

COMPLETENESS CHECKLIST FOR USE AND/OR BULK VARIANCES (Revised 5/13/13)

Section §802B. Completeness Checklist for Use Variance and Bulk Variance Request.

Prior to issuance of a Certificate of Completeness, the Administrative Officer shall determine that the following documents have been submitted:

<u>C</u>	<u>N</u>	<u>N/A*</u>	<u>W*</u>	<u>ONLY FOLDED PLANS WILL BE ACCEPTED</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Twenty-five (25) copies of completed and signed application form which must include the following: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Applicant's name, address, telephone number, facsimile number, and e-mail address (if applicable). <input checked="" type="checkbox"/> Property Owner's name, address, telephone number, facsimile number, and e-mail address (if applicable). <input checked="" type="checkbox"/> Applicant's interest in the property. <input checked="" type="checkbox"/> Name, address, telephone number, facsimile number, and e-mail address (if applicable) of the Applicant's attorney (if represented) as well as any and all other professional representative(s). <input checked="" type="checkbox"/> Street address of the property <input checked="" type="checkbox"/> Tax lot and block numbers of the property <input checked="" type="checkbox"/> Zoning District in which the property is located. <input checked="" type="checkbox"/> Description of the property <input checked="" type="checkbox"/> Description of the proposed development. <input checked="" type="checkbox"/> Type of application <input checked="" type="checkbox"/> Provide identification of subject property/properties' Special Flood Hazard Area Zone <input checked="" type="checkbox"/> Executed copy of "Authorization & Consent Form" Part "C" <input checked="" type="checkbox"/> Executed copy of "Certificate of Ownership" Part "D", if applicable <input checked="" type="checkbox"/> Executed copy of "Certificate of Corporation/Partnership", if applicable <input checked="" type="checkbox"/> Applicant/Owner to provide verification of taxes paid (this will be further verified by the Administrative Officer). <input checked="" type="checkbox"/> Executed copy of "Escrow Agreement" Part "E"
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2. Twenty-five (25) copies of the property deed(s).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Twenty-five (25) copies of the Zoning Permit Denial [not required for subdivisions]
			<input type="checkbox"/>	4. Required Plans folded, no larger than 30"x42":
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	a. Twenty-five (25) copies of current signed & sealed survey, prepared by a New Jersey Licensed Professional Land Surveyor.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	b. Five (5) copies with initial submission and each subsequent submission for completeness review.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	c. Once the application is deemed complete, twenty (20) additional full-sized paper sets of the plans plus one (1) reduced-size paper set of the plans no larger than 11"x17", and one (1) CD containing the plans in .pdf format must be submitted to the Board Office for distribution.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5. Six (6) copies of Tree Removal Application package in accordance with Section §525 (if applicable).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6. Community Impact Statement (for Use Variance only)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7. Application Fee \$ <u>750</u> Escrow Deposit \$ <u>1,500</u>

In accordance with fee schedule.

C = Complete N = Incomplete N/A = Not Applicable

* Any request for a "WAIVER" must include a written explanation for the request.

Application for Use and/or Bulk Variances

Type of Variance Requested:

- Bulk Variance [front, side/rear setback, other] Specify _____

- Bulk Variance [Lot Coverage] _____
- Use Variance [proposal not permitted in zone] Change In Use from Place of Worship/K-8 School to Place of Worship/K-12 School
- Appeal/Interpretation of Decision _____
- Other, Specify _____

1. Property Address: 3455 W. Bangs Ave.
2. Block 3101 Lot 2
3. Property is located in R-1 Zoning District according to the Neptune Twp. Land Ordinance.
4. Name of applicant: College Achieve Public Schools Contact - Michael Piscal
Mailing address: 788 Shrewsbury Avenue, Suite 2183, Tinton Falls, NJ 07724
Phone # 908-625-1251 Fax # _____ Cell # _____
E-mail address: mpiscal@collegeachieve.org
5. Name of owner: Holy Innocents Church Contact - Joseph Cahill
Mailing address: 3455 W. Bangs Avenue, Neptune, NJ 07753
Phone # 604-406-7400 Fax # _____ Cell # _____
E-mail address: jcahill@dioceseoftrenton.org
6. Name of contact person: Michael W. Herbert, Esq. and Scott Miccio, Esq. c/o Parker McCay, P.A.
Mailing address: 3740 Quakerbridge Road, Suite 200, Hamilton, NJ 08619
Phone # (609) 620-7809 Fax # (609) 896-9023 Cell # [REDACTED]
E-mail address: mherbert@parkermccay.com; smiccio@parkermccay.com
7. Interest of applicant, if other than owner: Current Tenant

Detailed Information:

- Existing use of property: Church and Public K-8 School
- Proposed use of property: Church and public K-12 school
- Special Flood Hazard Area: N/A

Principal Use:

	Required and/or Permitted	Existing	Proposed
Lot Size			
Lot Coverage			
Building Coverage			
Building Height			
Front Setback			
Rear Setback			
Side Setback			
Combined Side Setback			

(If multiple lots and/or buildings, please attach additional detailed listing)

Accessory: (If Applicable)

	Permitted	Existing	Proposed
Lot Size			
Lot Coverage			
Building Coverage			
Building Height			
Front Setback			
Rear Setback			
Side Setback			
Combined Side Setback			

(If multiple lots and/or buildings, please attach additional detailed listing)

8. Has there been any previous applications involving these premises Yes No
 If so when Application for two principal uses and to use premises as K-8 school, adopted October 7, 2020, memorialized November 4, 2020
 Result of decision Application for two principal uses and to use premises as K-8 school approved with conditions.
Resolution attached.

9. Justification/Reason(s) for variance(s) requested [be as specific as possible attach additional sheets as necessary]

See attached rider.

10. If a Zoning denial has been received as part of this application, please attach.

The required submission for all applications to be complete is twenty-five (25) copies of completed application form inclusive of any supporting information; and twenty-five (25) copies and one (1) CD* of survey and/or plan(s) with one (1) additional copy of survey and/or plan(s) on 11" x 17" sheet(s).

* See Section 802B. Completeness Checklist for Use Variance and Bulk Variance Request for details on submission requirements.

AFFIDAVIT OF APPLICATION

State of New Jersey
County of Monmouth

_____ being of full age, being duly sworn according to
(Insert Applicant's Name)

Law, on oath depose and says that all the above statements are true.

(Original Signature of Applicant to be Notarized)

(Print Name of Applicant)

Sworn and subscribed before me this

_____ day of _____, 20_____

[NOTARY SEAL]

Signature of Notary Public

OWNER(S)' AFFIDAVIT OF AUTHORIZATION AND CONSENT
STATEMENT OF LANDOWNER WHERE APPLICANT IS NOT LANDOWNER
[Original signatures only – copies will not be accepted]

Zoning Board of Adjustment
IN THE MATTER BEFORE THE _____
(Insert Planning Board or Zoning Board of Adjustment)

IN THE TOWNSHIP OF NEPTUNE, STATE OF NEW JERSEY, COUNTY OF MONMOUTH.

I/WE, Holy Innocents Church, WITH MAILING ADDRESS OF
(Insert Property Owner's Name)

3455 W. Bangs Ave., Neptune, NJ 07753 OF FULL AGE BEING DULY
(Insert Property Owner's Mailing Address)

SWORN ACCORDING TO LAW AND OATH DEPOSES AND SAYS:

"I/WE ARE THE OWNER(S) OF THE SUBJECT PROPERTY IN CONNECTION WITH
THIS APPLICATION DESIGNATED AS BLOCK(S) 3101 LOT(S) 2
ALSO KNOWN AS 3455 W. Bangs Ave., Neptune, NJ 07753
(Insert physical address of the subject property)

I/WE AUTHORIZE _____
(Insert name of Owner(s)' representative appearing before the Board)

TO APPEAL TO THE PLANNING/ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF NEPTUNE FOR SUCH RELIEF AS MAY BE REQUIRED RELATING TO THE PROPERTY LISTED ABOVE, CONSENT TO SUCH APPEAL AND APPLICATION, AND AGREE THAT ANY DECISION OF THE PLANNING/ZONING BOARD OF ADJUSTMENT ON SUCH APPEAL SHALL BE BINDING UPON ME/US AS IF SAID APPEAL HAS BEEN BROUGHT AND PROSECUTED DIRECTLY BY ME/US AS THE OWNER(S).

(Original Signature of Owner to be Notarized)

(Original Signature of Owner to be Notarized)

Sworn and subscribed before me this

_____ day of _____, 20_____

[NOTARY SEAL]

Signature of Notary Public

9. Justification/Reason(s) for variance(s) requested [be as specific as possible attach additional sheets as necessary]

See attached rider.

10. If a Zoning denial has been received as part of this application, please attach.

The required submission for all applications to be complete is twenty-five (25) copies of completed application form inclusive of any supporting information; and twenty-five (25) copies and one (1) CD* of survey and/or plan(s) with one (1) additional copy of survey and/or plan(s) on 11" x 17" sheet(s).

* See Section 802B. Completeness Checklist for Use Variance and Bulk Variance Request for details on submission requirements.

AFFIDAVIT OF APPLICATION

State of New Jersey
County of Monmouth

Michael Piscal, on behalf of
College Achieve Public Schools being of full age, being duly sworn according to
(Insert Applicant's Name)

Law, on oath depose and says that all the above statements are true.



(Original Signature of Applicant to be Notarized)

Michael D. Piscal on behalf of College Achieve Public Schools

(Print Name of Applicant)

Sworn and subscribed before me this

29th day of August, 2022

Michael W. Herbert Esq.
Attorney at Law

[NOTARY SEAL]

State of New Jersey

Signature of Notary Public

Escrow Agreement

I/we fully understand an "Escrow Account" will be established to cover the costs of the professional services which will include engineering, legal, planning, architectural, and any other expenses incurred in connection with the review of this application before the Land Use Board.

The amount of the Escrow Deposit will be determined by the Neptune Township Land Development Ordinance, section 1000 Application and Escrow Fee, Table 10.02 Escrow Fees.

It is the policy of Neptune Township that once an Escrow Account falls below 24% of the original deposit amount, the account must be replenished to its original amount. The only exception would be when the application is nearing completion; applicant will be notified of any anticipated charges and the amount of the deposit required.

Payments shall be due within fifteen [15] days of receipt of the request for additional Escrow Funds. If payment is not received within that time, applicant will be considered to be in default, and such default may jeopardize appearance before the Board of hold up any and all pending approvals and building permits. Continued refusal will result in legal action against the property.


Also in accordance with N.J.S.A. 40:55D-53.1, all unused portion of the escrow account will be refunded upon written request from the applicant, and verification by the board's professionals who reviewed the application.

By signature below, I/we acknowledge receipt of Neptune Township's Section 1000, Application and Escrow Fees and agree to all conditions listed.

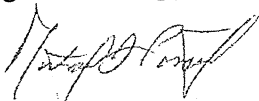
Name of Applicant: College Achieve Public Schools (CAPS)
[please print]

Property Address: 3455 W. Bangs Ave. Block 3101 Lot 2

Applicant's Name: Michael Piscal on behalf of CAPS
[Print Name]


[Signature of Applicant]

Owner's Name: Michael D. Piscal, CEO of CAPS
[Print Name]


[Signature of Owner]

Date: August 15, 2022

**OWNER(S)' AFFIDAVIT OF AUTHORIZATION AND CONSENT
STATEMENT OF LANDOWNER WHERE APPLICANT IS NOT LANDOWNER**

[Original signatures only – copies will not be accepted]

IN THE MATTER BEFORE THE Zoning Board of Adjustment
(Insert Planning Board or Zoning Board of Adjustment)

IN THE TOWNSHIP OF NEPTUNE, STATE OF NEW JERSEY, COUNTY OF MONMOUTH.

I/WE, Holy Innocents Church, WITH MAILING ADDRESS OF
(Insert Property Owner's Name)

3455 W. Bangs Ave., Neptune, NJ 07753 OF FULL AGE BEING DULY
(Insert Property Owner's Mailing Address)

SWORN ACCORDING TO LAW AND OATH DEPOSES AND SAYS:

“I/WE ARE THE OWNER(S) OF THE SUBJECT PROPERTY IN CONNECTION WITH
THIS APPLICATION DESIGNATED AS BLOCK(S) 3101 LOT(S) 2

ALSO KNOWN AS 3455 W. Bangs Ave., Neptune, NJ 07753
(Insert physical address of the subject property)

I/WE AUTHORIZE _____
(Insert name of Owner(s)' representative appearing before the Board)

TO APPEAL TO THE PLANNING/ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF NEPTUNE FOR SUCH RELIEF AS MAY BE REQUIRED RELATING TO THE PROPERTY LISTED ABOVE, CONSENT TO SUCH APPEAL AND APPLICATION, AND AGREE THAT ANY DECISION OF THE PLANNING/ZONING BOARD OF ADJUSTMENT ON SUCH APPEAL SHALL BE BINDING UPON ME/US AS IF SAID APPEAL HAS BEEN BROUGHT AND PROSECUTED DIRECTLY BY ME/US AS THE OWNER(S).

Joseph C. Cahill Business Manager
(Original Signature of Owner to be Notarized)

(Original Signature of Owner to be Notarized)

Sworn and subscribed before me this

11th day of August, 2022

**HOLLY ANN CAHILL
NOTARY PUBLIC OF NEW JERSEY
Commission # 2451692
My Commission Expires 02/23/2025**

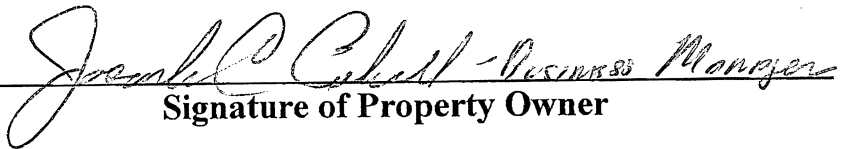
Signature of Notary Public

[NOTARY SEAL]

SITE VISIT AUTHORIZATION OF PROPERTY OWNER

I hereby authorize any member of the Township of Neptune Planning Board/Zoning Board of Adjustment, any of said of Board's professionals or reviewing agencies of the Board to enter upon the property which is the subject matter of this application, during daylight hours, for limited purpose of viewing same to report and comment to the Board as to the pending application.

Date: _____


Signature of Property Owner

STATEMENT FROM TAX COLLECTOR

Block _____ Lot _____

Property Location _____

Status of municipal taxes _____

Status of assessments for local improvements _____

Date: _____

Authorized Signature of Tax Collector

Escrow Agreement

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By signature below, I/we acknowledge receipt of Neptune Township's Section 1000, Application and Escrow Fees and agree to all conditions listed.

Name of Applicant: _____
[please print]

Property Address: _____ Block _____ Lot _____

Applicant's Name: _____
[Print Name] [Signature of Applicant]

Owner's Name: Joseph P. Colville _____
[Print Name] [Signature of Owner]

Date: _____

College Achieve Public Schools Application for Zoning Variance

Response to Application Question #9

The property located at Block 3101, Lot 2 (3455 West Bangs Avenue) is currently approved to be utilized as both a K-8 school and a place of worship. Applicant, College Achieve Public Schools, is seeking a use variance pursuant to N.J.S.A. 40:55D-70(d)1 for permission to also use the property as a 9-12 school. In other words, College Achieve seeks for the premises to be approved as a place of worship and a K-12 school. The property is in the R-1 Zoning District.

On October 7, 2020, the Zoning Board approved for a second principal use on the property and approved for the property to house a K-8 school. The approval was memorialized via resolution at the meeting held on November 4, 2020. College Achieve has worked diligently with the Township's professionals to comply with the conditions of approval for that application, including providing an enclosed dumpster, submitting revised site plans to the satisfaction of the Board Engineer and Planner and extending the driveway from the entrance of the school to the south driveway on the property.

Additionally, in its approval, the Board imposed a maximum enrollment of 600 students. While College Achieve proposes to expand its services to high school students, it does not propose to increase the approved maximum enrollment number.

College Achieve has received high praise for its facility in Neptune, and in other locations, such as Asbury Park. It desires to expand its services so that can continue to impact more students in a positive way.

The variance request meets both the positive and negative criteria under the Municipal Land Use Law.

As for the negative criteria, permitting students in grades 9-12, in addition to students in grades K-8, will not substantially impair the intent and purpose of the zone plan and the zoning ordinance and there will be no substantial detriment to the public good. The structure has existed for over 50 years, and there are no proposed physical changes to the outside of the premises.

As an initial matter, the variance satisfies the positive criteria because the high school use is an inherently beneficial use to the community. Additionally, considering that the school is already operating as a K-8 school, College Achieve has already demonstrated that the property is particularly suitable for the proposed addition of students in grades 9-12.

Lastly, it should be noted that additional parking will not be required because the far majority of students attending the school will be bused in.