

**WAYNE TOWNSHIP DEPARTMENT OF PLANNING AND ZONING
LAND DEVELOPMENT APPLICATION**

**PRELIM & FINAL
SITE PLAN**

The undersigned, as Applicant/Owner of the subject property identified herein, hereby makes application to the Township of Wayne for (check all that apply):

☐ Concept Plan (PB only)	☐ Minor Subdivision	☐ Minor Site Plan
☐ Conditional Use	☐ Major Subdivision – Preliminary	☒ Major Site Plan – Preliminary
	☐ Major Subdivision – Final	☒ Major Site Plan – Final
<u>Indicate Other Relief to be Requested in Conjunction with this Application</u>		
☐ Use Variance (N.J.S.A. 40:55D-70d)	☒ Bulk Variance(s) (N.J.S.A. 40:55D-70c)	
☐ RSIS Exception (N.J.A.C. 5:21-3.1 & 3.2)	☒ Design Standard Exception(s) ☐ Environmental Protection Waiver	

1. APPLICANT INFORMATION

Name: HAMBURG DEV LLC

Mailing Address: 301 Route 17 North, Suite 802

Rutherford, NJ 07070

Telephone/E-mail: 973-224-0502 / ever.santana@pnrestaurants.com
Daytime phone E-mail

Applicant is a: (check applicable status)

☐ Corporation ☐ Partnership ☐ Individual (s) ☒ Other Limited Liability
(please specify) Company

Corporate/LLC/Partnership, etc.: List all persons owning 10% or more of the stock in the corporation in compliance with N.J.S.A. 40:55D-48.2

Name	Address	% Interest
1. <u>Ashesh Parikh</u>	<u>301 Route 17 North, Rutherford, NJ</u>	<u>1/3</u>
2. <u>Amish Parikh</u>	<u>same</u>	<u>1/3</u>
3. <u>Sachin Shah</u>	<u>same</u>	<u>1/3</u>
4. _____	_____	_____

Relationship of applicant to property (check applicable status):

☒ Owner ☐ Contract Purchaser ☐ Lessee ☐ Other _____
(please specify)

Attorney's Name: A. Michael Rubin, Esq.

Law Offices of A. Michael Rubin

Mailing Address: 1330 Hamburg Turnpike, Wayne, NJ 07470

Telephone: 973-694-4222

E-mail: amrubinlaw@verizon.net

Preparation of site plans by:

Name: Dynamic Engineering

Address: 1904 Main Street, Lake Como, NJ 07719

Tel: 732-974-0198

E-mail: mbersch@dynamiccc.com

Preparation of architectural plans by:

Name: Gary Kiesch - GK&A Architects, PC

Address: 36 Ames Avenue, Rutherford, NJ 07070

Tel: 201-896-0333

E-mail: email@gkanda.biz

2. SUBJECT PROPERTY INFORMATION

Subject Property Owner's name: Hamburg Dev., LLC

Wayne street address of the Subject Property: 2203, 2211, 2227 Hamburg Turnpike

Tax Map Block(s): 3510

Lot(s): 159, 163, 164

Zone District(s): Business

Existing Use of Property: vacant

Indicate total tract size: 2.2447 acres (97,779 sf)

3. NATURE OF APPLICATION

Clearly detail your proposal (attach additional sheets if necessary)

It is proposed to construct a Dunkin' with Drive-Thru and a Fast Food Restaurant with Drive-Thru on a parcel of land currently vacant, located along the southbound side of Hamburg Turnpike (US Route 202) in Wayne Township, Passaic County, New Jersey. The site is designated as Block 3510 - Lots 159, 163 & 164 on the Township of Wayne Tax Maps. It is proposed to construct a 1,741 SF Dunkin' with Drive-Thru and 2,294 SF Fast Food Restaurant with Drive-Thru ("The Project"). The site is located within the B - Business Zone. Access to the site is currently provided via two full movement curb cuts along Hamburg Turnpike (US Route 202). It is proposed to close the existing access points and provide access to the site via two right-in / right-out driveways along Hamburg Turnpike (US Route 202). The northern driveway will continue to provide access to three residential homes to the rear of the property via an existing access easement.

Clearly detail building square footage:

Existing building square footage:	<u>0</u>
Building square footage to be demolished:	<u>0</u>
Proposed new building square footage: (that is the subject of this application)	<u>4,035 sf</u>
Total post-construction square footage:	<u>4,035 sf</u>

4. OTHER DOCUMENTATION

Contemplated form of ownership (check all that apply):

☒ fee simple ☐ condominium ☐ cooperative ☐ rental

Are there any existing Deed Restrictions? ☒ No ☐ Yes (attach copy of restrictions)

Are there any proposed Deed Restrictions? ☐ No ☐ Yes (attach copy of proposed restrictions)
if required by N.J.D.E.P. Permit

5. OTHER RELIEF

Complete this section if this application requires variance(s), design standard exceptions and/or EP waiver.

Bulk Relief Requested (use separate sheet if necessary)

<u>Ord Section</u>	<u>Item</u>	<u>Required</u>	<u>Proposed</u>
<u>See attached.</u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>
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Use Variance Relief Requested N/A

If this application includes a request for use variance, indicate the subsection of N.J.S.A. 40:55D-70d from which relief is requested: [check all that apply]

- | | |
|--|---|
| ☐ (1) use or principal structure is prohibited | ☐ (4) increase in permitted FAR |
| ☐ (2) expansion of nonconforming use | ☐ (5) increase in permitted density |
| ☐ (3) deviation from specifications of conditional use provisions | ☐ (6) height of principal structure exceeds by 10' or 10% the maximum permitted height |

EP Relief Requested (§ 134-91) N/A

Cite the section(s) of the Environmental Protection Ordinance from which a waiver is being sought:

Design Standard Exceptions from § 134-70 et seq. (use separate sheet if necessary)

<u>Ord Section</u>	<u>Item</u>	<u>Required</u>	<u>Proposed</u>
	See attached		

RSIS De Minimis Exceptions Requested (attach additional sheet if necessary) N/A

6. VERIFICATION AND AUTHORIZATION

Owner's Statement: I, the undersigned, being the owner of the property described in this application, hereby consent to the making of this application and the approval of the plans submitted. I hereby authorize members of the Land Use Board and its staff to conduct a site visit of the premises that are the subject of this application.

HAMBURG DEV., LLC
Property Owner's Name (PRINTED)

[Signature]
Property Owner's Signature

1 / 2024
Date

Applicant's Statement: 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, to the best of my knowledge, true and accurate.

HAMBURG DEV., LLC
Applicant's Name (PRINTED)

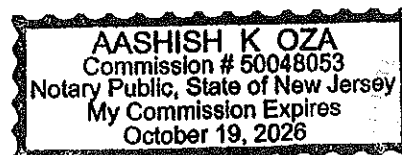
[Signature]
Applicant's Signature

1 / 2024
Date

Sworn and Subscribed before me

22nd day of November 2024
Month Year

(Notary)



Variance & Waiver List
Hamburg Dev, LLC
Proposed Dunkin & Quick Service Restaurant
2203, 2211 & 2227 US Route 202 (Hamburg Turnpike)
Block 3510, Lots 159, 163 & 164
Township of Wayne
Passaic County, NJ
DEC #1021-22-03327

Proposed Variance List

1. Bulk Requirements – B (Business) Zone (§134-43.3)
Minimum Front Yard Parking Setback: 10 FT
 - o Proposed: 3.8 FT
2. Bulk Requirements – B (Business) Zone (§134-43.3)
Maximum Rear Yard Setback (Principal Structure): 50 FT
 - o Proposed: 18.5 FT
3. Signage Requirements (§134-68.1.D(1))
Maximum Directional Sign Area: 4 SF
 - o Proposed: 4.72 SF
4. Signage Requirements (§134-68.1.D(1))
Minimum Freestanding Sign Setback: 10 FT
 - o Proposed: 5.0 FT
5. (§134-62.1.M.2.b) *EVSE and make-ready parking spaces shall be set back a minimum of ten (10) feet from any property line.*
 - o Proposed make-ready parking 3.8 FT from front property line.
6. (§134-72.1.B) *Parking areas for nonresidential uses shall be clearly delineated and separated from loading areas and shall not be permitted within ten (10) feet from any property line or ten (10) feet from any building.*
 - o Proposed parking is 3.8 FT from front property line.
7. (§134-72.1.E) *Any area used regularly for loading shall be designed to prevent hindering the free movement of vehicles and pedestrians on any street, alley, sidewalk and parking area. Loading areas shall be located in rear yards, centralized courtyards, or side yard areas and must be screened from public view.*
 - o Loading to occur within drive aisle.

8. (§134-72.1.F) *Each required loading berth shall be provided with an unobstructed access drive having a width of not less than fifteen (15) feet. Such access may be combined with access to a parking lot and shall not be located within fifty (50) feet of any street intersection.*
 - o No dedicated loading zone provided.
9. (§134-72.1.G) *All required loading areas shall be on the same lot as the use to which they are accessory and shall be arranged so as to permit simultaneous use of all berths without blocking or otherwise interfering with driveways, parking areas, fire lanes or sidewalks.*
 - o Loading to occur within drive aisle.
10. (§134-72.2.D.5) *No off-street loading area shall be located between the front building line and the street line unless otherwise specified in this chapter.*
 - o Loading to occur in front of building.
11. (§134-73.F) *Any development fronting on any arterial street shall be provided with a single access to the arterial street, where practicable. Where access is provided by more than one driveway from the same street, the driveways shall be located at least two hundred (200) feet apart.*
 - o Two driveways proposed at 195.5 FT apart.

Proposed Design Waiver List

1. (§134-72.4.C(7)) *Inlets shall be located and limited to a runoff area of not more than 5,000 square feet of impervious area.*
 - o Inlet #26 exceeds 5,000 square feet of impervious coverage within its runoff area. However, no issues are anticipated regarding inlet capacity.
2. (§134-72.4.C(8)) *Pipes shall have a minimum slope of not less than 1/2% and a minimum cover of three feet.*
 - o The proposed pipes have a cover of less than three feet. All proposed drainpipes are designed to meet the minimum required pipe cover per pipe specifications.
3. (§134-77.E(1)) *When lights are provided, the intensity within parking lots shall not be less than 0.5 and not more than 1.0 lumen per foot.*
 - o Proposed lighting within parking lot exceeds 1.0 lumen per foot.
4. (§134-77.E(3)) *When lights are provided, the intensity at property line shall not be more than 0.1 lumen per square foot.*
 - o Proposed lighting at property line exceeds 0.1 lumen per foot along Hamburg Turnpike only.
5. (§134-86.4.A(1)) *Plant clusters shall consist of masses and groupings of shade, ornamental and evergreen trees, shrubs and/or berms designed in a free form manner to provide contrast and create a more natural effect. No less than 75% of the plants shall be evergreen.*
 - o Less than 75% of the proposed plantings are evergreen.
6. (§134-86.4.A(3)) *The buffer shall be continuously planted with masses and groupings of evergreen, shade and ornamental trees and shrubs.*
 - o Shade and ornamental trees and shrubs are not provided within the buffer.

7. (§134-86.4.B(1)) *Vertically and horizontally meandering berms shall be used to achieve a natural rolling park-like landscape. Berms shall be two feet to eight feet in height, averaging five feet. The width shall vary with side slopes of 1:5 to 1:3 without adversely affecting natural drainage.*
 - o Meandering berms are not proposed.
8. (§134-86.4.B(2)) *Berms shall be overlapping where drainage swales are required to pass through them. The final design shall be reflected upon the drainage plan.*
 - o Overlapping berms are not proposed.

Checklist Item Waiver Requests

4. *Letter of Interpretation (LOI) or Presence / Absence letter*
 - o A freshwater wetlands LOI Presence/Absence is pending from the NJDEP and will be provided upon receipt. In the meantime, a waiver is being requested to deem the project complete.
44. *The location of the following, off-tract, for a distance of 200 feet from the extreme limits of the property in question:*
 - a. *storm drainage ponds*
 - b. *streams*
 - c. *above-ground utility lines and appurtenances*
 - d. *below-ground utility lines and appurtenances*
 - e. *pipe sizes, grades and direction of flow*
 - o All physical or engineering features adjacent to the site that pertain to the project scope are included within the site plan. A waiver is requested for providing all data within two hundred (200) feet.

CHECKLIST FOR MAJOR PRELIMINARY AND FINAL SITE PLAN

Administrative Items

	<u>Mark W if Waiver Requested</u>	<u>Provided Yes/No</u> <i>(This column Twp use only)</i>
1. Payment of required fees and escrow.	✓	
2. 21 collated packages of: <i>(Submit 2 packages initially for completeness review; you will be notified to submit the other 19 at a later date.)</i>		
a. Completed Land Development Application form	✓	
b. sealed site plans stapled, folded and collated	✓	
c. sealed architectural plans	✓	
d. Current, sealed survey	✓	
3. Submission of the plans and exhibits in digital media pursuant to the criteria established by § 134-101	✓	
4. Letter of Interpretation (LOI) or Presence/Absence letter	W	
5. Stormwater management/drainage calculations report (3 copies) (2 copies)	✓	
6. Affidavit of disclosure for corporations or partnerships, as required by R.S. 40:55D-48.1	✓	

SITE PLAN ITEMS

7. The plans shall be signed and sealed by the proper New Jersey licensed professional in accordance with N.J.A.C.	✓	
8. Plans shall be on sheets no larger than 36 inches by 24 inches	✓	
9. The title "Preliminary and Final Site Plan" in the title block. If the request includes application for "Use Variance" or "Conditional Use" then those titles shall also be included in the title block.	✓	

Continued on next page

		<u>Mark W if Waiver Requested</u>	<u>Provided Yes/No</u> (This column Twp use only)
10.	Site Plan shall be drawn at a scale of not less than 1"=30' using an engineer's scale, not an architect's scale.	✓	
11.	A statement on the sealed site plan that the plan complies with the RSIS, if applicable, and/or a list of <i>de minimis</i> exception requests	N/A	
12.	Date of original plan preparation and any revisions	✓	
13.	If revised plans are submitted, there shall be a revision date noted on the plans. This item shall be marked incomplete if revised plans with no revision dates, as specifically enumerated in this checklist item, are submitted.	✓	
14.	If the site plan is too large to fit on one page and the preparer of the plans uses match sheets, then there shall be a general overall plan showing the entire project on one sheet at a smaller scale, with the same north orientation as the match sheets.	✓	
15.	Show the proposal. The site plan shall be clearly and legibly drawn. If drafting techniques that do not foster clarity are used and the plan is illegible, then the application will be declared incomplete.	✓	
16.	Current, sealed survey	✓	
17.	Written scale	✓	
18.	Graphic scale	✓	
19.	Each subject block and lot, numbered in conformity with the municipal tax map	✓	
20.	County of Passaic and Township of Wayne in title block	✓	
21.	Name and address of developer/applicant	✓	
22.	Name, address of the owner(s) of record of subject property(s)	✓	

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<u>Mark W if Waiver Requested</u>	<u>Provided Yes/No</u> <i>(This column Twp use only)</i>
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- | | | |
|---|--------------|----------------|
| 23. Names and addresses of all property owners within 200 feet of the extreme limits of the property in question as disclosed by the most recent Township tax rolls | ✓
_____ | _____
_____ |
| 24. Locations of all properties, with current tax block and lot designations indicated, and any buildings thereon, within 200 feet of the extreme limits of property in question | ✓
_____ | _____
_____ |
| 25. North arrow on each site plan and survey sheet | ✓
_____ | _____
_____ |
| 26. Key map, with north arrow, at not more than 1 inch = 1,200 feet | ✓
_____ | _____
_____ |
| 27. Site Data box, indicating existing and proposed conditions for itemized zoning criteria | ✓
_____ | _____
_____ |
| 28. Parking analysis | ✓
_____ | _____
_____ |
| 29. Landscaping plan | ✓
_____ | _____
_____ |
| 30. Indicate total existing building square footage | N/A
_____ | _____
_____ |
| 31. Indicate total proposed building square footage | ✓
_____ | _____
_____ |
| 32. Proposed floor plans of the proposed building. If the building exists, then floor plans of the proposed changes are to be submitted. If no changes to the building's interior are proposed, then there shall be a note to that affect on the site plan. | ✓
_____ | _____
_____ |

Continued on next page

		<u>Mark W if Waiver Requested</u>	<u>Provided Yes/No</u> (This column Twp use only)
33.	With respect to the Environmental Protection ordinance, provide:		
a.	location map of environmental factors	✓	
b.	calculation of number of building lots/residential density	✓	
c.	limit of disturbance lines showing areas to be disturbed by grading/construction	✓	
d.	MAD/TADA calculations	✓	
e.	Tree removal plan showing:		
1)	all trees over 18 inches in caliper	✓	
2)	trees to be removed indicated by an x	✓	
3)	replacement trees	✓	
4)	entire wooded areas, if such exists	✓	
34.	Proposed building elevations (architectural renderings) of all sides of the proposed building. If the building exists, then architectural renderings of the proposed changes are to be submitted. If no changes to the building's facade are proposed, then there shall be a note to that affect on the site plan.	✓	
35.	Spot elevations of the following:		
a.	existing buildings	N/A	
b.	walls	✓	
c.	culverts	✓	
36.	Basement and first floor elevations of all proposed buildings and structures	✓	
37.	Sight triangles at driveway/road intersections	✓	
38.	Dimensions of proposed structures	✓	

Continued on next page

	<u>Mark W if Waiver Requested</u>	<u>Provided Yes/No</u> (This column Twp use only)
39. Offsets to property lines of all proposed structures	✓	
40. If individual wells are proposed, show proposed locations	N/A	
41. Fence detail for proposed fence(s)	✓	
42. Height(s) of proposed fences	✓	
43. The location of all existing of the following for on-site and on-tract:		
a. storm drainage ponds	✓	
b. streams	✓	
c. above-ground utility lines and appurtenances	✓	
d. below-ground utility lines and appurtenances	✓	
e. pipe sizes, grades and direction of flow	✓	
f. outdoor storage areas (where same is proposed)	✓	
44. The location of the following, off-tract, for a distance of <u>200 feet</u> from the extreme limits of the property in question:		
a. storm drainage ponds	W	
b. streams	W	
c. above-ground utility lines and appurtenances	W	
d. below-ground utility lines and appurtenances	W	
e. pipe sizes, grades and direction of flow	W	
45. Proposed dumpster location	✓	
46. Refuse pad details and refuse area fence enclosure details	✓	

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	<u>Mark W if Waiver Requested</u> ✓	<u>Provided Yes/No</u> (This column Twp use only)
47. Curb locations and details		
48. If individual sewage disposal systems are proposed, show		
a. locations of percolation tests	N/A	
b. results of percolation tests	N/A	
c. proposed system component locations	N/A	
d. proposed field locations	N/A	
49. For all rights-of-way abutting the property in question, show existing edge of pavement for entire frontage	✓	
50. Existing and proposed curb radii	✓	
51. Circulation, vehicular and pedestrian, information:		
a. means of ingress and egress	✓	
b. width of driveways	✓	
c. walkways: location, material and width	✓	
52. Loading areas:		
a. dimensions	N/A	
b. locations	N/A	
c. aisles, with dimensions	N/A	
d. barriers	N/A	

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	<u>Mark W if Waiver Requested</u>	<u>Provided Yes/No</u> (This column Twp use only)
53. Parking areas locations, including:		
a. dimensions of spaces	✓	
b. aisles, with dimensions	✓	
c. barriers	✓	
d. number of spaces per grouping	✓	
54. Outdoor lighting plan:		
a. location of light stanchions and wall lights	✓	
b. direction of illumination	✓	
c. heights of the lights/luminaires, whether on a stanchion or wall	✓	
d. details of the lights/luminaires, whether on a stanchion or wall	✓	
e. details of the extent of illumination (isolux lines)	✓	
55. Wetlands & transition areas in accordance with the LOI	✓	
56. The limitation of the flood plain or a note stating that no flood plain exists	✓	

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<u>Mark <i>W</i> if</u> <u>Waiver</u> <u>Requested</u>	<u>Provided</u> <u>Yes/No</u> <i>(This column</i> <i>Twp use only)</i>
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57. Signage plan, which includes directional, traffic, advisory, commercial/business and other regulatory signs and pavement markings:

- | | | |
|---------------------------------------|------------|-------|
| a. locations | ✓
_____ | _____ |
| b. direction that the signs will face | ✓
_____ | _____ |
| c. sizes/dimensions | ✓
_____ | _____ |
| d. heights | ✓
_____ | _____ |
| e. details | ✓
_____ | _____ |

58. Existing and proposed contours, referred to United States Coast and Geodetic Survey datum, with a contour interval of two (2) feet for slopes of 5% or less and a contour interval of five (5) feet for slopes over 5%. Existing contours are to be indicated by dashed lines and proposed contours are to be indicated by solid lines

✓ _____	_____
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On the following pages are the Environmental Protection Calculations Worksheets [ref: Land Development Ordinance (LDO) § 134-91, et seq.] For help with these forms, please contact the Engineering Division at 973-694-1800, ext. 3263