2025 Annual Report

ZONING & PLANNING BOARD ACTIVITY

Submitted by:
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Zoning Officer

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ZONING BOARD

Total number of Applications before Zoning Board in 2025– 9

Number of applications requesting use or floor area ratio variances - 4

Number of applications requesting variances or waivers - 4

Number of applications requesting site plan approval – 4

Number of requests for extensions or administrative review - 3

Number of courtesy reviews/discussions/presentations -

PLANNING BOARD

Total Number of Applications before Planning Board in 2025 – 9

Number of applications requesting conditional use variance - 3

Number of applications requesting variances or waivers - 7

Number of applications requesting subdivisions and/or lot consolidations - 3

Number of applications requesting site plan approval or waiver of site plan approval- 6

Number of applications requesting extensions - 1

Number of courtesy reviews/discussions/presentations - 9

SITE REVIEW

Total number of applicants heard at Site Review in 2025– approximately 18

Summary

This report provides a synopsis of the Planning and Zoning Board activities over the last year. The applications summarized herein provide a glimpse as to the potential issues that may occur upon strict application of the rules within the Township's land Development Ordinance.

In accordance with ***New Jersey Land Use Law section 40:55D-70.1*** *"The board of adjustment shall, at least once per year, review its decisions on applications and appeals for variances and prepare and adopt by resolution a report of its findings on zoning ordinance provisions which were the subject of variance request and its recommendations for zoning ordinance amendment or revisions, if any. The board of adjustment shall send copies of the report and resolution to the governing body and planning board".*

The issues the Planning Board should consider exploring, by plan and/or ordinance based on this report, are as follows. Accordingly, the Board will be performing a comprehensive review of the Master Plan and Land Development ordinance in 2025. . Some of these issues remain from the prior year's analysis.

Single-family Residential – The Township needs to continue consideration of housing pressures. Zoning variances for floor area continue to be prevalent as to issues surrounding in-fill on undersized lots.

Redevelopment - As the market for local light-industrial/flex commercial businesses continues to grow, pressures on zoning once established to guide growth during the industrialization of Trenton requires review. The need to recognize operational needs of industry while addressing compliance issues due to legacy use is apparent. Ensuring environmental improvement is paramount. Industry wide education on more sustainable business practices may prove useful.

Enforcement – Code enforcement, property maintenance and the Township's successes thereof, are directly related to the marketability of future investment opportunities and ultimately the Township's success. The Township continues to work on these issues hand-in-hand between police, code enforcement, real estate investors and college representatives to address conditions.

APPLICATIONS BEFORE
ZONING BOARD
IN 2025

APPLICANT:	DESCRIPTION:	DETERMINATIONS:
Italo Gargione 204 Somerset Street Block 182, Lots 181, 182 & 183 R-2 Zone App. ZBA-23-003 No fee	Applicant previously before board on December 21, 2023 and approved for minor subdivision, d(4) Floor Area Ratio variance and bulk variance relief to build new 4-bedroom home on corner lot. Resolution #2024-ZB-02 adopted January 18, 2024. Applicant's attorney advised it had come to their attention that resolution contained discrepancies in the lot numbers. They requested that board review resolution and documents submitted and make any necessary corrections. It was determined that resolution was correct, and board granted **extension** for recording of subdivision deed.	Board granted extension on 2/20/2025 for recording of deed until 4/1/2025. Resolution 2025-ZB-02 adopted 2/20/2025.
Italo Gargione 204 Somerset Street Block 182, Lots 181, 182 & 183 R-2 Zone App. ZBA-23-003 No fee	Applicant appeared before board again in connection with application ZBA-23-003 to request additional **extension** as there was an error with the electronic filing of the deeds	Board granted additional extension on 5/15/2025 to record deed until 6/1/2025. Resolution 2025-ZB-03 adopted 5/15/2025.
Lumberstone, LLC, 206 Browning Avenue, Block 174, Lot 529.01 R-2 Zone App. ZBA-25-001 App. Fee - $1,250.00 Escrow posted - $3,750.00	Applicant requested **variances** to construct a 1,500 square foot single family home on a 5,000 square foot lot where only a 1,200 square foot home is permitted. Applicant also requested variance for **impervious lot coverage, building coverage and floor area ratio** and any other variances or waivers deemed necessary by the Zoning Board.	Board approved with conditions 6/26/25. Res. 2025-ZB-04 adopted 7/17/25.

JMD Realty Services
1530 Pennington Road
Block 118.02, Lot 1, R-2 Zone
App. ZBA-25-003
App. Fee - $1,300.00
Escrow posted - $13,250.00

Applicants applied to the Zoning Board of Adjustment for **D(1) Use Variance**, **Preliminary and Final Site Plan** approval, and **bulk variances** to permit demolition of all existing structures and for construction of a three (3) story, twenty-one (21) unit multi-family residential building. Other site improvements include paved parking lot consisting of 46 parking spaces, lighting and landscaping. Variances requested from the Zoning Board as follows: **Principal permitted use**; **Maximum Height** – where 2.5 stories not to exceed 35 feet is maximum permitted and 3 stories /35.71 feet proposed; **Maximum lot** (total impervious) coverage – where 26% maximum permitted and where 54.02% proposed; **Floor Area Ratio (FAR)** for base floor area – where 2,450 square feet maximum permitted and where 8,312.50 square feet proposed and where **maximum number of bedrooms permitted are 5 and where 42 bedrooms are proposed**; **circulation and parking design standards – off street parking and loading areas-parking area design standards** – **where parking or loading areas shall not be located in a minimum required front yard and where 46 parking spaces will be located in the front and for off-street parking, loading and unloading requirements -where minimum of 2 spaces for each dwelling unit are permitted and where 46 spaces are proposed.** Applicants also requested any other variances or waivers deemed necessary by the Board.

Applicant before Board on 7/17/25 and motion made to table application pending applicant's further review of meeting comments and to work with professionals and submit revised plans. No further new notice was required. Motion made at 10/16/25 meeting that applicant needed to re-notice in order to be heard and would not be carried. On 11/20/25 Board denied application without prejudice so applicant can re-file application in 2026 and re-notice and publish notice for a new hearing date.

Arnold and Merle Anderson 1657-1659 Pennington Road Block 271, Lots 5, 117 & 118, BN Zone App. ZBA-25-004 App. Fee - $100.00 Escrow posted - $2,500.00	Applicants requested **determination** by the Zoning Board. The property located at 1657-1659 Pennington Road has been a multi-family structure for years but without official zoning determination. Applicants sought to qualify the structure as a pre-existing non-conforming structure. The applicants also requested any other variances or waivers deemed necessary by the Board.	Board reversed decision by Ewing Township Zoning Officer concerning pre-existing status of 5 unit multi family property and determined on 8/21/2025 that 5-unit structure could be considered legal pre-existing, non-conforming use in BN District. Decision was made with stipulation that certain conditions were satisfied. Resolution #2025-ZB-05 was adopted 9/18/2025.
Cellco Partnership d/b/a Verizon Wireless 802 River Road Block 419, Lot 29, BN Zone App. ZBA-25-002 App. Fee - $1,250.00 Escrow posted - $7,500.00	Applicant requested **preliminary and final site plan approval** and **D-3 conditional use** variance to install communications facility which will consist of new 120 ft monopole with 5 ft lightning rod together with a proposed 1,600 sq. ft. fenced elevated equipment compound located at Revere Restaurant property along River Road in Ewing Township. Proposed tower and compound will be designed to accommodate antennas and ancillary equipment for future carriers. Verizon's panel antennas will be installed at centerline height of 115 ft. Verizon's ancillary equipment cabinets together with its proposed diesel generator will be placed on proposed 355.5 sq. ft. elevated equipment platform within proposed fenced compound area. Verizon will utilize existing gravel access drive for ingress, egress and parking during construction and maintenance. Applicant also requested any other variances or waivers deemed necessary by the Board.	Board approved with conditions 10/16/25. Res. 2025-ZB-06 adopted 11/20/25.

Mark Gualtieri 145 Oregon Avenue Block 159, Lots 22-24 R-2 Zone App. ZBA-25-005 App. Fee - $1,550.00 Escrow posted - $7,750.00	Applicant requested **preliminary and final site plan** approval with **variances** to construct 1,344 square foot house with three bedrooms. The minimum lot area required for interior lot is 10,000 square feet and only 9,375 square feet proposed. The minimum frontage required is 80 feet and only 75 feet proposed. The minimum lot width required for interior lot is 80 feet and only 75 feet proposed. As a result, **variances were requested as well as lot consolidation**. Applicant also requested any other variances or waivers deemed necessary by the Board.	Board approved with conditions 10/16/25. Res. 2025-ZB-07 adopted 11/20/25.
Islamic Center of Ewing 30 New Hillcrest Avenue Block 74, Lots 45 thru 51 R-2 Zone App. ZBA-25-006 App. Fee - $1,250.00 Escrow posted - $5,750.00	Applicant requested **preliminary and final site plan approval** and **bulk variance** relief and any other necessary variances to construct two-story house of worship consisting of one building on Property, along with associated improvements. Applicant previously was granted variance relief under N.J.S.A. 40:55D-70d(3) for floor area ratio, maximum lot coverage and front yard parking setback, which are variances from specifications or standards pertaining to a conditional use.	Board approved with conditions 11/20/25. Res. 2025-ZB-08 adopted 12/18/25.
Philip Pelikan 1693 Pennington Road Block 268, Lot 17 R-2 Zone App. ZBA-25-007 App. Fee - $250.00 Escrow posted - $2,500.00	Applicant requested **D variance** to construct a 40 foot x 60 foot pole barn as an accessory structure. The structure requires a **height variance**. 15 feet is maximum height permitted and 23 feet is proposed. Existing 8.5 foot x 54 foot garage and 18.5 foot x 52 foot old foundation to be removed. Applicant also requested any other variances or waivers deemed necessary by the Board.	Board approved with conditions 12/18/25. Res. 2026-ZB-01 adopted 1/15/26.

APPLICATIONS
BEFORE PLANNING BOARD IN 2025

APPLICANT:	DESCRIPTION:	DETERMINATIONS:
Eastern Tiger, LLC 824 Silvia St., Block 341.01, Lot 5.03, TC Zone App. PB25-001 App. Fee – $1,250.00 Escrow posted - $3,000.00	Applicant requested **waiver of site plan** approval **or in the alternative preliminary and final site plan approval,** as well as any other **variance relief or waivers**, if any, to convert Building C, known both as 800C Silvia Street and as 824-834 Silvia Street to a cannabis cultivation and manufacturing facility. Applicant proposes to install chiller units to the rear of the building in an area of existing pavement and air handler units on the roof of the building. The chillers and air handlers will be screened by noise attenuation barriers.	Board approved waiver of site plan approval with conditions. Res. 2025-01 adopted 3/6/2025
Johnson & Johnson Services Inc., 1 Pitcairn Ave., Block 373, portion of Lot 9, IP-1 Zone App. PBA-25-002 App. Fee - $1,000.00 Escrow posted - $7,000.00	Applicant requested **minor site plan** with **variance** approval for certain fire protection improvements to the corporate airport facility it operates at Trenton-Mercer Airport including a 375,000 gallon, 33.75-foot high water tank to be set back 13.12 feet from Scotch Road and a 20-foot by 30-foot, 15-foot high fire pump house to be set back 57.38 feet from Scotch Road. The minimum front yard setback requirement for the IP-1 Zone is 75 feet. The maximum allowable height of accessory structures is 30 feet although pursuant to Section 215-45.B(1) of the Township Land Development Ordinance, water towers are exempt from the height limits. Applicant requested any other variances or waivers deemed necessary by the Board.	Board approved with conditions 3/6/2025. Res. 2025-03 adopted 4/3/2025.

Impactful Equity Ventures, LLC 100 Oregon Ave., Block 157, Lots 12 thru 15, R-2 Zone App. PBA-24-009 App. Fee - $850.00 Escrow posted -$3,900.00	Satyajit Dutta of Impactful Equity Ventures, LLC requested **minor subdivision** of Lot 15 (which has merged with Lots 12, 13, and 14) to create two lots where there now is one, with an existing 5-bedroom single family home and accessory structures on one proposed lot, and a proposed 4-bedroom single family home and accessory structures to be located on the other proposed lot. The existing residence has a side yard setback of 9.8 feet whereas 10 feet is required. The existing house has a front yard setback of 25.80 feet whereas 40 feet is required. These conditions will remain. The proposed lot for the existing residence will have a lot area of 7,661.34 square feet, and the proposed buildable lot will have a lot area of 7,654.89 square feet, whereas 10,000 square feet is required and therefore **"c" variances are required** pursuant to N.J.S.A. § 40:55D-70(c)(1) and/or (c)(2) and Code § 215-93(7). Both proposed lots will have a lot width of 56.25 feet whereas 80 feet is required, and, therefore, **"c" variances** are required pursuant to N.J.S.A. § 40:55D-70(c)(1) and/or (c)(2) and Code § 215-93(7). The existing 5-bedroom residence and the proposed 4-bedroom residence will exceed the permitted number of bedrooms, which is 3. Therefore, a **variance** or exception is required in accordance with Code §215-15 (D)(4)(b) and pursuant to N.J.S.A. § 40:55D-70(c)(1) and/or (c)(2) or N.J.S.A. § 5:21-3.1(a)**.** Applicant also requested **variance** pursuant to N.J.S.A. § 40:55D-70(c)(1) and/or (c)(2) to permit construction of a residence within the front yard setback in a manner similar to the existing and nearby residences and any other variances or waivers deemed necessary by the Board.	Board approved with conditions 3/6/2025. Res. 2025-02 adopted 4/3/2025.

1694 Pennington, LLC 1694 Pennington Rd, Block 154, Lots 11- 15, BN Zone App. PBA-24-005 App. Fee - $1,250.00 Escrow posted - $10,250.00	Applicant requested **preliminary and final site plan approval, bulk variance relief** and **waiver relief**, if any. Applicant proposes to remove existing buildings and develop the property with a 5,678 s.f. 25-bedroom commercial rooming house as well as associated improvements including parking, patio with pergola, stormwater management, trash enclosure and associated landscaping. Applicant requested **variance** as 2,400 s.f. is maximum permitted in **gross floor area per use** and 5,678 s.f. is proposed. Applicant also requested any other variances or waivers deemed necessary by the Board.	Board approved with conditions 4/3/2025. Res. 2025-04 adopted 5/1/2025.
Ewing Lexington LLC 801 & 831 Parkway Ave., Block 320, Lots 15 & 95, Parkway Redevelopment Area App. PBA-24-010 App. Fee -$1,300.00 Escrow posted -$6,230.00	Applicant requested **preliminary and final major site plan approval, conditional use approval, bulk variances** and/or **design waivers/exceptions** to demolish all existing buildings and associated structures and develop the property with approximately 5,670 square foot QuickChek convenience store with fueling station and related site improvements. Applicant also requested any other variances or waivers deemed necessary by the Board	Board approved with conditions 4/3/2025. Res. 2025-05 adopted 5/1/2025.
GT Homes LLC (Milicon & Associates LLC), 214 Weber Avenue, Block 72, Lot 216, R-2 Zone and Weber Avenue, Block 69, Lots 79 thru 84, R-3 Zone App PBA-25-003 App. Fee -$1,150.00 Escrow posted -$10,400.00	Applicant requested **preliminary and final subdivision** approval with **variances** to **subdivide** property located at 214 Weber Ave., Block 72, Lot 216 into three (3) lots and **consolidate and subdivide** property located on Weber Avenue, Block 69, Lots 79 - 84 into three (3) lots. Applicant proposes to construct one single family dwelling on each of the six (6) proposed lots. Applicant requested any other variances or waivers deemed necessary by the Board.	Board approved with conditions and changes 6/5/2025. Res. 2025-06 adopted 8/7/2025.

ICO Logistics Acquisition LP dba IDIL Scotch Road LLC, 370 Scotch Rd, Block 371, Lot 3.04, IP-1 Zone App PBA-23-007 No Fee	Applicant obtained preliminary and final major site plan approval, together with bulk variances, waivers and exceptions, to construct a + 284,400 square foot warehouse on 370 Scotch Road, Block 371, Lot 3.04 at the Ewing Township Planning Board meeting held June 1, 2023. The decision was memorialized by Resolution 2023-11 that was adopted by the Board on July 6, 2023. Applicant requested **extension** of vested rights and protection from changes to zoning on 8/7/2025. Applicant wishes to secure extensions of the protections against zoning changes afforded to IDIL's site plan approval through July of 2028, in case IDIL has not already vested its underlying approvals.	Board approved extension with conditions 8/7/2025. Res. #2025-07 adopted 8/7/2025.
Class I Railroad, LLC 12 Railroad Avenue, Block 390, Lots 1-8 & 30, TC Zone App PBA-24-001 App. Fee -$1,550.00 Escrow posted -$11,010.00	Applicant requested **preliminary and final major site plan approval,** and **conditional use** approval with **waiver** relief to permit construction of 3.5-story mixed-use building with a building footprint of 38,582 s.f., with 4,953 s.f. of commercial space on the ground floor comprised of a 1,390 s.f. cafe; 596 s.f. of retail and 2,967 s.f. of restaurant, with 80 residential apartment units located above, with ingress and egress provided by two site driveways to Railroad Avenue and New Avenue, with 189 total off-street parking spaces, as well as other typical and ancillary accessory site improvements. The property is currently improved with several structures and parking areas which would be demolished if application is approved by Board. Applicant sought design **waiver** relief to permit parking spaces 8 ft. wide by 18 ft long, whereas ordinance requires parking spaces 9 ft. wide by 20 ft. long and any other variances or waivers deemed necessary by the Board.	Board approved with conditions 11/6/2025. Res. #2025-08 adopted 12/4/2025.

Victor and Ngozi Onuigbo, 27 Dover Avenue, Block 25, Lots 2 & 3, OAR, SA-7B Zone App PBA-25-004 App. Fee -$500.00 Escrow posted -$6,500.00	Applicants requested **preliminary and final site plan** approval and **use** variance to convert garage into a studio apartment. Three parking spaces proposed with one being on the street. There will be no changes to physical footprint of the house structure or garage. The **Floor Area Ratio** required is 2,273 square feet and 2033 square feet proposed. The existing garage area, including exterior walls, comes to 493.7 square feet. Applicants also requested **lot consolidation** and any other variances or waivers deemed necessary by the Board.	Board approved w/conditions 12/4/2025. Res. 2026-01 adopted 2/5/2026.

COURTESY REVIEWS, DISCUSSIONS AND/OR PRESENTATIONS BEFORE BOARDS IN 2025

1/9/2025-**Planning Board** held courtesy review for NJDPMC, 3 Schwarzkopf Drive, Block 423, Lot 17, OP-1 Zone regarding proposed construction of expansion of NJ Public Health Environmental & Agricultural Laboratories. Proposed expansion will include additions to floors 1 through 4, the mechanical floor, the administrative offices and the warehouse. Following presentation of the application, Planning Board made comments and recommendations.
Attorney Herbert and Mr. Latini also had brief discussion with **Planning Board** on the **Affordable Housing**.

2/6/2025- Planning **Board** had informal discussion regarding **Examination Report of Township's Master Plan.**

3/6/2025 - Planning **Board** had formal discussion regarding the **Reexamination Report** of the Township's Master Plan as required by the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-89). The proposed Reexamination Report included findings and recommendations related to the goals, objectives and policies of the Master Plan, as well as changes in assumptions, policies and objectives that have occurred since the last reexamination. Following the discussion, the Board considered adoption of the proposed Reexamination Report of the Ewing Township Master Plan. **Board made motion to accept the report**.

5/1/2025 - **Planning Board** had discussion on **Ordinance No. 25-09** that was introduced at the Ewing Township Council meeting on March 25, 2025. Council referred the ordinance to the Planning Board for master plan consistency and review. The proposed ordinance amended the revised general ordinances of the Township of Ewing in the County of Mercer, to amend Chapter 97: Animals and Chapter 407 Nuisances, Public Health. Formal Action will be taken. **Recommendations made to Council.**

6/5/2025- **Planning Board** had discussion regarding **Ewing Township Affordable Housing Plan**. Further discussion and anticipated adoption of the plan to take place at special Zoom meeting to be held on June 12, 2025. The **Planning Board** also had discussion on **Ordinance 25-18** an Ordinance amending the revised general ordinances of the Township of Ewing in the County of Mercer, to amend Chapter 97: Animals, Chapter 407 Nuisances, Public Health, and Chapter 215, Land Development. The ordinance was introduced at the Council meeting on May 27, 2025 and was referred to the **Planning Board for master plan consistency and review**. The Board agreed that the ordinance was ready to go back before Council.

6/12/2025- **Planning Board** had **special meeting** for **Presentation of the Ewing Township Affordable Housing Plan. Motion made** to adopt amendment to the Housing Element and Fair Share plan of the Township's Master Plan. **Motion made** for resolution for application to go to the State.

12/4/2025-**Planning Board** reviewed and discussed recommendations to Council regarding amending the IP-3 and OP zones. Mr. Latini had a brief discussion on **Re-zoning certain properties**. Any changes would have to be consistent with and comply with Master Plan. Mr. Latini suggested board members email him with any additional recommendations to be forwarded to Council for January meeting as a preliminary discussion.