

## Zoning Board Review – Planning & Engineering Report

**Report Date:** 4/27/2020

**Parcel:** Block 313, Lot 6  
**Applicant:** Diana Millman  
**Owner:** Diana Millman  
**Attorney:** N/A  
**Project:** 10 E. Broad Street | Community Center  
**Zone:** Neighborhood Business (B-1)  
**Action Sought:** D Variance Approval  
**Existing Streets:** East Broad Street (Major Arterial)  
North High Street (Major Collector)  
Buck Street (Local)  
East Depot Street (Local)

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**Meeting Date:** 5/7/2020

Upon review of the application regarding the above-mentioned project, the following report has been offered for the Board's consideration with respect to the Site Plan application.

### ENGINEERING REPORT

#### Documents Reviewed:

- City of Millville Zoning Board of Adjustment Application Form, signed February 11, 2020
- Tax Description of Lot 6 Block 313, prepared by Bernard Surveying, LLC, dated January 15, 2020
- Pictures of building and site
- Site Survey, prepared by Bernard Surveying, LLC

#### Existing Land Use & Zoning

The site is located on East Broad Street in the Neighborhood Business (B-1) Zone, between North High Street and Buck Street. Access to the rear parking lot is on Depot Street. The site is currently situated as first floor commercial use and has second floor apartment. The Applicant proposes to change the first floor commercial use to assembly use in conjunction with the community center.

#### Proposal & Variances

The Applicant seeks a D variance for the site to permit an assembly use in conjunction with the community center where the Neighborhood Business zone (B-1) permits this use.

In order to grant a use variance under the Municipal Land Use Law, the applicant must meet three criteria to the Board's satisfaction:

- The positive criteria:
  - There must be a "special reason" for granting the variance; absent an "inherently beneficial use," the development must show how this site particularly fulfils one of the purposes of zoning as identified in the MLUL (see N.J.S. 40:55D-2), or that general welfare will be promoted because the proposed site is particularly suitable for the proposed use, or demonstrate that the property has no economic utility under any permitted use; **and**
- The negative criteria:
  - The proposed use must not cause substantial detriment to the public good, i.e., the neighborhood's welfare; **and**

- The proposed use is not inconsistent with and must not bring about substantial impairment to the intent and purpose of the Zoning Ordinance, which is based on the Master Plan.

Testimony regarding the proposed “assembly use in conjunction with a community center” and what type of operations and events are anticipated to take place at the site will help the Board weigh the positive and negative criteria when considering approval of the application.

### **Engineering Comments**

1. Apartments are located above the first floor assembly space. Testimony shall be given regarding the security and accessibility of the assembly space from the apartments above.
2. Testimony shall be given regarding any sewer and water demands that will change from the different use before, if applicable.
3. Testimony shall be given regarding the ingress and egress of the site, assuming large gatherings are proposed for the space.
4. An existing parking lot is located at the rear of the building. Testimony shall be given as to if the amount of parking spaces that exists is adequate for the anticipated attendance of the assembly space. In addition, testimony shall include the adequacy of the lighting of the parking lot.

Other approvals: This application may be subject to review and approval by the following outside agencies:

City of Millville Department of Public Works  
Cumberland County Health Department  
Cumberland County Planning Board

This office recommends that any approval granted by the Board be subject to submission revised plans, calculations, and information noted above.

This office reserves the right to make additional comments pending the receipt of any revised plans, reports, correspondence, and testimony of the applicant or professionals employed by the applicant. The Applicant’s Engineer is advised that all plan revisions must be detailed in a cover letter and a revision date must be included on the plan with every revision.