

# MONGELLI LAW GROUP

441 MAIN STREET METUCHEN, NJ 08840  
VOICE: 732-549-9800 FAX: 732-549-9802  
WWW.MONGELLILAW.COM

RICHARD MONGELLI, ESQ.  
DANIELLE M. DIODATO, ESQ.

## VIA HAND DELIVERY

July 31, 2020

Patricia Cullen  
Borough of Metuchen Planning Board  
500 Main Street  
Metuchen, NJ 08840

Re: Manuel and Aurelia Pereira  
15 and 17 James Place/ Minor Subdivision Application  
Initial Submission for Completeness Review

Dear Ms. Cullen:

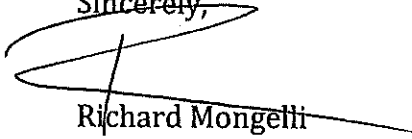
In connection with the above, I enclose the following:

1. Revised Application for Development (16);
3. Minor Subdivision Plan (16);
4. Plans of Survey (16);
5. Narrative of Proposal (16);
6. Checklist (6).
7. Escrow Agreement (attached to application);
8. Application Fee: \$200.00
9. Escrow Fee: \$2,000.00
10. Copy of Submitted Freehold Soil Application.

I will forward proof of payment of taxes shortly.

Thank you.

Sincerely,



Richard Mongelli

## **Submission Checklist**

### **A. Initial Step for Completeness Review:**

- Zoning Permit Application
- Zoning Permit Application Fee
- Application for Development (1 copy)
- Accompanying exhibits listed under "Plat Submission" (1 copy)
- Narrative of Proposal (1 copy)
- Checklist (if applicable) (1 copy)

### **B. Final Step for Completeness Review:**

- Application for Development (18 copies for PB / 16 copies for ZBA)
- Accompanying exhibits listed under "Plat Submission" (18 copies for PB / 16 copies for ZBA)
- Narrative of Proposal (18 copies for PB / 16 copies for ZBA)
- Checklist (if applicable) (6 copies)
- Proof of Payment of Taxes and Assessments
- Escrow Agreement to Pay for Services to be Rendered by Borough Professionals
- Application Fee
- Escrow Fee
- W-9 Form
- Copy of Freehold Soil Conservation District Exemption Application Form
- Application or Disclosure by Corporation or Partnership pursuant to N.J.S.A. 40:55D-48.1 (if applicable)

### **C. The following shall be submitted no later than five (5) days prior to the scheduled hearing date:**

- Copy of "Notice of Hearing" Letter sent to all property owners within 200 feet and designated utility companies
- List of Property Owners within 200 feet with certified mail receipts showing postal date stamp attached
- Copy of "Legal Notice" sent to the official newspaper of the Borough of Metuchen
- Affidavit of Publication for Legal Notice (to be provided by the newspaper)
- Affidavit of Proof of Service

### **D. The following shall be submitted after receipt of the Resolution:**

- Affidavit of Publication for Legal Notice of Action Taken by Board (to be provided by the newspaper)
- Affidavit of Compliance
- Zoning Permit Application



# BOROUGH OF METUCHEN

MIDDLESEX COUNTY

Tel. (732) 632-8540 • Fax (732) 632-8100 • 500 Main Street • Metuchen, N.J. 08840

## APPLICATION FOR DEVELOPMENT

### Control Information (Office Use Only)

Application Number	Applicant Name	Date Received	Date Deemed Complete
--------------------	----------------	---------------	----------------------

### 1. Application

#### A. Location

Street Address 15 and 17 James Place  
Block 201 Lot 13.02 and 14-18 Zone R-1  
Situated on West side of James Place  
distant 74.93' feet from Wester Avenue

#### B. The Site Is Located:

Within 200' of Edison Township     Adjacent to County Road     Adjacent to State Highway

#### C. Status:

New     Revision or Resubmission of Prior Application No. \_\_\_\_\_

#### D. Type (Check all that Apply):

Concept     Preliminary     Final     Conditional Use Approval  
 Minor Site Plan     Major Site Plan     Minor Subdivision     Major Subdivision  
 (a) - Appeal     (b) - Interpretation     (c) - Variance (Bulk)     (d) - Variance (Use)  
 Request for Waiver of Submission Requirements     Other \_\_\_\_\_

#### E. Nature of Relief or Variance Request (List Ordinance Reference Sections)

minor subdivision to adjust lot line between 15 and 17 James Place. Existing non-conformity for minimum front yard setbacks for both lots. Existing non-conformity for minimum lot area for Lot A, which would be decreased by this application, and any and all other variances, exceptions and waivers deemed necessary by the Board during the course of the hearing.

Bulk variance required for minimum lot area for Lot A.

#### F. Date and Disposition of any previous Board Hearings Involving this Site.

none known

#### G. Plat Submission (List maps and other exhibits accompanying this application)

1. Minor subdivision Plan.
2. Plans of Survey.

**2. Applicant Information**

**A. Applicant**

First Name Maunel and Aurelie Phone 732-742-4257  
Last Name Pereira Phone \_\_\_\_\_  
Street Address 17 James Place Fax \_\_\_\_\_  
City / State Metuchen NJ Zip 08840 Email \_\_\_\_\_

**B. Applicant is a/an:**

Individual     Partnership     Corporation     Other \_\_\_\_\_

**C. Applicant's Relationship to Owner:**

Owner     Lessee     Purchaser Under Contract     Other \_\_\_\_\_

**D. Owner** (If other than Applicant, requires Owner's Consent on Page 6)

First Name \_\_\_\_\_ Phone \_\_\_\_\_  
Last Name \_\_\_\_\_ Phone \_\_\_\_\_  
Street Address \_\_\_\_\_ Fax \_\_\_\_\_  
City / State \_\_\_\_\_ Zip \_\_\_\_\_ Email \_\_\_\_\_

**3. Applicant's Experts**

**A. Attorney** (Required if Applicant is a Corporation; must be a licensed in the State of New Jersey)

Name Richard Mongelli, Esq. Phone 732-549-9800  
Street Address 441 Main Street Fax \_\_\_\_\_  
City / State Metuchen NJ Zip 08840 Email rich @mongellilaw.com

**B. Engineer**

Name William Lane, Menlo Engineering Phone 732-846-8585  
Street Address 261 Cleveland Avenue Fax 732-846-9439  
City / State Highland Park, NJ Zip 08904 Email blane@menloeng.com

**C. Architect**

Name \_\_\_\_\_ Phone \_\_\_\_\_  
Street Address \_\_\_\_\_ Fax \_\_\_\_\_  
City / State \_\_\_\_\_ Zip \_\_\_\_\_ Email \_\_\_\_\_

**D. Other Professional Consultants**

Name \_\_\_\_\_ Phone \_\_\_\_\_  
Street Address \_\_\_\_\_ Fax \_\_\_\_\_  
City / State \_\_\_\_\_ Zip \_\_\_\_\_ Email \_\_\_\_\_

**4. Plat / Plan Data**

**A. Present Use of Land / Structure**

two single-family homes

**B. Proposed Use of Land / Structure**

continue as two single family homes

**C. Building Data**

Existing :	Floor Area:	_____	Height in Stories & Feet:	_____
Addition:	Floor Area:	_____	Height in Stories & Feet:	_____
New Bldg:	Floor Area:	_____	Height in Stories & Feet:	_____
Total Floor Area:		_____		

**D. Subdivision Data**

Area:	Entire Tract:	14,030 sf	Portion being subdivided:	1395 sf
No. of Lots:	Present	2	Proposed:	2
No. of Units:	Demolished:	0	Proposed:	0
Purpose:	lot line adjustment			

**E. Non-Residential Use Data**

	Present	Proposed
Total Floor Area of Building:	_____	_____
Floor Area to be Occupied:	_____	_____
Off-Street Parking:	_____	_____
Number of Employees:	_____	_____
Days & Hours of Operation:	_____	_____
Machinery / Equipment Used:	_____	_____
	_____	_____
	_____	_____
Description of Operation(s):	_____	_____
	_____	_____
	_____	_____

**5. Request for Bulk Variance**

SEE BULK TABLE APPENDED AS EXHIBIT A

**A. Bulk Regulations**

	District Requirements	Present	Proposed	Variance
Min. Lot Area	_____	_____	_____	<input type="checkbox"/>
Min. Lot Width	_____	_____	_____	<input type="checkbox"/>
Min. Lot Depth (Average)	_____	_____	_____	<input type="checkbox"/>
Min. Front Yard Setback	_____	_____	_____	<input type="checkbox"/>
Min. Side Yard Setback (Left)	_____	_____	_____	<input type="checkbox"/>
Min. Side Yard Setback (Right)	_____	_____	_____	<input type="checkbox"/>
Min. Side Yard Setback (Combined)	_____	_____	_____	<input type="checkbox"/>
Min. Rear Yard Setback	_____	_____	_____	<input type="checkbox"/>
Max. Building Coverage	_____	_____	_____	<input type="checkbox"/>
Max. Impervious Coverage	_____	_____	_____	<input type="checkbox"/>
Max. Height	_____	_____	_____	<input type="checkbox"/>

**B. Describe below the nature of the constraints imposed by the physical characteristics of the property.**

Proofs to be provided at public hearing with experts.  
\_\_\_\_\_  
\_\_\_\_\_

**C. Describe below any other exceptional conditions of the property that prevent the applicant from complying with the Zoning Ordinance.**

Proofs to be provided at public hearing with experts.  
\_\_\_\_\_  
\_\_\_\_\_

**D. Describe below how not granting this variance request would impose difficulties or undue hardship upon you.**

Proofs to be provided at public hearing with experts.  
\_\_\_\_\_  
\_\_\_\_\_

**E. Describe below how the granting of the variance request will not result in substantial detriment to the public good nor substantially impair the intent and purpose of the Zone Plan and the Zoning Ordinance.**

Proofs to be provided at public hearing with experts.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**R-2 ZONE: RESIDENTIAL DISTRICT**

ITEM	REQUIRED	LOT A			LOT B		
		EXISTING	PROPOSED	CONDITION	EXISTING	PROPOSED	CONDITION
<b>LOT DIMENSIONS:</b>							
MINIMUM LOT AREA	7,500 SF	5,087 SF	6,482 SF	**EXISTING CONDITION	8,943 SF	7,547 SF	COMPLIES
MINIMUM LOT WIDTH	62.5 FT	50 FT	63.5 FT	COMPLIES	85.0 FT	71.5 FT	COMPLIES
MINIMUM LOT DEPTH	100 FT	100.44 FT	100.44 FT	COMPLIES	103.03 FT	103.73 FT	COMPLIES
<b>YARD DIMENSIONS:</b>							
MINIMUM FRONT YARD SETBACK	25 FT	24.79 FT	24.79 FT	**EXISTING CONDITION	24.71 FT	24.71 FT	**EXISTING CONDITION
MINIMUM SIDE YARD SETBACK (ONE)	8 FT	4.9 FT	13.7 FT	COMPLIES	9.09 FT	9.09 FT	COMPLIES
MINIMUM SIDE YARD SETBACK (BOTH)	18 FT	18.6 FT	32.1 FT	COMPLIES	58.6 FT	45.1 FT	COMPLIES
MINIMUM REAR YARD SETBACK	25 FT	47.8 FT	47.8 FT	COMPLIES	42.5 FT	42.5 FT	COMPLIES
<b>BUILDING DIMENSIONS:</b>							
MAXIMUM BUILDING HEIGHT (FEET)	35 FT	< 35 FT	----	COMPLIES	< 35 FT	----	COMPLIES
MAXIMUM BUILDING HEIGHT (STORIES)	3 STORIES	2 STORIES	----	COMPLIES	2 STORIES	----	COMPLIES
<b>YARD COVERAGE/DENSITY:</b>							
MAXIMUM BUILDING COVERAGE (% OF LOT)	30%	25%	20%	COMPLIES	16%	19%	COMPLIES
MAXIMUM IMPERVIOUS COVERAGE (% OF LOT)	50%	35%	28%	COMPLIES	24%	28%	COMPLIES

\* EXISTING NON-CONFORMANCE

\*\* IMPROVEMENT OF EXISTING NON-CONFORMANCE Bulk variance required for minimum lot area for Lot A.

**6. Request for Conditional Use Approval / Use Variance**

**A. Describe below the specifics of the request.**

n/a

**B. Describe below the special reasons which exist that support the granting of the request.**

n/a

**C. Describe below how the public interest will be served by the granting of the request.**

n/a

**D. Describe below what circumstances exist or what measures will be taken to ensure that, if the request is granted, the surrounding property owners will experience no adverse impact or undue burden.**

n/a

**E. Describe below how the granting of the request will not result in substantial detriment to the public good nor substantially impair the intent and purpose of the Zone Plan and the Zoning Ordinance.**

n/a



**7. Correspondence**

**A. Person to be contacted in regard to all matters pertaining to this Application (if other than Applicant)**

First Name Richard Mongelli, Esq. Phone 732-549-9800  
Last Name \_\_\_\_\_ Phone \_\_\_\_\_  
Street Address 441 Main Street Fax \_\_\_\_\_  
City / State Metuchen NJ Zip 08840 Email rich @mongellilaw.com

**8. Verification and Authorization**

I, THE UNDERSIGNED, HEREBY MAKE APPLICATION FOR AN APPLICATION FOR DEVELOPMENT ONLY FOR THE LOCATION AND THE WORK DESCRIBED HEREIN AND CERTIFY TO THE ACCURACY OF THAT INFORMATION. I ACKNOWLEDGE THAT IT IS MY RESPONSIBILITY TO BE AWARE OF AND COMPLY WITH ALL ZONING REQUIREMENTS OF THE BOROUGH OF METUCHEN RELATING TO THIS APPLICATION. I UNDERSTAND THAT FAILURE TO PROVIDE ACCURATE INFORMATION OR TO COMPLY WITH ANY PROVISIONS OF THE APPLICATION RENDERS IT NULL AND VOID AND MAY RESULT IN AN ENFORCEMENT ACTION.

CONSTRUCTION OF IMPROVEMENTS WILL NOT BE COMMENCED AT THE ABOVE LOCATION UNTIL THE APPLICANT/OWNER IS IN COMPLIANCE WITH ALL APPLICABLE REGULATIONS REGARDING ZONING AND PROPERTY MAINTENANCE AS DEFINED BY THE CODE OF THE BOROUGH OF METUCHEN. THIS APPLICATION AND ASSOCIATED APPROVALS DO NOT WAIVE ANY OTHER RESTRICTIONS OR REGULATIONS IMPOSED PRIVATELY OR BY LAW.

**A. Applicant's Verification**

I HEREBY CERTIFY THE STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE.

Name Manny Pereira Date July 31, 2020  
Signature Manny Pereira

**B. Owner's Authorization**

I HEREBY CERTIFY THAT I AM THE OWNER OF RECORD OF THE PROPERTY DESCRIBED HEREON AND THAT I CONCUR WITH THE DOCUMENTS PRESENTED TO THE PLANNING BOARD / ZONING BOARD OF ADJUSTMENT. I HEREBY AUTHORIZE THE APPLICANT TO SUBMIT THIS APPLICATION FOR DEVELOPMENT.

Name Manuel Pereira Date July 31, 2020  
Signature Manny Pereira

Telephone & Fax Number: 732-261-0894

Type text here



# Freehold Soil Conservation District

4000 Kozloski Road, PO Box 5033 — Freehold, NJ 07728-5033  
(732) 683-8500 FAX (732) 683-9140  
www.freeholdscd.org Email: info@freeholdscd.org  
Serving Middlesex and Monmouth Counties since 1938

## Exemption Application Form

Print Clearly or Type

Current Owner: Manuel and Aurelie Pereira Block (s): 201  
Mailing Address: 34 Huntington Road Lot (s): 13.02/14-18  
Town Edison State NJ Zip 08820 Street Address: 15 and 17 James Place  
Phone: 732-261-0884 FAX \_\_\_\_\_ Township: Metuchen

### PLEASE READ ALL INFORMATION CAREFULLY

I, the undersigned, am requesting an Exemption from the Soil Erosion and Sediment Control Act of New Jersey, P.L. 1975, Chapter 251 for the following activity(ies). In addition, I acknowledge that I am responsible to provide the required information as requested below.

The District will review the completed Exemption request and will respond within five (5) business days. If the activity deviates from the documentation provided in this application and/or exceeds 5,000 sq. ft., it will render the Exemption void. A re-assessment will be made by the District.

#### RESIDENTIAL LAND DISTURBANCE (SINGLE FAMILY DWELLING UNIT):

\*Submit a copy of the site plan with total land disturbance areas. A Planning Board Resolution, a descriptive narrative and a detailed site plan documenting ALL land disturbance activity are required.\*

- Demolition and Reconstruction (Area of Total Land Disturbance must be less than 5,000 sq. ft.): Total land disturbance includes all land disturbing activity in both existing and proposed site conditions.
- Construction of a single family dwelling unit which is **NOT** part of a proposed subdivision, planned development or construction permit application involving two (2) or more single family dwelling units.
- Construction of a single family dwelling unit on a lot that has arisen from a subdivision approved after Jan. 1, 1976 that did **NOT** create two (2) or more buildable lots and the proposed cumulative land disturbance is less than 5,000 sq. ft.
- Construction of a single family dwelling unit on a lot that has arisen from a subdivision approved prior to Jan. 1, 1976 where I do **NOT** own or plan to build more than one home at a time.
- Addition/Improvements (Area of Total Land Disturbance must be less than 5,000 sq. ft.): Total land disturbance includes all land disturbing activity in both existing and proposed site conditions.

#### GENERAL LAND DISTURBANCE:

\*Submit a copy of the site plan with total land disturbance areas and provide a descriptive narrative\*

- Commercial Construction/General Clearing: (Area of Total Land Disturbance must be less than 5,000 sq. ft.): Includes utilities, public facilities, and demolition activity. TOTAL LAND DISTURBANCE = \_\_\_\_\_ sq. ft.
- Demolition Only (Area of Total Land Disturbance must be less than 5,000 sq. ft.)  
TOTAL LAND DISTURBANCE = \_\_\_\_\_ sq. ft.

#### AGRICULTURE:

Submit a copy of USDA-NRCS Farm Conservation Plan.

- Cultivation of land for the production of food, fiber, animals and related activities customary to agricultural production and operations. This applies only to crop cultivation and not to the construction of agricultural structures.

Signature — Owner must sign before submission to the District

Owner Signature: Manuel Pereira

Date: July 31, 2020

Print Owner Name: Manuel Pereira

Updated September 2013