

SITE PLAN APPLICATION
Board of Adjustment/Planning Board
Borough of New Providence

FOR OFFICIAL USE ONLY

Date Filed: _____	Application No. _____
Amount Fee Paid: _____	Date Paid: _____
Date Application Complete _____	Notice Sent _____
Time Period Expires: _____	
Block No. (s) _____	Lot No. (s) _____

SECTION 1. INFORMATION REGARDING THE APPLICANT

GH NP Central, LLC,

- a. Full Legal Name c/o Anthony DiGiovanni
- b. Mailing Address NP Developers LLC, 820 Morris Turnpike
Short Hills, NJ 07078
- c. Telephone Number(s) 201-259-2311
- d. The applicant is: INDIVIDUAL(S) ☐ CORPORATION ☒ PARTNERSHIP ☐
OTHER (specify) _____

If the Applicant is a corporation or a partnership, information specified in Article 8D of the Land Use Procedures Ordinance must be included as a rider to this application. An attorney must represent all corporate applicants.

- e. The relationship of the applicant to the property in question is:
OWNER ☒ TENANT or LESSEE ☐ PURCHASER UNDER CONTRACT ☐
OTHER _____

If the Applicant is not the owner of the property in question, the Applicant must submit a copy of this application signed by the owner in the space provided in Section 6.

Section 2. INFORMATION REGARDING THE PROPERTY

- a. The Street Address is Spring Street & Commerce Street
- b. The property is approximately 0 feet from the intersection of Spring Street
and Commerce Street
- c. The property is Block No.(s) 210 Lot No. (s) 32 on the Tax
Map and is located in the A4 AFFORDABLE Zone(s).
HOUSING

SECTION 3. INFORMATION ABOUT PROPOSAL

- a. Proposal: With respect to said property, Applicant proposes (include all physical improvements such as structures, additions, landscaping, etc.):

Residential development of Affordable Housing, including:

- (3) 8 Unit Carriage house style multi-family buildings, with driveways
- (7) 12 Unit Carriage house style multi-family buildings, with driveways
- (2) 42 Unit apartment style multi-family buildings, with covered parking on lower level
- Clubhouse Building with amenities and parking.
- Additional site parking
- Internal (private) roadways and sidewalks.
- Landscaping
- New utility services for residential buildings.
- Storm storm sewer system and storm water management systems.

- b. Planned Development: _____ (Yes/No). Type Affordable housing; Ordinance No. 2019-06

- c. Coincident Applications:

Subdivision	<u>NO</u>	(Yes/No)
Variance	<u>Yes</u>	(Yes/No)
Conditional Use	<u>NO</u>	(Yes/No)

Pursuant to Judgment entered August 25, 2020,
Docket No. UNN-L-0024420-15

- d. Previous Applications (with regards to this property):

Site Plan	<u>YES</u>	(Yes/No)
Subdivision	_____	(Yes/No)
Variance	<u>Yes</u>	(Yes/No)
Conditional Use	_____	(Yes/No)

If yes, attach a copy of the Board decision. Extensive history of prior use as corporate headquarters:
available upon request

- e. Deed Restrictions or Covenants: existing or proposed YES (Yes/No)

If yes, attach a copy. Copies available upon request.

SECTION 4. PROPERTY DETAILS

The property is more particularly described as follows: Please see attached zoning table

ZONING ANALYSIS

ZONE A4 AFFORDABLE HOUSING

REQUIRED/PERMITTED EXISTING PROPOSED

MIN. LOT SIZE	20 AC	27.24 AC	27.24 AC
MAX. RESIDENTIAL BLDG. HEIGHT	38 FT	-	38 FT
MAX. CLUBHOUSE BLDG. HEIGHT	30 FT	-	30 FT
MIN. SETBACK FROM COMMERCE ST	40 FT	51.2 FT	40.0 FT
MIN. SETBACK FROM SPRING ST	40 FT	111.7 FT	93.57 FT
MIN. SETBACK FROM BLOCK 210, LOT 21	30 FT	100.7 FT	105.09 FT
MIN. SETBACK FROM R-2 ZONE	40 FT	86.0 FT	79.51 FT
MIN. SETBACK FROM INTERNAL STREETS	12 FT	-	20 FT
MAX. BUILDING COVERAGE	25%	17.3%	12.8%
MAX. IMPROVED LOT COVERAGE	50%	38.0%	31.1%
MIN. PARKING SETBACK TO BLDGS	15 FT	-	20 FT
MIN. LENGTH OF TOWNHOUSE DRIVEWAYS	20 FT	-	20 FT

RESIDENTIAL UNITS ALLOWED - 192

RESIDENTIAL UNITS PROPOSED: 108 TOWNHOUSE UNITS
84 APARTMENT UNITS
TOTAL = 192 UNITS

PARKING ANALYSIS:

REQUIRED PARKING: (2) PER TOWNHOUSE x 108 = 216 STALLS
(2) PER APARTMENT x 84 = 168 STALLS
TOTAL REQUIRED = 384 STALLS

PROVIDED PARKING:

TOWNHOUSE PARKING - (2) STALLS PER UNIT (DRIVEWAY AND GARAGE) = 216 STALLS

PARKING UNDER BUILDING : 75 PER BUILDING x 2 BUILDINGS = 150 STALLS

SITE PARKING: 68 STALLS

CLUBHOUSE PARKING: 17 STALLS

TOTAL PARKING PROVIDED: 451 STALLS

VARIANCE REQUESTED:

1. VARIANCE REQUESTED FROM 310-50.1J(h) FOR PROPOSED BUILDING IN EXCESS OF 200 FEET IN LENGTH.

a. Area of Plot: 1,186,574.4 square feet. Area covered by existing structures which will remain: 0 square feet. Area of proposed structures: 151,882 square feet. Total area of plot to be occupied by structures: 151,882 square feet. Structures plus other impervious areas: 369,025 square feet. Percentage of plot to be occupied by structures: 12.8%. Percentage of plot to be occupied by structures plus other impervious areas 31.1%.

b. Total floor area not applicable square feet.
Floor area ratio (total floor area divided by floor area of plot)_____.

c. Setbacks: Required Existing Proposed Please see attached Zoning Schedule.

Front _____

One side _____

Other side _____

Both sides _____

Rear _____

(If corner lot, circle setbacks from side street.)

d. Height of existing structure to top of roof: 38 feet. Height of proposed structure: 38 feet. Height of _____ (specify cupola, chimney, etc.): _____ feet. Number of stories: 3.

e. For Non-Residential Use:
Number of parking spaces _____ Number of Employees _____

SECTION 5. OTHER INFORMATION

- a. Attorney: James G. Webber, Esq., & Samantha T. Alfonso, Esq. Phone No.: 908-277-0388
Address: DD&S Attorneys-at-Law, 387 Springfield Ave, Summit, NJ 07901
- b. Engineer: Beth Kenderdine, P.E. Phone No.: 908-231-9595
Address: Edwards Engineering Group, 69 West End Avenue, Somerville, NJ 08876
- c. Architect: Avelino Martinez, RA Phone No.: 908-964-5180
Address: BlackBird Group Architects, PO Box 5943, Newark, NJ 07105
- d. Planner: _____ Phone No.: _____
Address: _____

Application for Development
GH NP Central, L.L.C.
730 Central Avenue and 111 Spring Street
Lots 20.01, 22, 32, Block 210
New Providence, NJ 07974

Memorandum in Support of Application for Development

The applicant GH NP Central, L.L.C., requests permission of the Planning Board of the Borough of New Providence to develop the property located at 730 Central Avenue and 111 Spring Street for 192 dwelling units in the form of 10 carriage house style multi-family buildings and 2 apartment style multi-family buildings consistent with the Land Use Ordinances of the Borough of New Providence.

Toward this end, the following relief is requested:

- 1) Preliminary and final site plan approval;
- 2) Variance relief from the strict application of the requirements of the Zoning Ordinance prescribing a building length of 200 feet where the 2 apartment buildings propose 211 feet to accommodate a central courtyard in each building;
- 3) Variance relief from the strict application of the requirements of the Zoning Ordinance dictating a signage setback of 15 feet at the lot line where 5 feet is proposed;
- 4) Waivers from the landscaping standards including regulating the spacing of street trees and the placement of landscape strips along roads; and
- 5) Such other relief in the nature of waivers, exceptions, variances or interpretations as may be necessary to realize the development of the site as proposed.

Preliminary and Final site Plan Approval

Under Section 305-4 of the Ordinance, site plan approval is required for, among other developments, those developments requiring excavation and construction permits, unless otherwise exempted.

As a result, the proposed development requires preliminary and final site plan approval. The engineering and architectural plans have been carefully developed to comply with the Site Plan Ordinances of the Borough and, as a result, the proposal is submitted to the Board for its consideration and approval.

Variance Relief

Under the controlling ordinance, buildings must be limited to 200 feet in depth. New Providence Zoning Ordinance 310-50.1J (h).

The 2 apartment buildings each contain a central courtyard approximately 50' in width and 60' deep creating an articulated, open space. In creating that space, the rear of each building extends approximately 210' in width. (The buildings otherwise comply). While the space dedicated to the entry courtyards could be eliminated and the subject space then devoted to reducing the building width to the 200 feet, the benefits to be gained by having the open courtyard -air, light, architecturally attractive design – would substantially outweigh any detriment caused by the 10 feet or so of extension.

Under section 310-50.1I(d), free standing signs are required to be set back 15 feet from the lot line.

The entry sign is proposed on Spring Street which has a r.o.w. of 10 feet extending from the property line to the curb line. The existing fence is designed to remain along Spring Street. If the sign is placed 15 feet from the property line, it will be 25 feet from the paved street, inhibiting

a ready view of the single sign. The existing wrought-iron style fence-an attractive amenity-contributes to the streetscape but also affects a ready view of the signage if the sign were located at a compliant 25 feet from the street.

The benefits to be gained by the proposed location- safety and continued architectural attractiveness-substantially outweigh any detriment. The location of the existing fence and distance from the lot line to the curb line inhibit the extent to which the property can be used.

The variance relief requested will not cause a substantial detriment to the public good nor a substantial impairment of the intent and purpose of the zone plan and zoning ordinance:

- 1) The proposed use is permitted under the zoning ordinance;
- 2) The architectural designs and open courtyards are attractive;
- 3) The apartment style buildings are set back from the streets at least 140 feet thereby diminishing any effect the 11 feet or so of additional length would have on passersby;
- 4) The signage is attractive;
- 5) The ordinance setback of 15 feet is supported by the 10 feet of r.o.w. providing the perception that the signage is an appropriate distance;
- 6) Safety will be improved; and
- 7) Property values will be unaffected.

Waivers

Waivers are requested as to the distance between street trees (see Section 310-50.1 K(b)3) and from the location of a landscaping strip along the sidewalks (310-50.1K(b)2).

Although the site landscaping plan calls for a significant number of street trees along the private roads, especially along the entrance road, other areas are not conducive to planting the trees at the average of 40 feet spacing. Infrastructure, sidewalks and driveways together limit the areas for

planting trees in certain areas with the result that the trees are installed in spaces other than the certain roadways.

With regard to the sidewalk landscaping strip, the area of green space is not located between the curb and the sidewalk but between the sidewalk and the buildings. This has the positive result of creating a larger, integrated green area which is better for the plants and easier to maintain.

As a result, it is requested that these waivers be granted by the Board.

Conclusion

Based on the forgoing, and the presentation of the requisite proofs before the Board, it is requested that the within application for development be approved.

DEMPSEY, DEMPSEY & SHEEHAN
Attorneys for Applicant

By: James G. Webber
James G. Webber, Esq.

- e. Adjoining Property: Block and lot number(s) of any adjoining property currently owned or under contract to purchase by either applicant or current owner N/A

SECTION 6. VERIFICATION AND AUTHORIZATION

- a. Applicant: I hereby certify that the above statements made by me and the statements and information contained in the papers submitted in connection with this application are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Dempsey, Dempsey & Sheehan

Attorneys for Applicant

James G. Webber

Applicant's Signature

By: James G. Webber, Esq.

- b. Owner: (If owner is not the Applicant): I, _____ hereby certify that I reside at _____ in the County of _____ and the State of _____; and that I am the owner of that lot, piece or parcel of land known as Block(s) _____ Lot(s) _____ on the Tax Map of the Borough of New Providence, which property is the subject of the above application, and that said application is hereby authorized by me.

Owner's Signature

Date

FOR OFFICIAL USE ONLY

This application was approved on _____. A resolution setting forth the specifics of the approval and conditions, if any, was mailed on _____.

This application was denied on _____. A resolution of denial was mailed on _____.

Secretary of the Board

VARIANCE APPLICATION CHECKLIST

GH NP Central, LLC, c/o Anthony DiGiovanni

Name _____ Block No. 210 Lot No. 32

In order for your application to be considered and a public hearing held, the following items must be submitted. All items must be submitted to the Board Secretary at least ten days before the date of the public hearing. Indicate by a check that the item is provided, by "NA" that the item does not apply and by a "W" that a waiver request is being submitted.

- (✓) 1. Variance Application Form - 20 copies
- (✓) 2. Variance Application Checklist - 20 copies
- (N/A) 3. Denial from Zoning Officer, if requested, - 20 copies
- (✓) 4. Location Map – 20 copies (6 full size and 14 half size-not to scale)
To be at a scale of not more than one inch equals one hundred feet showing the location of the property, all streets and property lines within two hundred feet of the affected property, and all buildings or structures within two hundred feet of the building or structure proposed by the applicant.
- (✓) 5. Plot Plan – 20 copies (6 full size and 14 half size-not to scale)
To be at a scale of not more than one inch equals thirty feet showing all lot line dimensions; all existing structures and proposed additions or changes, with dimensions; and all front, side and rear yard dimensions.
- (✓) 6. Architectural plan – 20 copies (6 full size and 14 half size-not to scale)
Provide an architectural drawing or sketch showing a design view of the existing front, side and rear elevations and proposed additions or changes, with dimensions.
- (✓) 7. List of persons notified of variance application and certification.
- (✓) 8. Copy of notice of variance application and notarized proof of service.
- (✓) 9. Tax payment certification.

Dempsey, Dempsey & Sheehan
Attorneys for Applicant

James G. Webber
Applicant

By: James G. Webber, Esq.

VARIANCE APPLICATION
And/or Direction of the Issuance of a Permit

Board of Adjustment – Planning Board
Borough of New Providence

FOR OFFICIAL USE ONLY

Date Application Filed: _____	Application # _____
Fee Amount Paid: _____	Date Paid: _____
Date Application Completed: _____	Notice Sent: _____
Block No. _____	Lot No.(s) _____
Time Period Expires: _____	

SECTION 1. INFORMATION REGARDING THE APPLICANT

- a) Full legal name GH NP Central, LLC, c/o Anthony DiGiovanni
- b) Mailing address c/o Dempsey, Dempsey & Sheehan
387 Springfield Avenue, Summit, New Jersey 07901
- c) Contact information: 908-277-0388 salfonso@ddsnjlaw.com
telephone number e-mail address
- d) The applicant is (check one): INDIVIDUAL (S) ☐ CORPORATION ☒
PARTNERSHIP ☐ OTHER (specify) _____

If the Applicant is a corporation or a partnership, information specified in Article 8D of the Land Use Procedures Ordinance must be included as a rider to this application. All corporate applicants must be represented by an attorney.

- e) The relationship of the applicant to the property in question is (check one):
OWNER ☒ TENANT or LESSEE ☐ PURCHASER UNDER CONTRACT ☐
OTHER (specify) _____

If the applicant is not the owner of the property in question, the Applicant must submit a copy of this application signed by the owner in the space provided in Section 7.

SECTION 2. INFORMATION REGARDING THE PROPERTY

- a) The street address is Spring Street and Commerce Street
- b) The property is approximately 0 feet from the intersection of
Spring Street and Commerce Street
- c) The property is Block No. (s) 210 Lot No. (s) 32 on the Tax Map and is

located in the A4 Affordable Housing
Zone(s).

SECTION 3. INFORMATION ABOUT REQUESTED RELIEF

- a) Proposal: With respect to said property, Applicant desires a variance or relief from the requirements of the Zoning Ordinance to permit the use of the property in the following manner (include all physical improvements such as structures, additions, landscaping, etc.):

Please see attached Memorandum in Support of the Application.

- b) Relief Requested: The proposed use, building(s) or subdivision is/are contrary to (list the specific articles, sections and criteria, i.e. front yard setback, of the Zoning Ordinance from which a variance is sought, the requirement as set forth in the Zoning Ordinance and the proposed requirement):

Art/Sec <u>310-50.1(j)(h)</u>	Criteria <u>Building length</u>	Required <u>max. 200'</u>	Proposed <u>211' for 2 buildings</u>
Art/Sec <u>310-6(i)(d)</u>	Criteria <u>Signage setback</u>	Required <u>15</u>	Proposed <u>5'</u>
Art/Sec _____	Criteria _____	Required _____	Proposed _____
Art/Sec _____	Criteria _____	Required _____	Proposed _____

Design Waivers: from the landscaping standards, including regulating the spacing of street trees and the placement of landscape strips along roads

- c) Reasons for Relief: The specific facts, which show that the relief sought can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and the Zoning Ordinance.

Please see attached Memorandum in Support of the Application.

- d) Previous Requests: Relief from the provisions of the zoning ordinance in connection with this property has been previously requested Yes (yes or no). If yes, attach a copy of the Board decision.

Extensive history of prior use as corporate headquarters;
available upon request

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730 Central Avenue and 111 Spring Street
Lots 20.01, 22, 32, Block 210
New Providence, NJ 07974

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- 5) Such other relief in the nature of waivers, exceptions, variances or interpretations as may be necessary to realize the development of the site as proposed.

Preliminary and Final site Plan Approval

Under Section 305-4 of the Ordinance, site plan approval is required for, among other developments, those developments requiring excavation and construction permits, unless otherwise exempted.

As a result, the proposed development requires preliminary and final site plan approval. The engineering and architectural plans have been carefully developed to comply with the Site Plan Ordinances of the Borough and, as a result, the proposal is submitted to the Board for its consideration and approval.

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The benefits to be gained by the proposed location- safety and continued architectural attractiveness-substantially outweigh any detriment. The location of the existing fence and distance from the lot line to the curb line inhibit the extent to which the property can be used.

The variance relief requested will not cause a substantial detriment to the public good nor a substantial impairment of the intent and purpose of the zone plan and zoning ordinance:

- 1) The proposed use is permitted under the zoning ordinance;
- 2) The architectural designs and open courtyards are attractive;
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Waivers

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planting trees in certain areas with the result that the trees are installed in spaces other than the certain roadways.

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As a result, it is requested that these waivers be granted by the Board.

Conclusion

Based on the forgoing, and the presentation of the requisite proofs before the Board, it is requested that the within application for development be approved.

DEMPSEY, DEMPSEY & SHEEHAN
Attorneys for Applicant

By: James G. Webber
James G. Webber, Esq.

SECTION 4. NATURE OF APPLICATION (Check all appropriate items.)

- ☐ Interpretation of zoning ordinance or map
- ☐ Appeal of action of Zoning Officer (attach copy of certificate)
- ☒ C Variance
- ☐ D Variance
- ☐ Subdivision
- ☐ Subdivision application to follow
- ☒ Site Plan
- ☐ Site Plan application to follow
- ☐ Conditional Use
- ☐ Waiver of lot to abut street requirement
- ☐ Exception to the Official Zoning Map

SECTION 5. PROPERTY DETAILS

The property is more particularly described as follows:

a) Area of Plot: 1,186,574.4 square feet. Area covered by existing structures that will remain: 0 square feet. Area of proposed structures: 151,882 square feet. Total area of plot to be occupied by structures: 151,882 square feet. Percentage of plot to be occupied by structures: 12.8%.

b) Total floor area: Not applicable. square feet.
Floor area ratio (total floor area divided by area of plot): _____.

c) Setbacks:	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>	Please see attached Zoning Schedule.
Front	_____	_____	_____	
One side	_____	_____	_____	
Other side	_____	_____	_____	
Both sides	_____	_____	_____	
Rear	_____	_____	_____	

(If corner lot, circle setbacks from side street.)

d) Height of existing structure to top of roof _____ feet.
Height of proposed structure 38 feet.
Height of _____ (state cupola, chimney, etc.) _____ feet.

e) Average setback from street(s) of buildings within 200 feet (required if setback variance is requested) N/A.

f) Other pertinent characteristics of property _____
Please see attached Memorandum in Support of Application.

ZONING ANALYSIS

ZONE A4 AFFORDABLE HOUSING

REQUIRED/PERMITTED EXISTING PROPOSED

MIN. LOT SIZE	20 AC	27.24 AC	27.24 AC
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RESIDENTIAL UNITS PROPOSED: 108 TOWNHOUSE UNITS
84 APARTMENT UNITS
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(2) PER APARTMENT x 84 = 168 STALLS
TOTAL REQUIRED = 384 STALLS

PROVIDED PARKING:

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PARKING UNDER BUILDING : 75 PER BUILDING x 2 BUILDINGS = 150 STALLS

SITE PARKING: 68 STALLS

CLUBHOUSE PARKING: 17 STALLS

TOTAL PARKING PROVIDED: 451 STALLS

VARIANCE REQUESTED:

1. VARIANCE REQUESTED FROM 310-50.1J(h) FOR PROPOSED BUILDING IN EXCESS OF 200 FEET IN LENGTH.

SECTION 6. OTHER INFORMATION

James G. Webber, Esq. & Samantha Alfonso, Esq.

a) Attorney: Dempsey, Dempsey & Sheehan Phone No. 908-277-0388

Address 387 Springfield Avenue Summit, NJ 07901

E-mail address: salfonso@ddsnjlaw.com

b) Use: Of existing building(s) and premises, and if not owner-occupied, name of Lessee
Applicant is the Owner; currently unoccupied commercial property proposed for multi-residential as part of the Affordable Housing Agreement.

Proposed use of building(s) and premises, and if not owner-occupied, name of Lessee
Multi-family residential.

c) Adjoining Property: Block and Lot number(s) of any adjoining property currently owned or under contract to purchase by either applicant or current owner N/A

SECTION 7. VERIFICATION AND AUTHORIZATION

a) Applicant: I hereby certify that the above statements made by me and the statements and information contained in the papers submitted in connection with this application are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Dempsey, Dempsey & Sheehan
Attorneys for Applicant

James G. Webber
Applicant's Signature By: James G. Webber, Esq.

b) Owner (if owner is not Applicant): _____ hereby certify that I reside at _____ in the County of _____ and the State of _____; and I am the owner of that certain lot, piece or parcel of land known as Block(s) _____ Lot(s) _____ on the Tax Map of the Borough of New Providence, which property is the subject of the above application, and that said application is hereby authorized by me.

Owner's Signature

Date

FOR OFFICIAL USE ONLY

This application was approved on _____. A resolution setting forth the specifics of the approval and conditions, if any, was mailed on _____.

This application was denied on _____. A resolution of denial was mailed on _____.

Secretary of the Board