

QUINTON TOWNSHIP PLANNING BOARD

RESOLUTION NO.: 2022-12

RESOLUTION CERTIFYING COMPLETENESS/INCOMPLETENESS

RE: APPLICATION # 2022-03

Block 3, Lots 18 and 19

Name of Applicant: **Erdner Real Estate Holdings, LLC**

Type of Application: **Minor Subdivision and Variances**

The above referenced application is hereby certified to be:

~~Complete, with submission waivers granted as set forth below. The applicant is requested to contact the Planning Board Secretary to schedule the application for hearing at a regular Planning Board meeting.~~

Incomplete, with the following requirements to be satisfied before the application will be certified as complete:

All issues noted in the Planning Board Solicitor's June 10, 2022 email (copy attached), and all issues noted in the Planning Board Planner's and Engineer's Completeness Review letter dated June 13, 2022 (copy attached).

The undersigned Chair of the Quinton Township Planning Board hereby certifies that the above is a true copy of a resolution adopted by said Board on June 14, 2022.

Attest:



Bonita K. Bell, Secretary
Quinton Township Planning Board



John Allen, Chairperson
Quinton Township Planning Board

William L. Horner

From: William L. Horner <wlh@hornerlaw.net>
Sent: Friday, June 10, 2022 4:43 PM
To: Bonita K. Bell (planning@quintonnj.com)
Cc: Lawrence M. DiVietro Jr. (larry@landdimensions.com); Andrew Hogg P.E. (andrew@landdimensions.com); John Allen (countrymetals@gmail.com); Erdner Real Estate Holdings LLC (hitchnersfurniture@verizon.net); Larry Maltman (landengllc@comcast.net); William L. Horner (wlh@hornerlaw.net)
Subject: QPB/Erdner Real Estate Holdings LLC -- Incomplete
Attachments: Section 170-174 Fees.pdf; Section 170-34 LIO Light Industrial_Office District use regulations.pdf; Section 170-35 LIO Light Industrial_Office District bulk and area regulations (1).pdf

Bonnie, I have reviewed the EREH LLC minor subdivision/variance application and have determined that it is incomplete for the following reasons, in addition to whatever checklist incompleteness issues might be identified by the Board Engineer and Planner:

1. The total required application fee is \$900 for the requested minor subdivision, bulk variances, and 70d variance for floor area ratio. The applicant appears to have paid only \$200 for the minor subdivision.
2. The total required initial escrow deposit is \$3,000 for the requested minor subdivision, bulk variances, and 70d variance for floor area ratio. The applicant appears to have made an escrow deposit of only \$1,000 for the minor subdivision.
3. The applicant is a limited liability company and therefore must therefore provide a disclosure statement per application form item 2 and Checklist item A-5.
4. The applicant is a business entity and therefore must be represented by an attorney whose name and contact information should be set forth in application form item 6.
5. "Other Relief" specified in application form item 11 should indicate "use" variance relief per NJSA 40:55D-70d for the floor area ratio variance.
6. The list of requested variances per application form item 12 should include a "bulk" variance for the 7.8-foot side yard setback of the shed on Lot 19, or else the shed should be indicated as to be removed/relocated into compliance.
7. The applicant must provide a certification from the tax collector confirming that taxes are paid on both lots per application form item 24 and Checklist item A-2.
8. The aforesaid additional fees and escrow deposits must be paid per Checklist item A-3.
9. The applicant must submit the applicant's contract for purchase of the proposed subdivided parcel per Checklist item A-4.
10. The applicant's plan indicates that prior variances were granted in Resolution 2011-18. Eighteen (18) copies of that resolution should be provided to the Board.
11. Retail uses are not permitted in the LI/O zoning district. The applicant should provide proof of the prior approval or otherwise lawful existence of these uses, which might be indicated in Resolution 2011-18. After reviewing whatever is provided I will confer with the Board Engineer and Planner about whether and to what extent additional "use" variance relief might be required pursuant to NJSA 40:55D-70d1 for the proposed modifications of the lots on which the current non-permitted uses are being conducted.

Please call or write if you have any questions or concerns.

Best Regards,

Bill

June 13, 2022

Ms. Bonita Bell
Planning Board Secretary
Quinton Township Planning Board
PO Box 227
Quinton Township, NJ 08072

planning@quintonnj.com

RE: Completeness Review
Erdner Real Estate Holdings
583 Salem-Quinton Road
Tax Map Block 3, Lots 18 and 19
QTPB Application No. 2022-03

Dear Board Members,

Concerning the above referenced application, pursuant to the email of Mr. Horner (the Board Solicitor) of June 10, 2022, the application is administratively incomplete.

We have reviewed the application prepared by the applicant, requesting a minor subdivision for a lot line adjustment with certain waivers from the checklist due to non-applicability and variances as follows:

- Lot 18
 - Minimum required lot area
 - Maximum floor area ratio
 - Maximum improvement coverage
- Lot 19
 - Minimum required lot area
 - Maximum improvement coverage

SUBMITTED INFORMATION:

- 1) A plan of minor subdivision prepared by Land Engineering, LLC dated April 11, 2022, has been submitted. The plan proposes a lot line adjustment to modify the areas of each of the lots without the creation of a new lot. On the plan, it noted variances for lot width, front yard setback, side yard setback, and rear yard setback as being previously granted by Resolution Number 2011-18.

Ms. Bonita Bell
June 13, 2022
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Completeness Review Comments:

In addition to those items outlined by Mr. Horner indicating that the application is administratively incomplete, the list of variances that were pursuant under a prior approval, are not listed as new variances for consideration. Those variances represent pre-existing non-conforming conditions but are a deviation from the required area and bulk requirements for the zone.

A review and determination of the prior Resolution, it is necessary in order to conclude if those area and bulk variances remain valid or should be included as part of this application review by the Board.

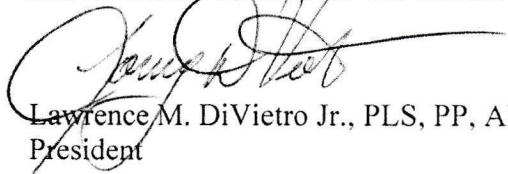
In accordance with Mr. Horner's outline, as well as the above clarification of the prior Resolution, the application should be deemed incomplete pending further information and clarification being provided.

As presented, the completeness review represents the initial step of the application. Clarification and response by the applicant is required in order for the Board to deem the submission complete. Following resolution of completeness, a detailed review of waivers will be provided as part of a technical review.

Following your receipt and review should you have any questions, please do not hesitate contacting our office at your convenience.

Very truly yours,

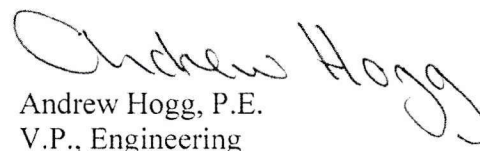
LAND DIMENSIONS ENGINEERING



Lawrence M. DiVietro Jr., PLS, PP, AICP
President

Very truly yours,

LAND DIMENSIONS ENGINEERING



Andrew Hogg, P.E.
V.P., Engineering

cc: John Allen, Planning Board Chair, via email - countrymetals@gmail.com
William Horner, Esquire, Planning Board Solicitor, via email - wlh@hornerlaw.net
Quinton Township Planning Board Members, via email - planning@quintonnj.com
Martin Erdner, via email - hitchnersfurniture@verizon.net
Land Engineering, LLC, via email - landengllc@comcast.net