

Alfia enclosed are checks, the first is fees for this application \$2,100 and also a check for \$6,500 for the escrow account. I have three applications and I am waiting for the property owner to send me his notarized copies. There are 18 copies of the plan and 3 copies of the floor pan for the project.

Joe Coladarci

973-6686367

THE LAW OFFICES OF ERIK A. HASSING, LLC

51 Route 206, Suite 113
Augusta, New Jersey 07822
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www.eahassinglaw.com
erik@eahassinglaw.com

February 1, 2021

Independence Township Land Use Board
286B Route 46 West,
P.O. Box 164
Great Meadows NJ 07838

RE: SITE PLAN FOR 206 ROUTE 46, BLOCK 17 LOT 3 INDEPENDENCE TWP., NJ

Dear Sir/Madam:

The site plan for the above listed lot requires variances as per the attached plans. The lot is a preexisting undersized lot with an existing structure that is not in compliance with existing zoning in the R-1/2 zone. Due to the lot's triangular shape and size, compliance with existing zoning setbacks would result in only a small developable area that would not comply with floor area requirements. In short, variances are required to develop the property. The proposed floor plans call for demolition of the existing dilapidated nonconforming structure and the construction of a three unit two story apartment building. Each unit would have two bedrooms with a living area and kitchen, associated bathrooms and a rear deck on the second floor above a lower garage, utility room, and steps up to the living area.

Plans were previously approved for a building with medical/office unit on the first floor and two dwelling units on the second floor. However, due to the parking area required the septic system with a field under the parking area was not a reasonable cost to propose to meet the Health Department's requirements, if approvable at all.

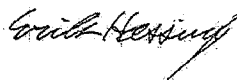
Variances requested are as follows:

Use variance under section D for a 3 unit multifamily dwelling.

Bulk variances under section C for:

Rear yard setback: required 30', proposed 10' to home, and approximately 3' to deck
Side yard setback: required 25', proposed 12'
Building height to Peak: required 35', proposed 38.17'
Building height to Eave: required 24', proposed 30.17'
Maximum lot coverage: required 15%, proposed 35.5%
Gross Density per acre: required 0.46, proposed 8.91

Very Truly Yours,



Erik A. Hassing, Esquire

**TOWNSHIP OF INDEPENDENCE
APPLICATION TO THE LAND USE BOARD**

Application Fee _____ Date _____

Escrow Fee _____ Date _____

Docket # _____ Lot 3 Block 17

Type of Application: Check one

Subdivision: Minor Preliminary Major Final Major
Number of new lots to be created _____ Number of proposed dwelling units _____
Net Area of Tract before subdivision (acres) _____

Proposed Use Type: Conventional Cluster Lot Averaging

Site Plan: Minor Preliminary Final Conditional Use Amendment

Proposed Category: Commercial Residential

Variances: "A" Variance (Appeal) _____
 "B" Variance (Interpretation) _____ (attach statement)
 "C" Variance (Relief from Ordinances) X _____
 "D" Variance (Special Use) X _____

If "D" Variance – does it involve a site plan X or subdivision _____

Describe Variance Relief Requested: 3 UNIT RESIDENTIAL DWELLING, REAR AND SIDE YARD SETBACKS, EAVE AND PEAK HEIGHT, MAXIMUM LOT COVERAGE, AND GROSS DENSITY UNITS PER ACRE.

Relief is being sought from Section 255-102 AND SCHEDULE OF LIMITATIONS of the Code of Independence

Proposed Use Type: RESIDENTIAL 3 UNIT DWELLING

Area of Lot to be developed (sq. ft.) 5,197.5 SQ. FT.

Building Floor Area (sq. ft.) 2016

Proposed dwelling units 3

Conceptual/Informal _____

Applicant's Name JOE COLADARCI, JR.

Project Name (if any) _____

Address 40 RESERVOIR ROAD

LAKE HOPATCONG, NJ 07849

Phone # 973-668-6367 Fax # _____

Applicant is a: Corporation Partnership Individual Other (Specify) _____

Owner's Name MARK AND DAWN AULEBACK

Address 111 SARGENT ROAD, FREEHOLD, NJ 07728

Telephone # 732-616-9954 Fax # _____

Applicant's Attorney: ERIK HASSING

(Required for all corporations)

Address 51 ROUTE 206, SUITE 113, AUGUSTA, NJ 07822

Telephone 973-996-9440 Fax # 973-996-4911

ERIK@EAHASSINGLAW.COM

Name(s) and address(es) of person(s) preparing plans and reports (Attach sheet if necessary):

Name: ALFRED A. STEWART, JR.

Address: 148 EAST MAIN ST., SUITE 1, ROCKAWAY, NJ 07866

Profession: ENGINEER AND SURVEYOR

Phone: 973-586-3736 Fax: 973-586-3739

Location of Property:

Tax Map Block 17 Lot #'s 3 Total Tract Area 14,667 SQ. FT.

Street Address: 206 HIGHWAY 46, INDEPENDENCE, NJ

Number of Proposed Lots: 1 Zone R-1/2 # of Dwelling Units 3

Brief description of proposed and present use:

Does the property owner or applicant own or have any interest in any adjoining property? NO

Has any prior application been made to this Board or any other Township agency regarding this property? YES If yes, attach a copy of the resolution.

Is the property located on: state road () county road () within 200 feet of a municipal boundary ()

Is there any existing or proposed deed restrictions? NO If so, attach copies.

Are there any existing or proposed easements? NO If so, attach copies

Size of proposed structure: Square footage 2016 PER FLOOR Height 38.17' PEAK, 30.17' EAVE

Setbacks of structure: Front 45.5' PORCH Rear 10' HOUSE Sides 12'

% of building coverage 35.5%

Are there exceptional conditions relating to the property which prevent applicant from complying with Zoning Ordinance? If so, state here THE LOT IS PREEXISTING UNDERSIZED WITH PREEXISTING NON-CONFORMING HOME. THE TRIANGLE SHAPE MAKES IT DIFFICULT TO BUILD AND COMPLY WITH SETBACKS, COVERAGE, FLOOR SQUARE FOOTAGE IF NOT IMPOSSIBLE

If the applicant is a corporation or partnership, list the names and addresses of all stockholders or partners owning a 10% or greater interest in said corporation or partnership shall be set forth below in accordance with P.L. 1977 Ch. 336

Name _____ % of Interest: _____

Address _____

By signing this application you are giving consent for the Board Members to visit the site

I certify that all the information submitted and the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date: _____

Signature of Applicant or Agent

Signature of Co-Applicant

Consent of Owner: If applicant is not owner of property, have owner sign below.

I the undersigned, being the owner of the lot or tract described in this application, hereby consent to the making of this application and the approval of the plans submitted. I further consent to the inspection of this property in connection with this application as deemed necessary by the municipal agency. (If owned by a corporation, attach copy of resolution authorizing application and officer signature.

Affidavit: The foregoing application is hereby consented to on _____ (date).

(Owner) _____

(Print Name) MARK AVERBACK OR DAWN AVERBACK

(Address) 111 SARGEANT ROAD, FREEHOLD, NJ 07822

(Telephone #) 732-616-9954

Notary Public: Sworn and subscribed before me this _____ day of

2021

Place seal here

_____ (Notary Public)

Review Fee (Escrow): I understand that the sum of \$ 6,500.00 has been deposited in an escrow account. In accordance with the Ordinances of the Township of Independence, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal, and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days of this notification.

Applicant

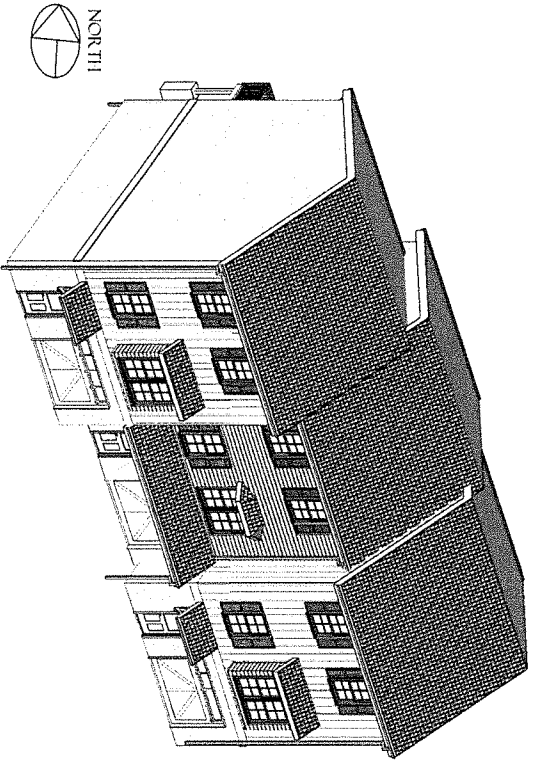
Date

Township of Independence
Land Use Board
 Variance Application Checklist

PROJECT TITLE _____ ZONE R-1/2
 DATE RECEIVED _____ APPLICANT JOE COLAPARCI
 APPLICATION # _____ BLOCK(S) / LOT(S) 17 / 3

ITEM NO.	ITEM DESCRIPTION	STATUS	
		APPLICANT	LAND USE BOARD
1	Original Signature Variance Application form and 11 photocopies.	COMPLIES	
		N.A.	
2	Type of Variance or Special Use Permit stated on Variance Application Form	COMPLIES	
		N.A.	
3	Reason for Variance or Special Use Permit stated on Variance Application Form	COMPLIES	
		N.A.	
4	If applicable, a copy of the Notice of Denial of Zoning Permit from the Zoning Officer to the Applicant.	COMPLIES	
		N.A.	
5	If applicable, provide the date of application and proof of disposition by any other Municipal Board or Agency associated with this application.	COMPLIES	
		N.A.	
6	Submit proof that the real estate property tax payments are current through the hearing date.	COMPLIES	
		N.A.	
7	Variance Fee and Escrow Deposit paid as per Ordinance Section 255-17.	COMPLIES	
		N.A.	
8	Publication of variance hearing made in an official newspaper designated by the Board 10 days prior to the hearing date. Provide Proof / Affidavit of publication at least seven (7) days prior to the hearing.	COMPLIES	
		N.A.	
9	Give notice in writing by certified mail or personally to all properties owners within 200 feet (As per a certified list from the Tax Assessor), and / or the New Jersey Dept. of Transportation and Warren County Planning Board if the subject property is located along a Highway or County Road, respectively, of the hearing date, time and a specific description of the relief requested. Provided notice at least 10 days prior to the hearing. Provide Proof / Affidavit of notice at least seven (7) days prior to the hearing.	COMPLIES	
		N.A.	
10	12 black and white maps drawn to scale showing location of subject property, any building thereon, and identifying adjoining property owners.	COMPLIES	
		N.A.	
13	If applicant is a corporation or partnership, the applicant must be represented at the public hearing by legal council.	COMPLIES	
		N.A.	
14	Applicant must be filed with the Board a minimum of 14 days prior to the hearing date.	COMPLIES	
		N.A.	
15	Applications for the conversion of a single-family dwelling to a multi-family dwelling must include sketches of the current floor plan and of the proposed floorplan, a description of the changes proposed, and the present type and number of rooms and the proposed type and number of rooms. Affidavits by a licensed sanitarian or licensed engineers attesting to the suitability of the septic and water supply systems for the proposed conversion shall also be included.	COMPLIES	
		N.A.	

ARCHITECTURAL DESIGN INTENT
 206 RT 46, TOWNSHIP OF INDEPENDENCE, NJ 07840
 PROPOSED (3) TOWNHOUSE UNITS

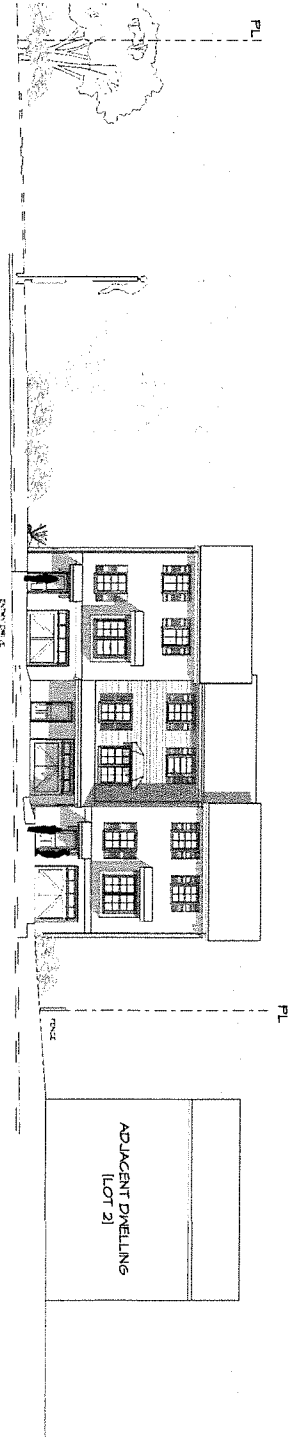
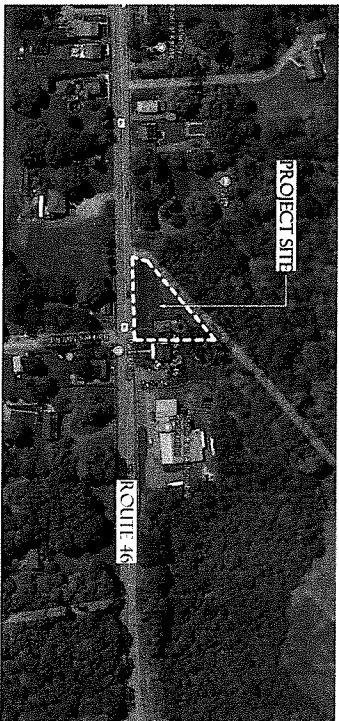


2

BUILDING AXONOMETRIC

SHEET NO.	TITLE SHEET	SHEET NAME
T-01	TITLE SHEET	
A-01	GROUND FLOOR PLAN & FRONT ELEVATION	
A-02	SECOND AND THIRD FLOOR PLAN & ELEVATIONS	

DRAWING LIST

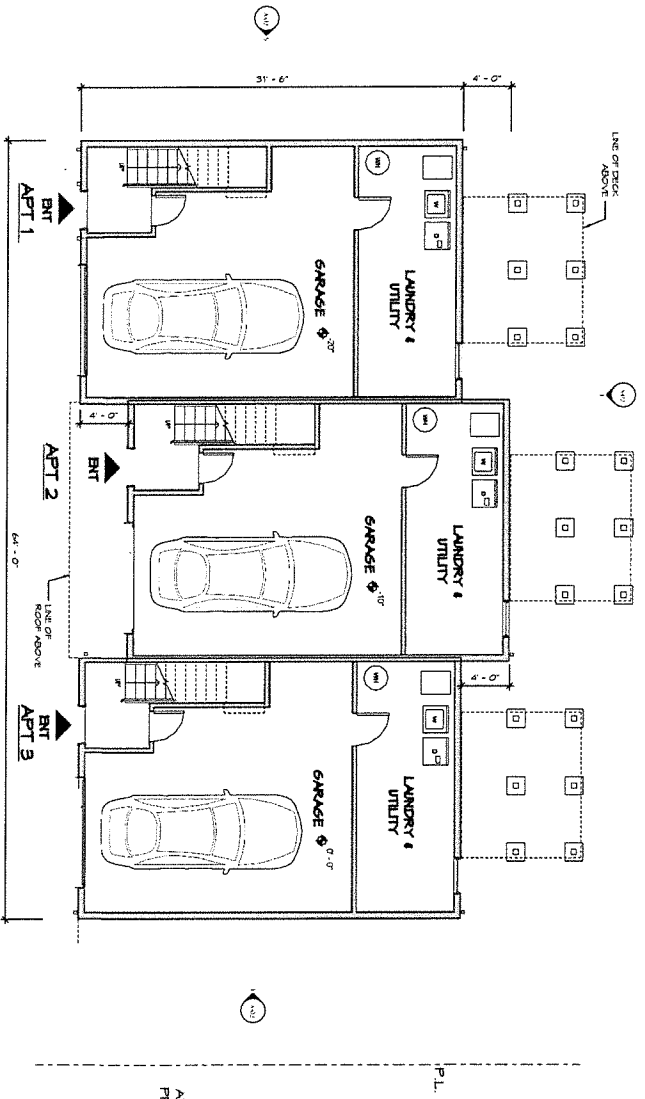


1

SOUTH ELEVATION (FRONT) - RT 46 OVERALL SITE EXTENTS
 1/8" = 1'-0"

REFER TO SITE PLAN SUBMISSION FOR ALL SITE ELEMENTS, DIMENSIONS, AND DETAILS

<p>WELLINGTON ARCHITECTURAL DESIGN, LLC 206 RT 46, TOWNSHIP OF INDEPENDENCE, NJ 07840 JPC@CADARCH.COM</p>	<p>PROJECT: 206 RT 46, TOWNSHIP OF INDEPENDENCE, NJ 07840</p>	<p>DATE: 05-20-20 SCALE: 1/8" = 1'-0"</p>	<p>TITLE SHEET</p>	<p>ISSUE DATE</p>	<p>REVISIONS:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>ISSUED FOR LAND USE</td> <td>05-20-20</td> </tr> <tr> <td>2</td> <td>APPROVAL RESUBMITTALS FOR LAND USE APPROVAL</td> <td>06-03-21</td> </tr> </tbody> </table>	NO.	DESCRIPTION	DATE	1	ISSUED FOR LAND USE	05-20-20	2	APPROVAL RESUBMITTALS FOR LAND USE APPROVAL	06-03-21
NO.	DESCRIPTION	DATE												
1	ISSUED FOR LAND USE	05-20-20												
2	APPROVAL RESUBMITTALS FOR LAND USE APPROVAL	06-03-21												



1 PROPOSED GROUND FLOOR PLAN
1/4" = 1'-0"



2 SOUTH ELEVATION (FRONT) - RT 46
1/4" = 1'-0"

Revision Schedule		Date
1	ISSUED FOR LAUNCH	02/03/18
2	APPROVAL FROM ARCHITECTURAL BOARD	02/03/18
3	APPROVAL FROM LAND USE APPROVAL	02/03/18

PROJECT: 206 RT 46 TOWNSHIP OF INDEPENDENCE, NJ 07840
 ARCHITECT: WELINGTON ARCHITECTURAL DESIGN LLC
 206 RT 46 TOWNSHIP OF INDEPENDENCE, NJ 07840
 PHONE: 908.486.1111
 WWW.WELINGTONARCHITECTS.COM

SCALE: 1/4" = 1'-0"
 DATE: 02/03/18
 DRAWN BY: J. COADY
 CHECKED BY: J. COADY

PROJECT TITLE: 206 RT 46 TOWNSHIP OF INDEPENDENCE, NJ 07840
 ARCHITECT: WELINGTON ARCHITECTURAL DESIGN LLC
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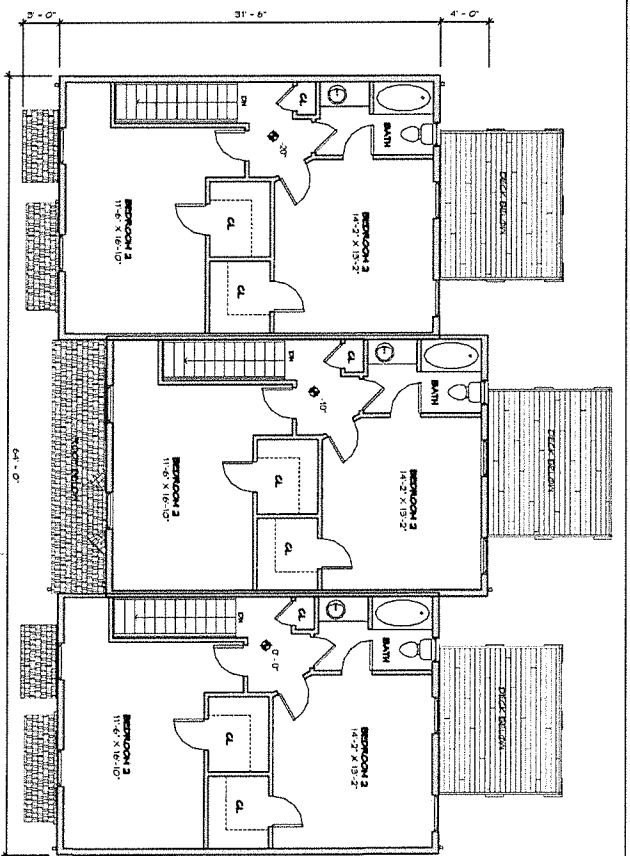
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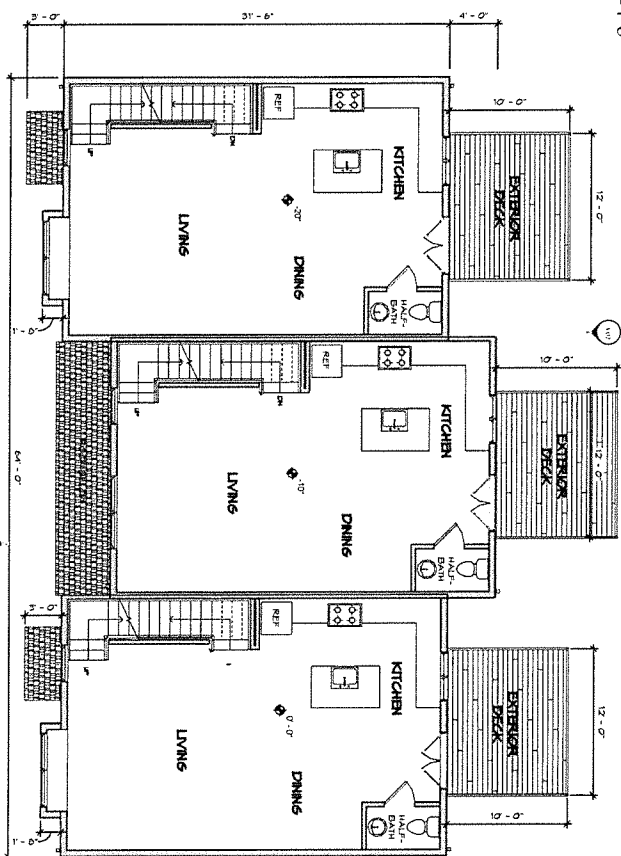
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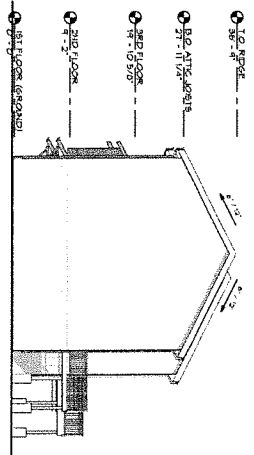
REFER TO SOUTH (FRONT) ELEVATION FOR TYPICAL MATERIAL CALLOUTS



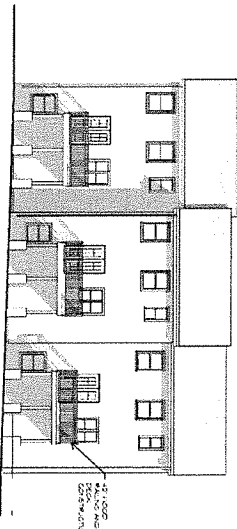
3 PROPOSED THIRD FLOOR PLAN
1/4" = 1'-0"



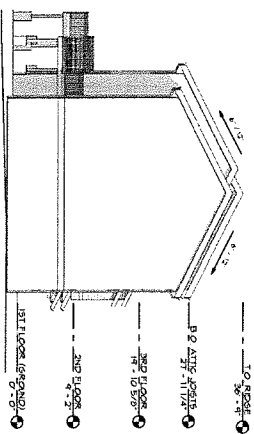
2 PROPOSED SECOND FLOOR PLAN
1/4" = 1'-0"



1 EAST ELEVATION
1/8" = 1'-0"



4 NORTH ELEVATION (REAR)
1/8" = 1'-0"



5 WEST ELEVATION
1/8" = 1'-0"

ID	Description	Date
1	ISSUED FOR LAND USE	06.01.19
2	ISSUED FOR LAND USE	05.14.19
3	REVISIONS DESIGN ISSUED	06.06.21
4	REVISIONS DESIGN ISSUED	06.06.21

WELLINGTON
ARCHITECTURAL DESIGN, LLC
206 KI 46, TOWNSHIP OF INDEPENDENCE, NJ 07840
TEL: 908.526.1111
WWW.WELLINGTONARCHITECTS.COM

PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT
OWNER: TOWNSHIP OF INDEPENDENCE
DESIGNER: J.P. CECIARDI, P.R.
SCALE: 1/8" = 1'-0"

DATE: 06/01/2019
DRAWN BY: [Signature]
CHECKED BY: [Signature]

A-02

SCALE: 1/8" = 1'-0"

DATE: 06/01/2019

PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT
OWNER: TOWNSHIP OF INDEPENDENCE
DESIGNER: J.P. CECIARDI, P.R.