

Rider to Application for Preliminary and Final Site Approval with Variances  
Applicant: Betz's Auto Repairs  
Property: 234 Main Street, Madison, New Jersey  
Block: 2206 Lot: 1

**RESPONSE TO CHECKLIST A ITEMS**

1. Item 9

In response to an OPRA request, the Applicant received the following materials, copies of which are enclosed with this application:

- Zoning Permit Application for a change in ownership dated February 22, 2017;
- Response letter to Zoning Permit application from Frank Russo dated March 1, 2017 offering no objections to the change in ownership.
- Sign Permit Application Dated February 17, 2017
- Denial Letter in response to Sign Permit Application from Frank Russo dated, March 1, 2017, noting that:
  - The maximum size of a free-standing sign is 6sf whereas the existing signage is 20sf;
  - The maximum height of a free-standing sign is 4 feet where the existing signage is 6 feet;
  - The minimum setback for free-standing signs is 10 feet; where the existing signage is setback 4.4 feet from Station Road ROW; and 5.9 feet from the Main Street ROW.
  - Accordingly, Mr. Russo concluded that site plan approval and variances will be required.

2. Item 11

The Applicant's experts who shall present testimony at a hearing are as follows:

Engineer: Andrew B. Clarke, PLS, PE, 466 Southern Blvd., Chatham, NJ 07928, 973-377-2174; andrew@abc-surveys.com.

3. Item 13 To the Applicant's knowledge there are no deed restrictions or easements of record affecting the Property other than utility easements. This response is based on the Applicant's review of title to the Property when the Applicant purchased the property in 2016.

4. Item 15. The development will further the purposes of the Municipal Land Use Law by promoting a desirable visual environment through creative development techniques and good civic design and arrangement, as set forth in N.J.S.A. 40:55D-2(i). The Applicant's requested variances, if granted, will not cause substantial harm to the surrounding neighborhood.

The requested variances are not substantially inconsistent with the CC Zoning regulations. The proposed application is improving certain non-conforming conditions with respect to set-backs. The proposed development is not substantially inconsistent with the Master Plan by providing a variety of housing options within the Borough; and the benefits of granting the variances outweigh the detriments of doing so.

The Applicant's expert witnesses will provide testimony regarding the particular architectural, engineering, and planning aspects of the proposed development in support of the foregoing.

Items 3 and 8. The Applicant is requesting a partial waiver with respect to the requirement to submit architectural plans, elevations, and details. The Applicant purchased the existing building and no renovations or construction of any kind is contemplated or proposed. To the Applicant's knowledge, the only relief required from the Board is related to signage. The details of existing and prior signage at the Property have been provided.

The Applicant is requesting a waiver from Item 8 of the checklist, seeking photographs of the Property, for similar reasons. No aspect of the building or land is proposed to change.

### **RESPONSE TO CHECKLIST C**

1. Item 15 The Applicant is requesting a waiver from providing existing floor plans for the reasons articulated in its response to Checklist A, Items 3 and 8. As noted, signage details have been provided.

1. Item 17 The Applicant is requesting a waiver from including a lighting plan. The Applicant's business operation is centered on automotive repair activities. The parking lot is used primarily for the storage of cars being repaired and only a limited number of spots are used for business guests. The nature of the Applicant's business does not involve a large amount of foot-traffic and the Applicant does not operate during the evening. The Applicant is not proposing to alter or expand its business operations.

2. Items 23 and 35 The Applicant requests that a circulation and traffic plan and impact study be waived because no construction or alteration of the existing land, building, or conduct of business is being proposed and therefore there will not be an impact on the surrounding roadway or traffic circulation such that a traffic study is required.

## **RESPONSE TO CHECKLIST D**

As contemplated by Madison Borough Ordinance section 195-22(J), the Applicant is requesting simultaneous preliminary and final site plan approval. The Applicant is accordingly requesting temporary relief from Items 6-10 on Checklist D, which will be satisfied upon the submission of final plans.