

BROWN & CONNERY, LLP

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NORTH BROAD STREET
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Direct Dial: [REDACTED]

March 22, 2023

Via Hand Delivery

Borough of Brooklawn
Ryan Giles, Planning/Zoning Coordinator
301 Christiana Street
Brooklawn, NJ 08030

**Re: JSG, Inc. - Planning Board Application
705 West Browning Lane, Block 125, Lot 12
Our File No. 23-0155**

Dear Mr. Giles:

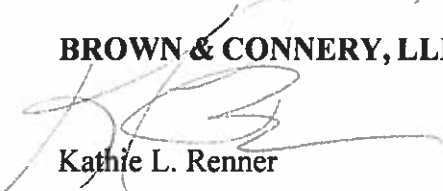
Enclosed for filing and consideration is the Minor Site Plan Application for the above-referenced property, on behalf of JSG, Inc. The following is submitted as part of the record:

1. Original and six (6) copies of the application, escrow agreement, verification of taxes paid and Statement of Applicant;
2. Six (6) copies of signed checklist;
3. Seventeen (17) sets of Site Improvement Plans dated March 2, 2023;
4. Seventeen (17) copies of Stormwater Runoff & Management Calculations dated March 2, 2023;
5. Seventeen (17) aerial photos; and
6. Check in the amount of \$3,000.00 for the application and escrow fees, which will be hand delivered under separate cover by our client.

Kindly file this application and advise as to the acceptance of same as complete for purposes of public hearing on April 12, 2023.

Very truly yours,

BROWN & CONNERY, LLP


Kathie L. Renner

KLR/mw
Enclosure

Julie A. McCleary

MEMBERS OF COUNCIL

Patrick Moses
John Clothworthy
Jerry Granstrom
Patricia McConnell
Michael Meyoli
Stacey Ostrom



Borough Of
BROOKLAWN

Camden County, New Jersey

Established 1924

401 Christiana Street
Brooklawn, New Jersey 08030

856-456-0750

Fax: 856-456-1874

BOROUGH ADMINISTRATOR
Ryan Giles

APPLICATION FOR ZONING/LAND USE

ADDRESS: 705 West Browning Lane
BLOCK 125 LOT 12 ZONING CLASS D Shopping Center
OWNER Brookwrap LLC PHONE () -
ADDRESS 1535 Chestnut Street, Suite 200, Philadelphia, PA 19102

A plot plan or survey showing all existing buildings, sheds, pools, driveways, patios, walkways and the proposed building/structure shall be submitted.

SETBACKS FOR THE PROPOSED BUILDING/STRUCTURE:

Front 48.5 feet Rear 2.92 feet Side 27 feet Side _____ feet Side _____ feet

Frontage of lot 100 lineal feet Corner lot sq feet Inside lot X sq feet

Constructing Building addition of net 148 sq. ft. with site improvements to existing Dunkin Donuts site

Applicant's signature [Signature] Date 3/22/2023

() This application has been examined and found to be in compliance with the Borough of Brooklawn's Zoning Ordinance.

() This application is rejected because of non-compliance with the following sections of the Borough of Brooklawn's Zoning Ordinance.

Rejected applications can be revised to comply with the Zoning Ordinance or you may apply to the Zoning Board of Adjustments for relief of the Zoning Official's decision. Contact the Zoning Administrative Official, Mike Ostrom (856) 456-0750 ext. 104.

Zoning Official _____ Date _____

BOROUGH OF BROOKLAWN
CAMDEN COUNTY
NEW JERSEY

PLANNING/ZONING BOARD APPLICATION

 X Planning Board

 Zoning Board

Applicant's Name: JSG, Inc. dba Dunkin Donuts

Address: 435 S. Briadway

Gloucester City, NJ 08030

Telephone: 609-332-6276

Address of Property Action Taken On: 705 West Browning Lane

Block: 125

Lot: 12

Reason for Action: Site and Building Improvements

Present Use: Dunkin Donuts Facility

Proposed Use: Dunkin Donuts Facility

Does this Constitute:

 X New Application

 Revision or resubmission of prior application

Applicant shall attach copy of plot plan that shall include:

- a) Tax block and lot number.
- b) Road or roads on which lot fronts.
- c) Lot lines with dimensions.
- d) Location of existing buildings, if any.
- e) Location of proposed change and/or new structures, showing front, rear and side yard dimensions.
- f) Location, arrangement and dimensions of parking areas, driveways or service areas, if any.

Meeting Date: April 12, 2023

All paperwork **MUST** be in the Borough Office 10 (ten) days prior to meeting.

Date: 3/22/23

Applicant signature [Signature]

Date: 3/22/23

Owner signature [Signature]

(if different than applicant)

BOROUGH OF BROOKLAWN FEE AND ESCROW AGREEMENT

APPLICATION NO. _____ BLOCK: 125 LOT: 12

STREET ADDRESS: 705 West Browning Lane

THIS AGREEMENT entered into this 21st day of March, 2023, by and between the Borough of Brooklawn, a Municipal Corporation of the State of New Jersey, hereinafter referred to as Borough and

hereinafter referred to as DEVELOPER, is made upon the following terms and conditions:

1. **AGREEMENT TO PAY FEES:** DEVELOPER hereby covenants and agrees to pay all charges and fees imposed by BOROUGH in connection with the Application for Development filed contemporaneously herewith. Such fees include, but are not limited to, application fees, attorney's review fees, engineer's review fees, planner's review fees, court stenographer fees, copy costs and postage.
2. **ESCROW DEPOSIT:** BOROUGH hereby acknowledges receipt of \$ 3,000.00, to be deposited in a Borough Escrow Account to cover the cost of the aforementioned review fees. Such sum shall be charged periodically as fees and charges accrue and the balance of the escrow sum, if any after all charges and fees have been paid, shall be returned to DEVELOPER.
3. **ADDITIONAL PAYMENTS:** DEVELOPER agrees to pay any additional sum required for charges and fees not covered by the initial escrow deposit within fifteen (15) days after receipt of billing by the Secretary of the Planning and Zoning Board. The DEVELOPER understands and agrees to pay such sum notwithstanding any dispute as to the reasonableness of fees and charges. Payment shall not constitute a waiver of the right to challenge the reasonableness of charges and fees as set forth herein.
4. **CONTEST OF REASONABLENESS:** DEVELOPER agrees that the reasonableness of any fee or charge may be challenged by an appropriate legal action brought within forty-five (45) days from the date the DEVELOPERS' escrow deposit balance is returned or forty-five (45) days from the date the developer receives notice that additional payments are requested to pay charges and fees not covered by the initial escrow deposit. DEVELOPER understands and agrees that the aforesaid procedure shall be the sole and exclusive method of challenging the reasonableness of charges and fees and hereby waives any longer statute of limitations.

5. NOTICE: DEVELOPER agrees that all notices or refunds shall be mailed to the following address:
6. COLLECTION: Should the DEVELOPER fail to pay any sum required to be paid herein when due, BOROUGH shall be entitled to pursue all remedies at law or equity. Interest shall accrue at the rate of eighteen (18%) percent per annum simple interest on unpaid amounts after the due date. The BOROUGH may collect a reasonable attorney's fee which shall not be less than Three Hundred (\$300.00) Dollars should litigation for the purpose of collecting any sum be commenced.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the date first above written.

BOROUGH OF BROOKLAWN

by: _____

Attest: _____

[affix seal]

JSG, Inc.

DEVELOPER

by: Kal Shah
Kal Shah, President

Attest: _____

[if corporation, affix seal]

BOROUGH OF BROOKLAWN

NEW JERSEY MUNICIPAL LAND USE LAW

Chapter 291 Laws of 1975
N.J.S.A. 40:55D-39e

Pursuant to the provisions of the above captioned laws, every application for development submitted to the Planning Board or Zoning Board of Adjustment shall be accompanied by proof that no taxes or assessments for local improvements are due or delinquent on the property which is the subject of such application, or if it is shown taxes or assessments are delinquent on said property, any approvals or releases granted by either the Planning Board or Zoning Board of Adjustment shall be conditioned upon either the prompt payment of such taxes-assessments or the making of adequate provisions for the payment should be thereof in such manner to make the municipality adequately protected.

TO BE COMPLETED BY BOARD SECRETARY

BLOCK 125 LOT 12 ADDITIONAL LOTS _____

REMARKS _____

TO BE COMPLETED BY TAX OFFICE

ASSESS TO Brookwrap LLC

YEAR 2023 QUARTER TAXES DUE None AMOUNT \$ 0

STATUS OF PAYMENT ON TAXES DUE Everything is Current

Signature of Applicant

Township Clerk

Ryan DB

Collector

Ryan DB

Statement of Applicant

The subject property, 705 West Browning Lane, also known as Lot 12, Block 125 on the tax map of the Borough of Brooklawn (the "Property") is part of a larger shopping center located on Browning Lane. The Property is improved with a Dunkin Donuts facility with a drive through and is located in Zone D Shopping Center. An aerial photo of the site is attached hereto as Exhibit A.

The existing use conforms with the zoning for the Property. However, there are several non-conforming aspects of the existing development such as:

	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Minimum Ground Floor Area	15,000 sq. ft.	2,241± sq. ft.	2,389± sq. ft.
Minimum No. of Main Uses	4 uses	1 use	No Change
Minimum Front Yard Setback	50 ft. Major Street	48.5 ft.	48.6 ft.
Lot Coverage	70%	92%	92%
Minimum Rear Yard Setback	20 ft.	2.9 ft.	2.9 ft.
Minimum Side Yard Setback	15 ft.	1.46 ft.	.27 ft.
Minimum Parking Spaces	24 ft.	24 ft.	24 ft.
Loading Space	1	None	None
Free Standing Sign Location	Front Yard	Off Site	No Change

The proposal of Applicant is to add a building addition, improve the exterior and interior of the existing building and provide site improvements as well. The proposed improvement to the existing building is to provide an L shape addition of 148 sq. ft. to the building, relocate the pick-up window for the drive through so as to accommodate another vehicle in the queue between the order window and the pick-up window, freshen the interior and add a new trash enclosure. Also flush curbing will be provided to improve access to the facility for the handicap parking and front parking spaces.

By reason of the proposed development one of the previously non-conforming aspects of the site, in particular the required side yard setback is further expanded. Where the existing side yard setback is 1.48 feet on the west side of the building, the new proposed side yard setback is .27 feet. The Board should note that this condition is neutralized by reason of an additional 15 ft.

easement from the shopping center serving the Property for its operations. Therefore, in reality the setback is over 15 feet.

The Applicant believes there are no other variances other than the noted existing conditions required by virtue of the application.

Applicant seeks to invest and improve the Property and its existing operations of the drive thru at the Property. Applicant believes with the additional vehicle in the que for the drive through it will function much better. By reason of the physical restraints of the Property, Applicant has maximized the possible improvement to the existing drive through.

BOROUGH APPLICATION #

Certification of ownership or consent of owner

<u> X </u>	Existing and proposed contours, (contours not required when only subdivision with no development proposed)	
<u> X </u>	Proposed buffer and landscaped areas including any deed restricted buffer, if required	
<u> X </u>	The location and identification of existing vegetation outside of wooded areas and an indication as to whether existing vegetation is to remain or to be removed	
<u> N/A </u>	Existing and proposed monuments [for minor subdivisions]	
<u> N/A </u>	Proposed utility layouts including sewers, storm drains and water lines, and feasible connections to gas, telephone and electrical utility systems	Existing locations shown where able to be identified. No new utility services proposed.
<u> X </u>	Existing and/or proposed well and septic system locations or public water and/or sewer connections	
<u> X </u>	Lighting details [minor site plans]	
<u> X </u>	Freestanding sign details showing location and dimensions [minor site plans]	
<u> X </u>	Circulation and parking details including site triangles at intersections, driveways and aisles; parking spaces; ingress and egress; loading areas; sidewalks; curbs; railroad ties; handicapped parking and curb cuts; and improvement details for the above	
<u> Waiver </u>	Drainage calculations and any proposed drainage improvements, including full details	Waiver requested as no change to impervious coverage is proposed.
<u> N/A </u>	When applicable, additional right-of-way width granted to the Borough other appropriate governmental agency	Will provide information if required.
<u> N/A </u>	Letters from the appropriate County and State agencies granting approval for the extension of utility services under their respective jurisdiction shall be submitted with the application	
<u> X </u>	Deed descriptions [including metes and bounds], for easements, covenants, restrictions and roadway dedications	Reflected on survey

X

Evidence that a duplicate copy of the application for minor development has been filed with any other agency [including but limited to the Camden County Planning Board, Camden County Board of Health, and Camden County Soil Conservation District] having jurisdiction over any aspect of the proposed development

No application to Soil Conservation District as area of disturbance is less than 5,000 s.f. No application to Board of Health is required for proposed improvements.

X-facility is
being serviced
currently.

For applications for development proposing to be served by public water and/or sewer service, certification from the County that such public water and/or public sewer service is available

N/A

Proposals for soil erosion and sediment control as required by NJS4:24-39 et seq. and soil limits and information based on the Camden County Soil Survey prepared by the USDA

Not applicable as area of disturbance is less than 5,000 s.f.

NOTE: All plats, plans and documents shall contain the Borough assigned application number

Date: 03-20-2023



Signature and Title of Person Who Prepared Check List