 9: View of proposed outdoor storage area for stone slabs, behind the building. Note perimeter vegetation.
Figure 9 - View of proposed outdoor storage area for stone slabs, behind the building. Note perimeter vegetation.
Figure 10 - View of proposed outdoor storage area for stone slabs, behind the building. Note perimeter vegetation.
Qualifications of Preparer

John McDonough Associates, LLC is a land use planning and landscape architecture consulting firm with office location in Parsippany, New Jersey.

John McDonough, LA, PP, AICP is a licensed professional planner and landscape architect in the State of New Jersey. Both licenses are current and in good standing. He is also a member of the American Institute of Certified Planners. All licenses have been obtained through requisite showing of educational and experience requirements and passing of license examinations (none have been achieved through reciprocity). All licenses have been maintained through participation in mandatory continuing education courses.

Mr. McDonough has been practicing as a land use consultant for over 30 years. He has been recognized as an expert in land use matters before hundreds of boards and commissions throughout the State of New Jersey, and in Superior Courts. He has been a regular speaker at the League of Municipalities annual conference and at Rutgers University Bloustein School of Planning and Public Policy.