



**Consulting & Municipal
ENGINEERS**
A Subsidiary of Artheon, Inc.

MEMO TO: Borough of Sayreville Planning Board

FROM: Jay B. Cornell, P.E. – Borough Engineer's Office 

DATE: July 15, 2026

SUBJECT: 955 Route 9 LLC Site Plan
Block 413, Lot 5
Our File No. PSAP0413.07

In accordance with your authorization, our office has reviewed the revised site plan submitted for the above referenced project as prepared by Van Cleef Engineering and dated May 5, 2026 and last revised June 2, 2026 and offer the following comments:

1. The subject application was recently determined to be complete by the Board's Technical Review Committee. We would refer to the report of the Board Planner for his review of the variances, conformance schedule, and zoning ordinance associated with this project.
2. The Applicant is seeking site plan approval for modifications to an existing business located on a 3.3-acre parcel in a B-3 Zone on the northbound side of US Route 9 between Bordentown Avenue and Pillar Drive.

In terms of background in August 1998 use variance/site plan approval was granted by the Borough Zoning Board for the construction of a three (3) story 48,140-sf corporate office and Saturn car dealership with eight (8) auto service bays on the property. That approval also included 171 parking spaces and the required infrastructure along with the associated lighting/landscaping improvements. Some modifications to the intersection of Route 9 and Pillar Drive were also required. In addition a specific test drive route to keep vehicles from driving in residential areas was also required. A copy of the original 1998 Resolution of Approval is attached herein for the information of the Board.

In February 1999 amended use variance/site plan approval was granted to permit the phasing of the construction proposed in the 1998 approval. The project phasing allowed the originally proposed car dealership to be utilized as office space. Two (2) of the originally proposed three (3) phases were permitted to be constructed. No modifications to the originally proposed site improvements were proposed. To date 19,636 sf (16,860 sf ground floor and 2,976 sf second floor) of the originally proposed building has been constructed and is being utilized for office. A total of 155 parking spaces were proposed for this phase of the project. The originally proposed service bays were never installed. A copy of the 1999 Resolution of Approval is attached herein for the information of the Board.

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NJ CERTIFICATE OF AUTHORIZATION NO. 24GA28359000 (CME)
NJ CERTIFICATE OF AUTHORIZATION NO. 24GA28412500 (ARTHEON)

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In 2022 an application for the expansion of the project was submitted to the Planning Board. That application called for the addition of the adjacent Block 413 Lot 4 to the project. The existing office building on that property was proposed to be demolished and an expansion of the existing parking lot from Lot 5 onto that property was proposed. A total of 212 parking spaces were proposed. That application was never deemed complete. It was officially withdrawn in conjunction with this application.

The current application before the Board proposes the conversion of the existing office space on the first floor into a used car showroom and offices for used car sales. The second story office will remain as is. A new garage door to access the vehicle showroom area is proposed in the southeast corner of the building. A total of 153 parking spaces are proposed. New landscaping is proposed along the front of the property. In addition a new building façade sign and a new free standing sign are proposed. No other site-related improvements are proposed.

3. Our office has prepared the attached "Technical Engineering Review" based on the revised plans submitted. The comments contained in this review should be addressed in further detail by the Applicant.

At this time, it would be the recommendation of our office that any action taken by the Board on the subject application be contingent upon the resolution of the aforementioned items.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

JBC

Enclosure

cc: All Board Members
Van Cleef Engineering
Richard Schkolnick, Esq.



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**BOROUGH OF SAYREVILLE
955 ROUTE 9 LLC SITE PLAN**

- TECHNICAL ENGINEERING REVIEW -

Our File No: PSAP0439 .07/600.01

A. GENERAL COMMENTS

1. The Applicant should confirm that all of the office space located on the first and second floors will be utilized by the used car dealership and not be leased to another business. If this is not accurate the parking calculations would have to be revised.
2. The Applicant should discuss the proposed maximum number of employees that will be located at the site. The number of used cars for sale that will be located at the site should also be discussed.
3. The Applicant should confirm that used cars for sale will only be parked in the striped spaces noted on the plan. Cars will not be permitted to be parked in the front yard loading area or on the grass/landscape areas adjacent to Route 9.
4. The submitted site plan proposes the addition of a garage door for vehicle access into the proposed showroom. No vehicle service bays as were shown on the originally approved building plans appear to be proposed. The Applicant should confirm that no vehicle service will be performed on the property.
5. The original 1998 site plan approval for a car dealership proposed a specific route for vehicle test drives in order not to impact the adjacent residential streets. That route ran from Route 9 north to Bordentown Avenue to Route 35 south to Lorraine Avenue to Ernston Road and back to Route 9 north. The Applicant should review this previous condition and advise if acceptable for the current application.
6. The existing building currently has two (2) façade signs along with the building numbers. The proposed plan indicates only one (1) façade sign and the building numbers. The Applicant should confirm that one (1) of the existing façade signs will be removed in conjunction with this application.

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7. The original 1998 approval proposed a 10' wide by 25' high free standing sign set back 25' from the property line. The Applicant is now proposing a 14' wide by 13.7' high free-standing sign located 17.37' back from the property line
8. The original 1998 site plan approval for a car dealership contained a number of conditions concerning the operation of the proposed car dealership. These conditions are noted below:
 - a. Hours of Operation
 - i. Sales Division – Monday to Friday 9:00 AM to 9:00 PM
Saturday 9:00 AM to 6:00 PM
Sunday – Closed
 - ii. Service Division – Monday, Wednesday, Friday 8:00 AM to 5:00 PM
Tuesday and Thursday 8:00 AM to 7:00 PM
Saturday 8:00 AM to 3:00 PM
Sunday – Closed
 - iii. Office Area – Monday to Friday 9:00 AM to 5:00 PM
Saturday and Sunday – Closed
 - b. Number of Employees
 - i. Sales Division – 9
 - ii. Sales – 10
 - iii. Office- 30
 - c. Number of vehicles displayed - 18
 - d. Building Access Doors – No doors are to be constructed on the Eugene Boulevard side of the building.

The Applicant should further review the operation of the proposed used car dealership and discuss any proposed changes to the original conditions of approval.



B. STORM SEWER SYSTEM

1. The proposed site plan is not considered a major development since less than one (1) acre of land disturbance and less than $\frac{1}{4}$ (0.25) acre of additional impervious surfaces are proposed. Accordingly, the project is exempt from the water quantity, water quality, and recharge requirements of the Stormwater Control Ordinance.

C. SOIL EROSION AND SEDIMENT CONTROL

1. A detailed soil erosion and sediment control plan will not be required to provided since less than 5,000 sf of disturbance is proposed.

D. LANDSCAPING AND LIGHTING

1. The Applicant is proposing to upgrade the landscaping along the frontage of the site. This proposal should be further reviewed with the Board.
2. General note #21 should be revised to provide for a two (2) year guarantee as per Borough Ordinance requirements.
3. The Applicant's Engineer should confirm that the existing lighting on the site has not been modified from the original approval and still complies with the requirements of Borough Ordinance.

E. TRAFFIC

1. Information on the existing and proposed hours of operation of the businesses should be provided. In addition, information on the number of employees, anticipated traffic patterns, deliveries, garbage pick-up, etc. should also be provided.
2. The Traffic Report provided indicates that a new access permit will not be required from the NJDOT based upon the number of trips generated by the proposed use. The matter should be further discussed with the Board.



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F. PARKING LOT IMPROVEMENTS

1. The subject site previously received waivers from the below requirements of the Borough Design Standards. No changes to the previously granted waivers are proposed in conjunction with the current application.
 - a. Parking lot sidewalk
 - b. Sidewalk along property frontage
 - c. Installation of a conforming loading area
 - d. Parking lot landscaping

SA-7-413-5
DCH Site Plan

**Resolution 98-20
Sayreville Zoning Board of Adjustment**

WHEREAS, DCH Investment Inc. is the owner of a parcel of property designated as Lot 5 in Block 413, on the Tax Map of the Borough of Sayreville, and is located on Route 9 in a northbound direction, Sayreville, NJ; and

WHEREAS, the applicant has applied to the Zoning Board of Adjustment of the Borough of Sayreville with a proposal to build a three (3) story, 35' high, 48,140 sf (originally 47,578 sf) corporate office building and a Saturn car dealership on the site. One hundred and seventy one (171) on site parking spaces are proposed (originally 161). One ingress only and one egress only driveway are proposed along Route 9. Some off-site improvements to the Cheesequake Road and Pillar Drive intersection are proposed. The architectural drawings identify eight (8) service bays within the auto service area;

WHEREAS, the Zoning Board of Adjustment has reviewed the reports of the Borough Planner dated June 16, 1998, July 16, 1998 and August 24, 1998 as well as the reports of the Borough Engineer dated June 24, 1998, July 22, 1998 and August 26, 1998; and

NOW THEREFORE BE IT RESOLVED by the Zoning Board of Adjustment of the Borough of Sayreville through testimony presented at public hearings held on July 8, 1998 , July 22, 1998 and August 26, 1998, that:

1. The site is located in a B-3 Highway Business Zone
2. The site contains 3.3 acres on the east (northbound) side of Route 9 across from the Sayreville Plaza Shopping Center. The site is mostly open field with some mature trees concentrated along the south property line. There is a commercial billboard located in the southwest corner of the site. The plan identifies wetlands in the southeast corner of the site. A gasoline station, car wash, and food shop (mini-mart) was previously approved on this site.
3. The applicant proposes to build a three (3) story, 35' high 48,140 sf corporate office building and a Saturn car dealership on the site. One hundred and seventy one (171) on-site parking spaces are proposed. One ingress only and one egress only driveway are proposed along Route 9. Some off-site improvements to the Cheesequake Road and Pillar Drive intersection are proposed. The architectural drawings identify eight (8) service bays within the auto service area.
4. Automobile dealerships and office buildings are not permitted in a B-3 Zone, and as a

result thereof, a Use Variance is required. There are no proposed bulk violations which exist.

5. Initially the applicant was proposing a dealership as well as corporate offices and a parking garage, but have since eliminated the parking garage in its entirety.

6. The applicant presented testimony of Lawrence Lam, a professional architect, who has done design work for Saturn dealerships since 1983 and proposed the office on the south side of the lot with the dealership located on the north side of the lot. As originally proposed, there would be 21% of lot coverage which would be within the required amount and also provide for 50' buffers.

7. Testimony was presented as to the lighting and their ability to meet the existing borough lighting requirements and also provide for a drop off of the lighting on the easterly side so as not to interfere with the neighbors.

8. The proposed corporate office would provide two (2) floors of offices with central elevators to the second and third floors and also provide for the second floor to extend over the dealership for a large conference room. Third floor would provide for a lounge and luxury offices of approximately twenty eight thousand (28,000) sf. each. As to the Saturn dealership, it would provide for a front show room with the rear area being utilized as a service area with customers going in and entering on the north side of the property in question. It was agreed that there would be no entrance doors on the Eugene Boulevard side.

9. Testimony further provided that the height of the structure would be approximately thirty four feet six inches (34' 6") wherein 35' is permitted, thereby not requiring any variance.

10. As proposed, there would be a large standard Saturn sign which would comply with ordinance requirements and would be approximately twenty five feet (25') high and contain internal lighting on the main sign (only one free standing sign). All additional lighting on the perimeter of the paved areas would provide a minimal amount of lighting directed towards the paved area and would be brighter as you get closer to the building, for safety reasons. Along the southern and eastern sides of the property, the lighting would be reduced to almost zero as you approach the neighbors' properties. There would be a designation on the signage as "Saturn of Sayreville" and also a designation for DCH Investment Inc. and directional signs at the site for safety reasons.

11. Applicant had produced a color rendition of the proposed development, marked as

A-1 as well as a site diagram, marked as A-2.

12. Lawrence Lam also testified via an exhibit marked A-3, a proposed parking chart, indicating that the highest usage would be at or around 12:00 noon and would be estimated to be approximately 67 cars. When questioned about the building itself, it was indicated that the building would be white in color, similar to a stucco appearance.

13. Also testifying was John Craber, a licensed landscape architect, who indicated various landscaping requirements along the east and southern boundaries and the northern portion of the property in question. His testimony covered both the type of landscaping and evergreens as well as the shrubbery to be placed throughout the site and around a six foot (6.0') high board-on-board fence (as originally proposed).

14. Another witness produced by the applicant was Greg Holway, the assistant general manager at Saturn of Freehold, where he has been located for the past nine (9) years. His testimony indicated the type of proposed Saturn operation to be performed at this location and explaining in more detail how the show room would be set up in the front and service department in the rear with no rear openings, vents or anything adjoining the neighbors' property to the back of the building.

15. The applicant also testified that all employees would sign and confirm a test driving route for any proposed vehicles and had agreed not to go into the residential areas, but rather would travel along Route 9 to Bordentown Avenue to Route 35, then to Lorraine Avenue, and returning via Ernston Road, which route would be approximately 4.5 long.

16. Greg Holway further testified as to the operations itself, whereby the administrative people would commence at or about 8:00 AM in the morning to service customers and then the sales staff and support people arriving at or about 9:00 AM. This would be during the week and on Saturdays there would not be any administrative personnel there, but rather a smaller service staff available to accommodate everyone. The proposed hours of operation for the sales department would be 9:00 AM to 9:00 PM on Monday through Friday and 9:00 AM to 6:00 PM on Saturdays, with the facility being closed on Sunday and as to the service department, from 8:00 AM until 5:00 PM on Monday, Wednesday and Friday, from 8:00 AM until 7:00 PM on Tuesdays and Thursdays and 8:00 AM to 3:00 PM on Saturdays, again, the service facility being closed on Sunday.

17. Testimony was presented that the facility would provide a waste disposal area behind

the service area which would be fenced in and comply with any board requirements. As to the number of the employees, it was testified as follows: Service Department - 5 technicians, 2 service writers, 1 manager for parts and service and 1 parts personnel. As to the Sales Department, it would be anticipated to be 6 salesmen, 2 managers, 1 delivery man and a receptionist, but it was noted that the entire payroll staff would not all be working at the same time.

18. Additional testimony was presented by a Ronnie Lau, who is employed by DCH Investments, Inc. as the construction manager, who testified that DCH Investments Inc. was looking to move their corporate headquarters from Manhattan to Sayreville and to provide the corporate management with "luxury offices". His testimony further indicated that the second floor of the building would be mostly conference rooms and the third floor used by the corporate directors and the high level managers as well as to display the various trophies and/or awards which they may have received. His testimony also indicated that DCH Investments Inc. employees would amount to approximately 28 - 30 personnel on a daily basis and their hours of operation are normally 9:00 AM to 5:00 PM on Monday through Friday, and closed on both Saturday and Sunday. When questioned as to the estimated number of clients at the site utilizing the DCH Investments, Inc. headquarters at any one time, he testified including all employees it would be approximately 40 individuals.

19. Further testimony was presented by Mr. James Cleary, a professional engineer, who is familiar with the properties in question and who described the present condition of the property and the drainage situation that currently exists as well as the proposals for eliminating a great deal of the water problems at the site in question. Based upon his testimony and documentation provided, he indicated that the drainage of run-off water would be decreased along the southeastern portion of the property and would be increased towards Route 9. It was also acknowledged that approvals would also be needed from the Middlesex County Planning Board as well as the Department of Environmental Protection, since a wetlands permit would be needed for the rear of the properties and the Department of Transportation for approval of the proposed ingress and egress properties.

20. Subsequent to meeting with the Board Professionals, Mr. Cleary further testified at the August 26, 1998 meeting that the applicant was proposing to construct a minor wall

along the edge of the proposed parking to the south and easterly side of the site and then to keep the natural vegetation as it currently exists on the southern and eastern boundary lines, thereby not disturbing the existing buffer and it would remain in the same condition as currently exists with the exception of the drainage to take place in the southeast corner of the property.

21. Mr. Cleary further testified that there would be a loading area in which they would alter the original front drive curb line for a ten foot (10.0') loading area that would be approximately 120' long so that cars could be unloaded without hindering the parking and travel of vehicles entering the property in question. He also testifies as to the swail to be installed along the southeastern side of the problem and a 50' transition area beyond the wetlands location so there would be a wetlands transition buffer approximately 75' from the existing wetlands area. As to fencing, Mr. Cleary confirmed that the applicant was more than willing to install any fencing, wherever the board deemed it necessary, as well as whatever type of fencing the board would want in order to provide proper buffer from the neighboring properties.

22. Mr. Lawrence Lam was re-called at the August 26, 1998 meeting and testified that 119 trees were to be replaced and would now be added back into the "bald areas" of the buffer and to supplement the existing buffer area. It was his opinion that he would create a thick wall of green and then remove the proposal of a board-on-board fence and replace it with a chain link fence since the fence would meander through the area so the property can be maintained on both sides of the same.

23. It was also testified that the front sign would be moved back in order to accommodate the Board Planner's request for relocation of the sign (which would be 25' high). Also produced at the August 26, 1998 meeting was a A-5, a new landscape chart as well as further testimony that in the event the within building was to be occupied by anyone other than DCH Investments, whether by way of sale, lease, sub-lease or other change, the new occupant would be obligated to come back before the Sayreville Board for approvals for their type of operation that they will utilize, especially keeping in mind the issue of parking, since as presented, the offices would be of a luxury nature and would not require as many parking spaces. It was also agreed upon that there would be no new Certificate of Occupancy issued without full review by the Board.

24. It was also agreed that in the event there was to be any dealership changes, the new dealer would be obligated to return back to the Board under the local Change of Use Ordinance and present whatever changes, modification that they may want.

25. Also testifying on behalf of the applicant was Elizabeth Dolan, a licensed professional engineer in New Jersey, Pennsylvania and Delaware, more specifically a Traffic Engineer, who testified as to the number of vehicles that would be utilizing the property in question as well as the immediate area on both the inbound and outbound section along with the circulation of the vehicles ingressing and egressing from the property in question. Testimony was also presented as to the re-configuration of the local intersection, commonly known as the Cheesequake intersection and the construction of a concrete island at the same.

26. The final witness of the applicant was Leonard Nebenzahl, a licensed professional planner in New Jersey, who had made an analysis of the site in question and testified as to the uses at said facility as well as in the immediate area and explained both the positive and negative criteria and special reasons for the development of the property in question.

27. Various objectors appeared at each of the meetings and testified as to their concern to the height of the building, the buffered areas, the water problems that existed, the over-intensification of the proposed property in question and any and all modifications that would be needed to the Cheesequake intersection.

28. The applicant testified that three (3) different proposals as to the intersection were submitted to the Department of Transportation and they would still need final approval from the Department of Transportation as it pertained to the same.

29. Applicant further agreed to comply with the stipulation of the Borough Engineer as set forth in his reports as well as the Borough Planner, along with the requirements needed for the Department of Transportation and any and all other Local, County, State or Federal Agencies.

For all the reasons set forth above, it is therefore, RESOLVED by the Zoning Board of Adjustment of the Borough of Sayreville, on this 26 day of August, 1998 that the application of DCH Investments, Inc. be and is hereby GRANTED in accordance with the submitted plans and revised plans subject to the following:

1. The large Saturn sign shall be set back in accordance with the Board Planner's request so that the center of said sign shall be 25.0' back and shall be 25.0' high with internal lighting.
2. The vehicle test driving route shall not impose upon the residential area but shall proceed along Route 9, through Bordentown Avenue, to Route 35, through Lorraine Avenue and to

Ernst Road. (The Saturn dealership shall not utilize Eugene Boulevard or other local residential streets for test drive routes.)

3. The hours of operation for the Saturn dealership shall be as follows:
 - A. Sales Division - Monday through Friday from 9:00 AM until 9:00 PM and Saturday from 9:00 AM to 6:00 PM, closed on Sundays.
 - B. Service Division - Monday, Wednesday and Friday from 8:00 AM until 5:00 PM, Tuesday and Thursday from 8:00 AM to 7:00 PM, Saturdays from 8:00 AM to 3:00 PM and closed on Sundays
4. The number of employees for the Saturn dealership shall be 19 individuals, which are anticipated to be allocated as follows:
 - A. Service Division - 5 technicians, 2 service writers, 1 manager for parts and service and 1 parts employee.
 - B. Sales Division - 6 salesman, 2 managers, 1 delivery personnel and 1 receptionist.
5. The hours of DCH Investments, Inc. shall be Monday through Friday from 9:00 AM to 5:00 PM and will be closed on Saturdays and Sundays.
6. DCH Investments, Inc. shall employ 30 employees on a daily basis.
7. The Saturn dealership shall store a maximum of eighteen (18) new vehicles on the site.
8. The natural vegetation to be located in the buffer area along the southern and eastern boundary lines shall remain in its natural condition as it exists today, except for the drain area located in the southeastern corner of said property. The existing buffer shall not be disturbed as more specifically set forth in the revised plans and reports of the Borough Planner and Borough Engineer.
9. A loading area shall be designated in the front of the Saturn building and shall be along the front drive curb line, allowing a 10.0' loading area that will be approximately 120.0' long in order for vehicles to be loaded and/or unloaded out of the lane of parking and/or traffic.
10. Applicant shall erect any type of fencing as may be required by the Board Professionals to be installed along the buffer and/or boundary lines of the properties in question.
11. The Saturn dealership shall not provide for any type of entrance doors/garage doors on the Eugene Boulevard side of said building.
12. In the event there is a change in dealerships at said site, the new tenant/owner would be obligated to appear before the appropriate Borough's Board under its Local Change of Use

Ordinance.

13. The within approval is conditioned upon the fact that in the event said office building shall be occupied by anyone other than DCH Investments, Inc. as a result of a sale, lease, sub-lease, or any other reason, said new owner (and/or tenant) shall be obligated to appear back before the appropriate Sayreville Board for compliance with the existing Land Use Ordinances then in effect as well as to address any modifications as to the parking within the property in question and there shall be no Certificate of Occupancy issued without this further review by the appropriate Board.

14. The within approval is hereby subject to compliance with the various reports of the Borough Planner, namely Sheehan Consulting Group, P.A. as well as the Borough Engineer, namely CME Associates.

15. This application is subject to all relevant ordinances, statutes, and the applicant having obtained approval, if required, from the Middlesex County Planning Board, Freehold Soil Conservation District, New Jersey Department of Environmental Protection, and all other relevant governmental agencies.

16. All required fees, escrows, bonds, and inspection fees are to be paid pursuant to Borough Ordinance

The above Resolution was moved by Henry Sutter and seconded by Thomas Kuczynski and on a roll call vote:

THOSE IN FAVOR: William Amaczi, Dennis Grobelny, Daniel Kilcomons, Thomas Kuczynski, Henry Sutter, Tom Kelly and Daniel Newcomer.

THOSE OPPOSED: None

THOSE ABSTAINED: None

The application was approved 7-0.

I certify the above to be a true copy of the Resolution adopted by the Zoning Board of Adjustment of the Borough of Sayreville at its meeting of August 26, 1998 and memorializes the motion and vote taken by the Zoning Board of Adjustment on September 23, 1998.


Secretary - HENRY J. SUTTER
Zoning Board of Adjustment

SA-7-413-3
DCH Investment
Site Plan

Resolution 98-20 (II)
Sayreville Zoning Board of Adjustment

WHEREAS, DCH Investment Inc. is the owner of a parcel of property designated as Lot 5 in Block 413, on the Tax Map of the Borough of Sayreville, and is located on Route 9 in a northbound direction, Sayreville, NJ; and

WHEREAS, the applicant has applied to the Zoning Board of Adjustment of the Borough of Sayreville with a proposal to build a three (3) story, 35' high, 48,140 sf office building and automobile dealership in phases. Phase 1 and 2 will consist of construction of a 20,725sf one (1) story portion of the building (includes two mezzanines totaling 4,105sf). Phase 1 occupancy will be for interim office use. Phase 2 occupancy will be for a permanent automobile dealership. Phase three (3) will include the buildout of the remainder of the structure for office use. On-site parking will consist of 155 spaces for Phase 1, 176 spaces for Phase 2 and 170 spaces for Phase 3. There will be one (1) ingress only and one (1) egress only driveway along Route 9.

WHEREAS, the Zoning Board of Adjustment has reviewed the reports of the Borough Planner dated February 22, 1999 as well as the reports of the Borough Engineer dated February 24, 1999; and

NOW THEREFORE BE IT RESOLVED by the Zoning Board of Adjustment of the Borough of Sayreville through testimony presented at public hearings held on February 24, 1999 that:

1. The site is located in a B-3 Highway Business Zone
2. The site contains 3.3 acres on the east (northbound) side of Route 9 across from the Sayreville Plaza Shopping Center. The site is mostly open field with some mature trees concentrated along the south property line. There is a commercial billboard located in the southwest corner of the site. The plan identifies wetlands in the southeast corner of the site. A gasoline station, car wash, and food shop (mini-mart) was previously approved on this site.

On August 26, 1998, a use variance and site plan approval was granted to this applicant to build a three (3) story, 48,140sf office building, and, a Saturn dealership, with 171 parking spaces.

3. The applicant is now proposing to build a three (3) story, 35' high 48,140 sf office building and automobile dealership in phases. Phase 1 and 2 will consist of construction of a 20,725sf one (1) story portion of the building (includes two mezzanines totaling 4,105sf). Phase 1

occupancy will be for interim office use. Phase 2 occupancy will be for a permanent automobile dealership Phase three (3) will include the buildout of the remainder of the structure for office use. On-site parking will consist of 155 spaces for Phase 1, 176 spaces for Phase 2 and 170 spaces for Phase 3. There will be one (1) ingress only and one (1) egress only driveway along Route 9.

4. Automobile dealerships and office buildings are not permitted in a B-3 Zone. A use variance was granted on August 26, 1998.

5. Testimony was presented that Phase I would include the occupancy of the Saturn Dealership, initially by DCH Investments, Inc. with no changes to the approved building, except for items such as service doors, etc. (the footprint would remain identical to the prior approval). Phase II would then result in the conversion of the temporary DCH Investments, Inc. headquarters to the automobile dealership building with Phase III being the final completion of the corporate headquarters for DCH Investments, Inc. as was previously approved by the Board. It was noted that all site improvements would be done with Phase I work and completed in their entirety.

6. Mr. Ronnie Lau, the Construction Manager for DCH Investments, Inc. testified that the use of the dealership building for corporate headquarters would be for an approximate period of two to three years. He further confirmed that all landscaping, site work and improvements required to be done would be completed with the Phase I construction. The only difference would be that the rear parking area which would be paved, would be striped differently but the pavement would in fact be completed.

7. Testimony was also presented by Mr. Lawrence Lam, a professional architect, again confirming that all landscaping, planning and engineering would be completed with the exception of the construction of the two story office building in Phase I. He also testified that they would utilize some temporary light posts in the area where the office building would ultimately be constructed until Phase II construction is completed. Any and all temporary lighting would be restricted to the lot area itself and will be directed downwards and not towards any of the property lines.

8. Lawrence Lam further testified that along with Phase I, a sign in the same square footage as was originally proposed for the Saturn of Sayreville, would be utilized for designating the DCH Investment building in place of the actual Saturn sign until Phase II is completed.

9. Lawrence Lam further testified that upon completion of Phase I, the property will have the appearance of a finished building and all site elements would be completed just as if it were a Phase III completion, including the improvements to Pillar Drive.

10. Testimony was also presented by Mr. James Cleary, a professional engineer, again confirming that there would be no changes to the site plan and confirmation that all site improvements shown on the prior plans would be completed in conjunction with Phase I and that this would include but not be limited to the landscaping, curbing, off-site improvements, paving, etc.

11. Applicant had further agreed that the maximum period for the Phase I occupancy would be three (3) years and in the event it were to exceed said three year period, the applicant would be obligated to request an extension for additional time. The other approvals that were granted as to Phase II and Phase III would continue without the necessity of returning to the Board of Adjustment.

For all the reasons set forth above, it is therefore, RESOLVED by the Zoning Board of Adjustment of the Borough of Sayreville, on this 24 day of March, 1999 that the application of DCH Investments, Inc. be and is hereby GRANTED in accordance with the submitted plans and revised plans subject to the following:

1. All site improvements shown on prior plans are still required including, but not limited to the landscaping, curbing, off-site improvements, pavement, etc. and shall be completed in conjunction with Phase I and shall be approved by the appropriate parties prior to a Certificate of Occupancy being issued for Phase I completion.

2. The Phase I approval shall be for a period of three (3) years from the issuance of the Certificate of Occupancy and in the event the applicant is in need of Phase I use for longer than three years, they would be obligated to return to the Board of Adjustment and request an extension of time for the same.

3. Any and all other approvals previously granted shall remain in full force and effect for a Phase II and Phase III completion of the remaining buildings without the necessity of returning to the Sayreville Zoning Board of Adjustment.

4. Applicant shall include six (6) handicapped parking spaces in front of the dealership building with one (1) being van accessible for handicapped purposes for the use during Phase I construction and upon completion of all three phases, the handicapped parking spaces shall return

to the location where they were originally approved.

5. Subject to submission of revised site plans.

6. The within approval is hereby subject to compliance with the various reports of the Borough Planner, namely Sheehan Consulting Group, P.A. as well as the Borough Engineer, namely CME Associates.

7. This application is subject to all relevant ordinances, statutes, and the applicant having obtained approval, if required, from the Middlesex County Planning Board, Freehold Soil Conservation District, New Jersey Department of Environmental Protection, and all other relevant governmental agencies.

8. All required fees, escrows, bonds, and inspection fees are to be paid pursuant to Borough Ordinance

The above Resolution was moved by Henry Sutter and seconded by William Amaczi and on a roll call vote:

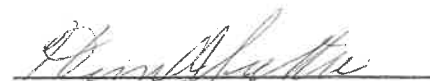
THOSE IN FAVOR: William Amaczi, Dennis Grobelny, Thomas Kuczynski, Henry Sutter, Robert Waitt, Daniel Newcomer and John Maher.

THOSE OPPOSED: None

THOSE ABSTAINED: None

The application was approved 7-0.

I certify the above to be a true copy of the Resolution adopted by the Zoning Board of Adjustment of the Borough of Sayreville at its meeting of February 24, 1999 and memorializes the motion and vote taken by the Zoning Board of Adjustment on March 24, 1999.


Secretary - HENRY J. SUTTER
Zoning Board of Adjustment