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Planning & Real Estate Consultants

January 25, 2022

Technical Review Committee
Township of Berkeley Heights
29 Park Avenue
Berkeley Heights, NJ 07922

**Re: TRC Planning Review
Change of Use: Freedom Doggie Daycare
Block 701, Lot 3
410 (Rear) Springfield Avenue Unit 410D
DD Downtown Development Zone**

Dear Members of the Technical Review Committee:

Our office is in receipt of the above referenced application, including the following documents submitted by the applicant:

- Application to Zoning Board of Adjustment
- Zoning Officer Denial of Application Letter issued 11/4/2021 and associated zoning application materials.
- “List of tenants in the shopping center”
- “Berkeley Heights Shopping Center Parking Map” prepared by Page-Mueller Engineering Consultants, PC, dated 8/2/2016.
- Schematic Layout Plan for “Dogtopia,” prepared by CESO, dated 12/18/2021.

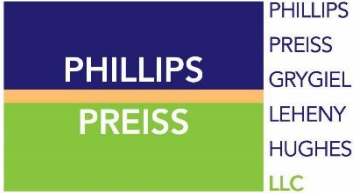
The subject property is a newly renovated tenant space within the Berkeley Heights shopping center at 410 Springfield Avenue. The applicant is proposing to occupy the space for a dog day care, including overnight boarding and spa services. As detailed in the later sections, it is our opinion that the application is **substantially complete** and can be scheduled for a Zoning Board hearing.

Completeness Review

Pursuant to Section 10.1.2.A.2, in the DD zone, no site plan approval shall be required if the cost of the work does not exceed \$10,000.00 and does not create more than one thousand (1,000) square feet of additional impervious surface. Because the application only involves the change of use of an existing tenant space, no site plan is required. As such, we believe that the application is **substantially complete**.

Compliance Review

The subject property is located in the DD Downtown Development zone. A d(1) use variance is required because the proposed dog daycare use is not permitted in the zone.



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Planning Comments

1. Because a d(1) use variance is required, the applicant shall provide testimony to justify the variance in accordance with the statutory requirements of the Municipal Land Use Law at N.J.S.A. 40:55D-70d(1).
2. The applicant shall also provide testimony on the operation of the use, including but not limited to hours of operation, number of employees on site, overnight boarding capacity, etc.
3. The Zoning Officer's Denial Letter had noted that the applicant proposes window signs, for which variances are required. The signs are not part of the TRC submission. Pursuant to Section 19.5.6, window signs are not permitted in the DD zone. If the applicant proposes any signage, they must comply with the standards at Section 19.5.6, or else the applicant may seek "c" variances from the Board.
4. We respectfully defer to the Board Engineer on additional comments regarding circulation and parking.

We trust that the above information is responsive to your needs.

Respectfully submitted,

Keenan Hughes, AICP, PP