FOR OFFICIAL USE ONLY

Application No.:_____ Application Fee:_____

Date Filed:_____ Escrow Fee:_____

Date Deemed Complete:_____

Hearing Date:_____

EAST WINDSOR TOWNSHIP

Municipal Building

16 Lanning Boulevard

East Windsor, New Jersey 08520

The application, with supporting documentation, must be filed with the Township Planning/Zoning Board Secretary for review at least thirty (30) days prior to the meeting at which the application is to be considered.

1. **SUBJECT PROPERTY**

Location 400 Dutch Neck Road, East Windsor, NJ

Tax Map Page_____ Block 64 Lot(s) 1

Page_____ Block_____ Lot(s)_____

Dimensions Frontage_____ Depth_____ Total Area_____

Zoning District R - M

Has property been subject of previous application? Yes

Type of application previously made? Site Plan - Original apartment complex

Date(s) _____ (Attach copies of township action, i.e. Resolution of Memorialization)

2. **APPLICANT**

Name Wynbrook West Associates, LLC

Address c/o Kriegman & Smith, Inc., 101 Eisenhower Parkway, Suite 410

City, State, Zip Roseland, NJ 07068

Telephone 973-228-5900 Fax_____

Applicant is a ☐ Corporation ☐ Partnership ☐ Individual ☒ LLC

3. **OWNER** (If different from applicant)

Name Wynbrook West Associates, LLC

Address c/o Kriegman & Smith, Inc., 101 Eisenhower Parkway, Suite 410

City, State, Zip Roseland, NJ 07068

Telephone 973-228-5900 Fax_____

4. **ATTORNEY**

Name Susan R. Rubright, Esq., Brach Eichler, LLC,
Address 101 Eisenhower Parkway, Suite 201
City, State, Zip Roseland, NJ 07068
Telephone 973-403-3157 Fax 973-228-7852

5. **PLANNER**

Name J. Michael Petry, PE, PP, AIA, Petry Engineering
Address 155 Passaic Avenue, Suite 350
City, State, Zip Fairfield, NJ 07004
Telephone 973-277-7004 Fax 973-227-7074

6. **ENGINEER**

Name J. Michael Petry, PE, PP, AIA, Petry Engineering
Address 155 Passaic Avenue, Suite 350
City, State, Zip Fairfield, NJ 07004
Telephone 973-277-7004 Fax 973-227-7074

7. **LANDSCAPE ARCHITECT**

Name J. Michael Petry, PE, PP, AIA, Petry Engineering (Contact info above.)
Address
City, State, Zip
Telephone Fax

8. **PROPERTY INFORMATION**

Restrictions, covenants, easements, association by-laws, existing or proposed on the property

□ Yes (attach copies) ☒ No □ Proposed

Note: All deed restrictions, covenants, easements, association by-laws, existing and proposed must be written in easily understandable English in order to be approved.

9. **APPLICATION REPRESENTS THE FOLLOWING:**

SUBDIVISION: N/A

Minor Subdivision
Major Subdivision (Preliminary)
Major Subdivision (Final)
Number of lots to be created (including remainder lot) _____
Number of proposed dwelling units (if applicable) _____
Request for Waiver from Subdivision Submittal Requirements (See Item #7)

SITE PLAN:

Minor Site Plan
Preliminary Site Plan [Phases (if applicable)] X
Final Site Plan [Phases (if applicable)] X
Amendment or Revision to an Approved Site Plan
Area to be disturbed [acres or square feet (specify)] _____
Total number of proposed swelling units _____ or _____SF of construction
Request for Waiver from Site Plan Submittal Requirements (See Item #8)
Informal Review (Concept)
Appeal decision of an Administrative Officer [N.J.S.A. 40:55D-70a]
Map or Ordinance Interpretation or Special Question [N.J.S.A. 40:55D-70b]
Variance relief (hardship) [N.J.S.A. 40:55D-70c(1)] X
Variance relief (substantial benefit) [N.J.S.A. 40:55D-70c(2)]
Variance relief (use) [N.J.S.A. 40:55D-70d]
Conditional Use Approval [N.J.S.A. 40:55D-67]
Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin [N.J.S.A. 40:55D-34]
Direct issuance of a permit for a lot lacking street frontage [N.J.S.A. 40:55D-36]

10. Section(s) of Ordinance from which a variance is requested
See Rider attached.

11. Waivers requested of Development Standards and/or Submission Requirements. (Attach additional pages as needed) Waiver of EIS requested. Changes to property are to areas of existing coverage with De minimis increase.

12. Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises. (Attach pages as needed providing a clear narrative regarding the project, the location, square footage, and explaining specifically what is proposed, clearly articulating the details.) See Rider attached.

13. Is a public water line available? ☒ Yes ☐ No

14. Is a public sanitary sewer available? ☒ Yes ☐ No

15. Does the application propose a well and septic system? ☐ Yes ☒ No

16. Have any proposed new lots been reviewed with the Tax Assessor and/or Township Engineer to determine appropriate lot and block numbers? N/A

17. Are any off-tract improvements required or proposed? ☐ Yes ☒ No

18. Is the subdivision to be filed by Deed or Plat? N/A

19. What form of security does the applicant propose to provide as performance and maintenance guarantees?
Escrow

20. Other approvals which may be required and date plans submitted:

	Yes	No	Date Plans
East Windsor Township Municipal Utilities Authority	X		
East Windsor Health Department	X		
Mercer County Planning Board		X	
NJ Department of Environmental Protection		X	
Sewer Extension Permit		X	
Sanitary Sewer Connection Permit		X	
Stream Encroachment Permit		X	
Jersey Central Power & Light (JCP&L)	X		
Delaware & Raritan Canal Commission		X	
Potable Water Construction Permit		X	
NJ Department of Transportation		X	
Public Service Electric & Gas Company (PSE&G)	X		

21. Certification from Tax Collector that all taxes due on the subject property have been paid. (Enclosed)

22. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing)

Site Plan prepared by: J. Michael Petry, PE, PP, AIA, Petry Engineering, LLC

APPLICANT'S AGREEMENT

I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership.

(If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.)

(SIGNATURE OF APPLICANT) Jeffrey B. Smith
On behalf Wynbrook West Associates, LLC

Sworn to and subscribed before me this
13 day of July, 2026

Betsy Tapper
(NOTARY PUBLIC)

BETSY J TAPPER
Notary Public, State of New Jersey
Comm. # 2332975
My Commission Expires 8/22/2030

I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the applicant, the representations made, and the decision in the same manner as if I were the applicant.

(If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.)

(SIGNATURE OF OWNER) Jeffrey B. Smith
On behalf Wynbrook West Associates, LLC

Sworn to and subscribed before me this
13 day of July, 2026

Betsy Tapper
(NOTARY PUBLIC)

BETSY J TAPPER
Notary Public, State of New Jersey
Comm. # 2332975
My Commission Expires 8/22/2030

INSTRUCTIONS TO APPLICANTS

SITE PLAN / SUBDIVISION

A site plan / subdivision may be subject to three stages of review: concept, preliminary and final. Any plan may advance to the preliminary stage at initial submission although concept is beneficial.

CONCEPT

Section 19A-3.2 of the East Windsor Township Ordinance applies to the checklist requirements. NO VESTED RIGHTS ACCRUE.

PRELIMINARY

Section 19A-3.3 of the East Windsor Township Revised General Ordinance applies. Checklist requirements are available.

Submission of a complete application for a site plan involves 10 acres of land or less and 10 dwelling units or less, the Planning Board shall grant or deny preliminary approval within 45 days of the date of such submission or within such further time as may be consented to by the developer. Upon the submission of a complete application for a site plan which involves more than 10 acres or more than 10 dwelling units, the Planning Board shall grant or deny preliminary approval within 95 days of the date of such submission or within such further time as may be consented to by the developer.

Applicant Action Required: Section 20-30.0705 applies. Public Hearing – proper notice to property owners within 200' of the extremities of the property in question, publication of notice in the Trenton Times no later than 10 days preceding the hearing date and notice to all other municipal, county or state bodies entitle to receive notice.

** Any maps or document for which approval is sought at a hearing shall be on file and available for public inspection at least ten (10) days before the date of the hearing during normal business hours in the office of the Planning Board (N.J.S.A. 40:55D-10b)

Vested Rights: Section 40:55D-49 MLUL applies. Three-year right to general terms / conditions submission for final approval, application for extension, varied conditions for 50 acres or more.

FINAL

Section 19A-3.4 of the East Windsor Township Revised General Ordinances applies.

Purpose: Ascertains whether construction documents to be utilized in construction of the project conform to the approved Preliminary Plan.

Board Action Required: Forty-five (45) days after submission of complete application – Extension of time may be granted as consented to by the applicant.

Vested Rights: Section 40:55D-52 MLUL applies. Two years after date of final approval.

EAST WINDSOR TOWNSHIP CHECKLIST

The following checklist is designed to assist applicants in preparing site plans for Planning Board review. Applicants should check off each item to ensure that it is included on the plan. ITEMS OMITTED CONSTITUTE AN INCOMPLETE APPLICATION AND MAY DELAY CONSIDERATION BY THE BOARD. Utility plans, landscaping plans, architectural elevations, etc., may be shown on separate sheets. It is necessary to adhere to the requirements of the TECHNICAL STANDARDS ORDINANCE as well as to the requirements of the applicable zoning district. SUBMIT REASONS FOR REQUESTED WAIVERS. (LEGEND: R=Required and if blank=Not Applicable/Not Required.

PLAT/PLAN SPECIFICATIONS	CONCEPT	MINOR SITE PLAN	MINOR SUBDIVISION	PRELIMINARY SITE PLAN	FINAL SITE PLAN	PRELIMINARY MAJOR SUBDIVISION	FINAL MAJOR SUBDIVISION
☑ 1. Plan clearly and legibly drawn or reproduced at a scale not smaller than 1" = 50'	R	R	R	R	R	R	R
☑ 2. Sheet size either 15X21, 24X36, or 30X42	R	R	R	R	R	R	R
☑ 3. Plans shall be prepared by an architect or engineer if application involves only the location of proposed buildings and their relationship to the site and the immediate environs.				R	R		
☐ 4. Plans shall be prepared by an architect, planner or engineer if application involves only the location of drives, parking layout, pedestrian circulation, and means of ingress and egress.		R					
☐ 5. Plans shall be prepared by an engineer if application involves only drainage facilities for site plans of ten acres or more; or involving storm water detention facilities; or traversed by a water course.							
☐ 6. Plans prepared to scale based on field survey. Plans should be prepared by a licensed surveyor only.			R			R	R
GENERAL INFORMATION							
☑ 7. Survey Plan of parcel in question based			R	R	R	R	R

upon current land survey information							
PLAT/PLAN SPECIFICATIONS	CONCEPT	MINOR SITE PLAN	MINOR SUBDIVISION	PRELIMINARY SITE PLAN	FINAL SITE PLAN	PRELIMINARY MAJOR SUBDIVISION	FINAL MAJOR SUBDIVISION
☑ 8. Property lines shown in degrees, minutes and seconds		R	R	R	R	R	R
☑ 9. Key map showing location of tract to be considered in relation to surrounding area, within 1,000'.	R		R	R	R	R	R
☑ 10. Title block containing name and address of applicant, property owner, preparer, lot and block numbers, date prepared, date of last amendment and zoning district.	R	R	R	R	R	R	R
☐ 11. Each block and lot numbered in conformity with the municipal tax map as determined by the municipal tax assessor.			R			R	R
☑ 12. Scale of map, both written and graphic	R	R	R	R	R	R	R
☑ 13. North arrow giving reference meridian	R	R	R	R	R	R	R
☑ 14. Space for signatures of Chairman and Secretary of the Municipal Agency.		R	R	R	R	R	R
☑ 15. Names of all property owners within 200 feet of subject property.			R	R	R	R	R
☑ 16. Location of existing and proposed property lines with dimensions in feet to the nearest two decimal places.			R	R	R	R	R

☑ 17. Zoning district in which parcel is located, indicating all setbacks, lot coverage, height, floor area ration, and density, both as to required and proposed. Indicating the above both written and graphically.	R		R	R	R	R	R
PLAT/PLAN SPECIFICATIONS	CONCEPT	MINOR SITE PLAN	MINOR SUBDIVISION	PRELIMINARY SITE PLAN	FINAL SITE PLAN	PRELIMINARY MAJOR SUBDIVISION	FINAL MAJOR SUBDIVISION
☑ 18. Acreage of affected parcel to the nearest hundredth of an acre.			R	R	R	R	R
☐ 19. Number of lots following subdivision including areas in acres if one acre or over or in square feet if under one acre.			R			R	R
☑ 20. Provide a Polaroid or other similar photograph of the premises in question taken from the opposite side of each abutting street				R		R	
☐ 21. Environmental Impact Statement (Refer to Section 19A:2-11 of the Zoning Ordinance). Required 30 days prior to hearing in bound form				R		R	
NATURAL FEATURE - TOPOGRAPHY OF THE SITE AND WITHIN 200' THEREOF.							
☑ 22. Contours to determine the natural drainage of the land. Intervals shall be: up to 10% grade-2 feet				R	R	R	R
☑ 23. Existing and proposed spot elevations based upon the U.S. Coastal Geodetic datum at all building corners, all floor levels, center lines of abutting roads, top and bottom curbs, property corners, gutters and other pertinent locations.				R	R	R	R
☑ 24. Flood plains.			R	R	R	R	R

Waiver Requested

N/A

N/A	☑ 25. Natural and artificial watercourses, streams, shorelines and water boundaries and encroachment line.			R	R	R	R	R
	☑ 26. Wooded areas indicating predominant species and size	R		R	R		R	
	PLAT/PLAN SPECIFICATIONS	CONCEPT	MINOR SITE PLAN	MINOR SUBDIVISION	PRELIMINARY SITE PLAN	FINAL SITE PLAN	PRELIMINARY MAJOR SUBDIVISION	FINAL MAJOR SUBDIVISION
	☑ 27. Location of trees 6" or more in diameter, as measured 1' above ground level, outside of wooded area, designating species of each				R		R	
N/A	☑ 28. Areas in which construction is precluded due to presence of stream corridors and/or steep slopes	R		R	R	R	R	R
	☑ 29. All areas to be disturbed by grading or construction	R			R		R	
	MAN-MADE FEATURES ON SITE AND WITHIN 200 FEET THEREOF							
	☑ 30. Location of existing structures and their setbacks from existing and proposed property lines.	R	R	R	R	R	R	R
	☑ 31. Location of existing and proposed easements or rights of way including power lines and telephone lines.	R	R	R	R	R	R	R
	☑ 32. Location of existing railroads, bridges, culverts, drain-pipes, water and sewer mains and other man-made installations affecting the tract	R	R	R	R	R	R	R

	☑ 33. Plans of off-street parking area layout (showing location /dimension of off-street trash/loading facilities, services areas, aisles, barriers, planters, type of pavement, traffic patterns, acceleration/deceleration lanes, driveways for ingress/egress) noting control devices on public street and internal circulation.				R	R	R	R
N/A	☑ 34. Location of existing wells and septic systems.	R	R	R	R		R	
	PLAT/PLAN SPECIFICATIONS	CONCEPT	MINOR SITE PLAN	MINOR SUBDIVISION	PRELIMINARY SITE PLAN	FINAL SITE PLAN	PRELIMINARY MAJOR SUBDIVISION	FINAL MAJOR SUBDIVISION
N/A	☑ 35. When Applicant intends to use a conventional septic disposal system: location of the intended disposal field.			R	R	R	R	R
	☐ 36. Plans and profiles of proposed utility layouts, such as sewers, storm drains, water, gas and electric, showing feasible connections to existing or proposed utility systems							
	☐ 37. Location and description of monuments whether set or to be set.			R			R	R
	☑ 38. Locations, names and widths of all existing and proposed streets on property and within 200' of the tract		R	R	R	R	R	R
N/A	☑ 39. Required road dedication.			R	R	R	R	R
N/A	☑ 40. Road orientation (as it relates to energy conservation).				R		R	
N/A	☑ 41. Sketch of prospective future street system of the entire tract where a preliminary plat				R		R	

	covers only a portion thereof.							
N/A	☑ 42. Specifically note location, dimensions and details of all signs (free standing and/or façade).				R	R	R	R
	☑ 43. Specifically note location, dimensions and details of exterior lights (free standing and/or façade). Including type of standards, radius of light and intensity in foot candles, as well as time controls proposed for outdoor lighting and display.				R			
	PLAT/PLAN SPECIFICATIONS	CONCEPT	MINOR SITE PLAN	MINOR SUBDIVISION	PRELIMINARY SITE PLAN	FINAL SITE PLAN	PRELIMINARY MAJOR SUBDIVISION	FINAL MAJOR SUBDIVISION
	☑ 44. Preliminary architectural floor plans and elevations and where necessary, depict development in its environment, sketches, or models.				R			
	☑ 45. Building facades including size, structures, materials, colors, and textures.					R		
	MISCELLANEOUS							
N/A	☑ 46. Proposed sight easements where required.		R	R	R	R	R	R
N/A	☑ 47. Proposed drainage easements where required.		R	R	R	R	R	R
	☑ 48. Natural resource inventory information including:							
	☑ a. Soil types as shown by the current Soil Conservation Survey Maps.	R		R	R		R	
	☑ b. Soil depth to restrictive layers of soil.	R		R	R		R	

	☑ c. Soil depth to bedrock.	R		R	R		R	
	☑ d. Permeability of the soil by layers.	R		R	R		R	
	☑ e. Height of soil water table and type of water table.	R		R	R		R	
N/A	☑ f. Flood plain soil (status)	R		R	R		R	
	☑ g. Limitation for foundation.			R	R		R	
N/A	☑ h. Limitation for septic tank absorption field (only where septic tank is proposed to be used).			R	R		R	
N/A	☑ i. Limitation for local road and streets.				R		R	
	PLAT/PLAN SPECIFICATIONS	CONCEPT	MINOR SITE PLAN	MINOR SUBDIVISION	PRELIMINARY SITE PLAN	FINAL SITE PLAN	PRELIMINARY MAJOR SUBDIVISION	FINAL MAJOR SUBDIVISION
N/A	☑ j. Agricultural capacity classification.				R		R	
N/A	☑ k. Erosion hazard				R		R	
N/A	☑ l. Wetlands & Wetlands transition areas.	R	R	R	R	R	R	R
	☑ 49. Landscaping plan including the types, quantity, size and location of all proposed vegetation. The scientific and common names of all vegetation shall be included.				R		R	
	☑ 50. Soil Erosion and Sediment Control Plan consistent with the requirements of the local soil conservation district.				R		R	
	☑ 51. Design calculations showing proposed drainage facilities to be in accordance with the appropriate drainage run-off requirements.				R		R	

☑ 52. The purpose of any proposed easement of land reserved or dedicated to public or common use shall be designated and the proposed use of sites other than residential shall be noted.			R	R	R	R	R
☑ 53. Location, design, and size of on and off-site pedestrian park, bicycle paths, open/common space, plazas, recreational areas or public uses. (Note their relationship to structures, parking, and environmental).			R	R	R	R	R
☑ 54. Note condition of ownership and maintenance of common open space or structures as contained in 20-4.1500c. Of the Zoning Ordinance		R	R	R	R	R	R
PLAT/PLAN SPECIFICATIONS	CONCEPT	MINOR SITE PLAN	MINOR SUBDIVISION	PRELIMINARY SITE PLAN	FINAL SITE PLAN	PRELIMINARY MAJOR SUBDIVISION	FINAL MAJOR SUBDIVISION
☑ 55. Any sections for which a waiver is specifically being requested and a narrative paragraph explaining why the Applicant is entitled to such a waiver.		R	R	R	R	R	R

ENVIRONMENTAL IMPACT STATEMENT - NOT APPLICABLE

The purpose of this document is to outline an approach and format for preparing an Environmental Impact Statement. Two weeks prior to the submission of the preliminary site plan, and Environmental Impact Statement shall be submitted in bound form to the Planning Board, and distributed to the Environmental Commission, Township Engineer, Shade Tree Commission, and Mercer County Planning Board.

All site plan submissions require an assessment of Environmental impact. However, the Planning Board may waive all or some of the requirements at the request of the applicant.

The applicant is directed to Section 19A-2.11, East Windsor Zoning ordinance for a complete discussion of the Environmental Impact Statement. The checklist below is provided as an aid to all applicants in their submission of site plans to the Planning Board.

The format to be followed for the submission of an Environmental Impact Statement begins on Page 3. Professionals are available to assist in preparing the Environmental Impact Statements.

CHECKLIST			
ENVIRONMENTAL IMPACT STATEMENT SUBJECT AREAS	To Be Included	Not Applicable	Request Waivers
1. Air Quality			
2. Water Quality			
3. Water Supply			
4. Hydrology			
5. Geology (Subsurface Conditions)			
6. Soils and Their Properties and Limitations			
7. Sewerage Systems			
8. Topography			
9. Slope			
10. Vegetation			
11. Wild Life			
12. Habitat			
13. Aquatic Organisms			
14. Noise Characteristics and Levels			
15. Demography			
16. Land Use			
17. Aesthetics			
18. History and Archeology			
19. Surface Drainage (See E.W. Zoning Ordinance, Section 19A-2.11			
20. Climate (Effect Maximum Intensities of Seasonal Winds, Storms, Precipitations, etc.)			
21. Solid Waste			
A. Disposal			

NOT APPLICABLE

B. Collection			
ENVIRONMENTAL IMPACT STATEMENT SUBJECT AREAS	To Be Included	Not Applicable	Request Waivers
22. Transportation: Public, Traffic			
23. Community Facilities and Public Services			
A. Schools			
B. Recreation & Cultural, Open Space			
C. Police, Fire & Rescue			
D. Utility Services (Electricity, Gas, Phone)			
24. Environmentally Sensitive Areas (See E.W. Zoning ordinance Section 19A-2.11 (a-e))			
25. Other Items as Deemed Pertinent by Applicant or Planning Board			
A. Economic and Fiscal Benefits (i.e., taxes and jobs)			
B. Energy Demands			
C. Other Items			
26. Permits and Licenses Required (See E.W. Zoning ordinance Section 19A-2.11)			

* Waiver request granted by 2/3 vote of Planning Board

** To be described with reference to Standards of NJ Department of Environmental Protection

*** To be described with reference to Mercer County Soil Survey and Mercer County Soil Conservation District Standards and Specifications.

NOT APPLICABLE

FORMAT TO BE FOLLOWED IN THE SUBMISSION OF AN ENVIRONMENTAL IMPACT STATEMENT

I DESCRIPTION OF THE PROJECT

A. Purpose
B. Location
C. Service Demands – e.g., Energy, Waste Disposal, Water Supply, Traffic and Transit, Schools, and Public Safety
D. Indirect Costs – e.g., Loss of open space
E. Economic and Fiscal Benefits (Taxes and Jobs)
F. Permits and Licenses Required by Law
G. Operation and Construction Phases

II DESCRIPTION OF EXISTING ENVIRONMENTAL CONDITIONS

Refer to E.I.S. Subject Areas Checklist. Use Heading Numbers and Letters found on list.

III PROJECT ALTERNATIVES

Evaluate Project benefits and particular need that is satisfied. Discuss alternatives which were considered.

IV ENVIRONMENTAL EFFECTS

Review adverse effects resulting from the proposed development that cannot be avoided. Refer to the topical headings indicated in Section II. Discuss the alternatives in design which were considered.

V ACTIONS BY THE DEVELOPER

Discuss and describe the following:

A. Reports and Studies Commissioned. What information has the Developer gathered? What reports have been written? Who has been contacted for information? Is the Developer following the recommendations of these reports?

B. Measures taken during construction. What activities or strategies is the DEVELOPER following during construction to minimize Environmental degradation; e.g. building at night, truck traffic to and from site, protection of existing trees.

C. Measures taken to avoid or reduce adverse Environmental Impact. Refer to the topical headings indicated in Section II.

D. Rejected Measures. Describe preservatory measures that were considered by rejected. Discuss the reasons for such rejection.

NOT APPLICABLE

VI IRREVERSIBLE AND UNAVOIDABLE IMPACTS OR COMMITMENTS

An effect is irreversible and a resource is irretrievable if, once a development is effected, the impacts cannot be obviated by any countermeasure. Discuss these impacts and countermeasures.

File No. _____
Date Filed _____
Filing Fee _____
Hearing Date _____
Decision _____
Date Published _____

TO THE PLANNING BOARD OF EAST WINDSOR TOWNSHIP

The undersigned submits herewith the annexed appeal or application and supporting documents as indicated below:

__X__ Bulk Variance
_____ Authorization from owner (if undersigned is not owner)
__X__ Drawings entitled
_____ Other:

The following is a description of the premises which are the subject of said appeal or application:

Name and address of owner: Wynbrook West Associates, LLC
c/o Kriegman & Smith, Inc.
101 Eisenhower Parkway, Suite 410
Roseland, NJ 07068

Location of premises: 400 Dutch Neck Road
East Windsor, NJ 08520

Zoning District R - M Block 64 Lot(s) 1
Date property acquired March 3, 1977

Dated:

Signature of Appellant or Applicant Jeffrey B. Smith
Wynbrook West Associates, Inc.

c/o Kriegman & Smith, Inc.
101 Eisenhower Parkway, Suite 410
Roseland, NJ 07068
Address

Attorney for Appellant or Applicant
Susan R. Rubright, Esq.

Brach Eichler, LLC
Firm

101 Eisenhower Parkway, Suite 201, Roseland, NJ 07068
Address

Telephone No. 973-403-3157

See Rider.

APPEAL FOR BULK VARIANCE

1. Request is hereby made for permission to erect, alter, convert, use a

_____

_____

Contrary to the requirements of Sections

_____

_____

Zoning Ordinance, or for other relief as follows

_____

_____

_____

2. Has there been any previous appeal, request or application to this or any other township boards or the Building Inspector involving these premises?
Yes _____ No _____ If "yes", state the nature, date, and the disposition of said matter

_____

_____

_____

3. Exceptional conditions of property preventing applicant from complying with the Zoning Ordinance?

_____

_____

_____

_____

_____

_____

_____

_____

4. Supply statement of facts why relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance

_____

_____

_____

_____

_____

_____

_____

_____

See Rider.

APPEAL FOR BULK VARIANCE

5. Attach to your application a schedule showing the following information, if applicable

   a. Type of construction – frame, stone, brick, cement, etc.
   b. Present use of existing building(s) and premises.
   c. Location, size, and design of signs (Attach details).
   d. Describe any deed restrictions and/or easements affecting this property and/or right-of-way.
   e. Total proposed dwelling units.
   f. Total proposed professional offices.
   g. Total proposed floor area.
   h. Total proposed parking spaces.
   i. Photograph(s) of land and buildings involved in application (optional).
   j. Names and addresses of all expert witnesses proposed to be used.
   k. Proof of tax payment due and owning on the premises.

6. A sealed plan or survey of the property to scale (not less than 1-inch being equal to 100 feet) indicating the relation of existing and/or proposed structure with adjoining property, driveways, and structures. Scale drawing (not less than ¼-inch being equal to 1 foot) of the proposed building(s), or of the existing structure, indicating the changes, alterations or additions contemplated, will be presented at the hearing.

RIDER TO APPLICATION OF WYNBROOK WEST ASSOCIATES, LLC

10. Section(s) of Ordinance from which a variance is requested:

Chapter 20. Zoning

Section 20-11. R-M Residential Multifamily

Section 20-11.4 Bulk and Area Requirements

d. See the Schedule of District Regulations of this chapter.

[1] The Schedule of District Regulations referred to herein is included as an attached to this chapter.

- ***Maximum Impervious Coverage: 40%; Existing: 49.9%; Proposed: 51.1%.***

12. Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises. (Attach pages as needed provide in a clear narrative regarding the project, the location, square footage, and explaining specifically what is proposed, clearly articulating the details.)

Improvements Proposed and Support for Same.

The Property is occupied by an apartment complex known as Wynbrook West Apartments and is located at 400 Dutch Neck Road, East Windsor, New Jersey. It is 14.3 acres in size and contains fifteen (15), two-story garden apartment buildings with a total of two hundred sixteen (216) one and two bedroom units. The Property is bordered on all sides by roadways, including Dutch Neck Road, Oak Creek Road and Heatherwood Drive. A series of driveways and parking areas within the Property provide access to the buildings within the apartment complex, as well as access to the roadways that border the Property. The northern most courtyard includes a one-story building containing a pool/bath house and rental office, an in-ground pool, a wading pool, a playground and a utility shed. These improvements are dated, and need to be replaced and modernized.

The subject application proposes to demolish the existing pool house, shed and pool area and replace them with a two story community center, pool and patios. These improvements are being constructed in the same area as the existing structures, with only a slight increase in the existing impervious coverage from 49.9% to 51.1%. There are no changes or improvements proposed for the remaining buildings.

Bulk Variance.

The Applicant is requesting a bulk variance under N.J.S.A. 40:55:D-70c.(1)(c) for the increase in impervious coverage from the existing 49.9% to 51.1%. The maximum coverage permitted is 40%. Under this section of the statute, a bulk variance may be granted *"by reason of an extraordinary or an exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon."*

The subject application proposes "an extraordinary or exceptional situation uniquely affecting a specific property", *i.e.* the pool and community building area of the Wynbrook West Associates apartments. The Applicant is proposing to replace the existing, outdated improvements with the same categories of structures and uses in the same physical areas, but updated to be consistent with and serve the current and future populations. For example, the pool with be larger than that existing and the community building will be larger. The uses will be in the same general locations on the Property as existing. The relief requested will also affect a specific piece of property. The additional coverage is necessary to complete the upgrades. Finally, the increase in coverage is small, supporting compliance with the negative criteria that there be no detriments to the area.