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December 18, 2019

Marlboro Township Zoning Board
1979 Township Drive
Marlboro, NJ 07746

**Re: *Bubbleworks Auto Spa
Use Variance and Site Plan – Engineering and Planning Review #1
Block 175, Lots 4, 5 and 6
Location: 33 Route 9 South
Zone: C-4 (Regional Commercial)
Our File: HMRZ0175.07***

Dear Zoning Board Members:

Our office received the following information in support of the above-referenced application for Use Variance and Site Plan approval:

- Amended Preliminary and Final Site Plan (5 sheets) prepared by JKR Engineering and Planning Service, LLC dated October 18, 2019, unrevised;
- Traffic Consultants Letter prepared by McDonough and Rea Associates, Inc. dated November 1, 2019, unrevised;
- A Development Application

In accordance with your authorization, we have reviewed this application for Use Variance and Site Plan approval and offer the following comments:

1. Project Description

The subject 5.5 acre property is within a C-4 Zone District and contains 386 feet of frontage along the west side of US Highway Route 9 approximately 1,500 feet north of the Monmouth County Route 520 intersection. The subject site also appears to include Lot 9 Block 21001 within adjoining Old Bridge Township, Middlesex County, along the rear of the tract. Currently, the property contains a car wash facility having right-in/right-out only access along the Route 9 site frontage. Said access drive has an interior hair-pin design to provide vehicle stacking and access to the building and onsite parking spaces. The vehicles are indicated to be vacuumed by site employees along 3 stations prior to entering the car wash building.

The Applicant proposes to install ten (10) customer/self-service vacuum station parking spaces, including one (1) handicap accessible station, along the southerly portion of the interior access drive pavement area. An 8 foot by 16 foot (128) sf) vacuum building/storage shed is also proposed along the westerly side of the interior access drive to service the 11 proposed vacuum arms. Vehicle queueing of 32 vehicles is indicated as provided prior to entering the car wash building utilizing two (2) express service and one (1) full service



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access lanes replacing the 3 existing full service access lanes. No increase of existing impervious area lot coverage is indicated as proposed with this current application.

The proposed improvements would constitute an expansion of an existing nonconforming use within a C-4 Zone District thereby requiring the subject Use Variance.

2. Surrounding Uses

Properties within Marlboro Township surrounding the subject site, including opposite Route 9, are similarly zoned C-4 and contain a mix of commercial uses along the Route 9 corridor. Properties west of the site within Old Bridge Township, Middlesex County, contain a multi-family residential development.

3. Zoning Compliance

The subject property is situated within a C-4 Zone District. The table below summarizes the bulk measures and zone requirements for the site:

DESCRIPTION	REQUIRED	EXISTING	PROPOSED
Minimum Lot Area	10 acres	5.5 acres	5.5 acres (EC)
Minimum Lot Frontage	500 feet	386 feet	386 feet (EC)
Minimum Lot Width	500 feet	365 feet ±	365 feet ± (EC)
Minimum Lot Depth	500 feet	>500 feet	>500 feet
Minimum Front Yard Setback	75 feet	75.6 feet	75.6 feet
Minimum Side Yard Setback	50 feet	55.5 feet	55.5 feet
Minimum Rear Yard Setback	50 feet	>50 feet	>50 feet
Minimum Side Yard Setback (Accessory)	40 feet	88 feet ± (existing vacuum building)	40.1 feet (proposed vacuum building)
Minimum Rear Yard Setback (Accessory)	40 feet	>40 feet (existing vacuum building)	>40 feet (existing vacuum building)
Maximum Building Height (Principal/Accessory)	35 feet/15 feet	<35 feet/<15 feet	<35 feet/<15 feet
Maximum Lot Coverage (Building and Structures)	30%	3% ±	3% ±
Maximum Impervious Coverage	60%	18% ±	18% ±
Maximum Floor Area Ratio	0.30	0.03	0.03

(EC) – Existing Condition



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The Applicant was previously granted Use Variance and Site Plan approval per Resolution dated October 20, 1999 and indicates that the following variances were granted per said Resolution which would remain pertinent to the site:

- a. **Section 220-87C (Table I)** – The minimum required lot area is 10 acres; 5.5 acres is provided.
- b. **Section 220-87C (Table I)** – The minimum lot frontage required is 500 feet; 386 feet is provided.
- c. **Section 220-87C (Table I)** – The minimum lot width required is 500 feet; approximately 365 feet is provided.

Other than the subject Use Variance, the Applicant has not requested any additional variances and/or design waivers with this current application, however, the following variance appears necessary:

- d. **Section 220-97B** – Each off-street parking space shall measure not less than 10 feet by 20 feet; 11 feet by 18 feet spaces are proposed for the subject vacuum station spaces, apparently matching previously approved site conditions.

As part of the Use Variance approval, the Applicant must demonstrate that the above deviations from the Zone District requirements would be subsidiary to the granting of the Use Variance and therefore subsumed within said Use Variance, if approved.

4. As the proposed improvements would constitute an expansion of an existing nonconforming use, the Applicant must seek a “Special Reasons” Use Variance pursuant to NJSA 40:55D-70d. The Applicant shall provide testimony demonstrating compliance with the Medici case consistent with the following:

a. Positive Criteria

- i) That the site is particularly suited to the use.
- ii) There are special reasons that allow a departure from the zoning regulations in this particular case. In general, to show special reasons, the grant of a variance must be shown to implement one or more of the purposes of the Municipal Land Use Law (NJSA 40:55D-2).

b. Negative Criteria

- i) That the variance can be granted without substantial detriment to the public good. This requires an evaluation of the impact of the proposed use on surrounding properties and a determination as to whether or not it causes such damage to the



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character of the neighborhood as to constitute a substantial detriment to the public good.

5. The Applicant has not requested any waivers from providing required checklist submission items, however, the following required submission item should be provided or a waiver requested:

a. **Checklist IV, Item L** – Location and use of all structures within 200 foot radius.

6. Based on our review of the subject application, we estimate that the following fees are required:

a. **Nonrefundable Application Fees:**

Application Fee – Minor Site Plan	\$500.00
Use Variance - Other	\$200.00
Subtotal:	\$700.00

b. **Professional Services Escrow Fees:**

Commercial/Industrial Development Application not involving structures – 0 to 3 lots	\$5,000.00
Use Variance - Commercial	\$2,000.00
Subtotal:	\$7,000.00

We recommend the Township collect \$700.00 in nonrefundable application fees and \$7,000.00 in professional services escrow fees from the Applicant prior to deeming the application complete. In addition, the Applicant will be required to pay all applicable revision fees as stipulated in the Township Ordinances.

7. The Applicant should be prepared to discuss the following issues with the Board:
- A general overview of the subject proposed site improvements, including but not limited to: parking and site circulation revisions, pavement striping, onsite directional signage, etc.
 - Operations associated with the various parking, vacuum, short term staging/wipe down and queuing areas.
 - Whether the proposed vacuum lines connecting the stations and to the vacuum building are to be overhead or underground. We note if underground electric service is proposed, than a trench and pavement repair detail should be provided.



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- d. The need for any foundation and/or slab detail associated with the proposed vacuum building.
 - e. Whether any landscape plantings and/or amenities (benches, etc.) are to be removed to accommodate the vacuum stations.
 - f. Any permits/approvals required by outside agencies. The Applicant shall discuss the status of all outside agencies with the Board and copies of all outside agency approvals shall be forwarded to this office.
8. Based upon our review, the Plans should be revised to dimension the parking stall length for the angled parking spaces.

Based upon the minor nature of the information requested, we recommend that this application be deemed complete subject to the Applicant complying with all applicable notification requirements.

The right is reserved to present additional comments pending the receipt of revised plans and/or the testimony of the Applicant before the Board.

If you have any questions with regard to the above matter, please do not hesitate to call.

Very truly yours,
CME ASSOCIATES

Laura J. Neumann, PE, PP
Zoning Board Engineer and Planner

LJN/GC/pg

cc: Marlboro Township Engineering Department
Ronald Cucchiaro, Esq. - Planning Board Attorney
Bubblewash Real Estate Co. – Applicant
JKR Engineering and Planning Service, LLC – Applicant's Engineer
Peter H. Klouser, Esq. – Applicant's Attorney