

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] Applicant seeks a bifurcated use variance pursuant to N.J.S.A. 40:55D-76(b) permitting an office/warehouse use, whereas warehouse uses are not permitted in the zone.
- Appeal/Interpretation of Decision _____
- Other, Specify _____

1. Property Address: 3525 Highway 33, Neptune, NJ 07753
2. Block 3101 Lot 3
3. Property is located in C-5 Zoning District according to the Neptune Twp. Land Ordinance.
4. Name of applicant: Jacob and Miriam D. Lipschitz
Mailing address: c/o Jennifer S. Krimko, Esq., 1500 Lawrence Avenue, Ocean, NJ 07711
Phone # 732-643-5284 Fax # 732-643-5294 Cell # _____
E-mail address: jsk@ansellgrimm.com
5. Name of owner: Same
Mailing address: _____
Phone # _____ Fax # _____ Cell # _____
E-mail address: _____
6. Name of contact person: Jennifer S. Krimko, Esq.
Mailing address: 1500 Lawrence Avenue, Ocean, NJ 07712
Phone # 732-643-5284 Fax # 732-643-5294 Cell # _____
E-mail address: jsk@ansellgrimm.com
7. Interest of applicant, if other than owner: N/A

Detailed Information:

- Existing use of property: Vacant Land
- Proposed use of property: Office and warehouse building
- Special Flood Hazard Area: See Stormwater Management Report

Principal Use: See attached Use Variance Plan

	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) N/A

	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 _____

Result of decision _____

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

To be provided through testimony at hearing.

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

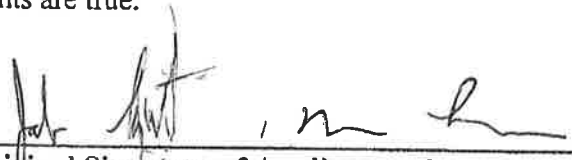
State of New Jersey
County of Monmouth

Jacob and Miriam D. Lipschitz

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)

Jacob Lipschitz Miriam D. Lipschitz

(Print Name of Applicant)

Sworn and subscribed before me this

13 day of September, 2021



Signature of Notary Public

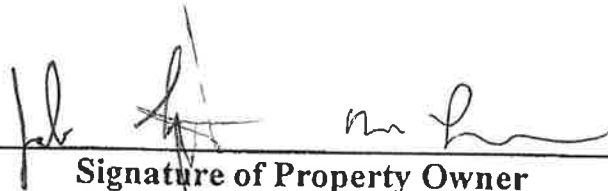
DEENA GESTETNER [NOTARY SEAL]
NOTARY PUBLIC
STATE OF NEW JERSEY
NO. 50110887 EXP. 08/16/2024

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: _____

9/2/21



Signature of Property Owner
Jacob Lipschitz Miriam D. Lipschitz

STATEMENT FROM TAX COLLECTOR

Block 3101 Lot 3

Property Location 3525 Highway 33, Neptune, NJ 07755

Status of municipal taxes _____

Status of assessments for local improvements _____

Date: _____

Authorized Signature of Tax Collector

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: Jacob and Miriam D. Lipschitz
[please print]

Property Address: 3525 Highway 33 Block 3101 Lot 3

Applicant's Name: Jacob Lipschitz / Miriam D. Lipschitz
[Print Name] 
[Signature of Applicant]

Owner's Name: Same
[Print Name] 
[Signature of Owner]

Date: 9/12/21

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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2. Twenty-five (25) copies of the property deed(s). |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. Twenty-five (25) copies of the Zoning Permit Denial [not required for subdivisions] |
| | | | | 4. Required Plans folded, no larger than 30"x42": |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 type="checkbox"/> | <input checked="" type="checkbox"/> | 5. Six (6) copies of Tree Removal Application package in accordance with Section §525 (if applicable). |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input 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 \$ 750.00 Escrow Deposit \$ 1,500.00 |

In accordance with fee schedule.

***We are requesting a waiver from the Tree Removal Application as part of the Use Variance Application. If approved, it will be provided during the Site Plan review process. We understand there are replacement and fee requirements for the clearing as part of this application and they will be determined as part of the site plan application.**

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

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

Application for Development Checklist ~ Part B

Plat Requirements

1. General Requirements:

- The site plan shall be signed and sealed by an architect, professional engineer, land surveyor, and/or professional planner licensed to practice in the State of New Jersey, provided however, that the sanitary sewer, water distribution, and storm drainage plans and water and sewage treatment facility plans may only be signed and sealed by a professional engineer licensed to practice in the State of New Jersey. In addition, the following must be submitted:
 - Site plan shall not be drawn at a scale smaller than 1"=50' and no larger than 1" = 10'
 - The site plan shall be based on a monumented, current certified boundary survey, prepared in accordance with New Jersey Administrative Code 13:40-5.1, "Preparation of Land Surveys" dated September 1984 and as amended. The date of the survey and the name of the individual who prepared the survey shall be shown on the site plan.

2. Title Block:

- The title block shall appear on all sheets in conformance with N.J.S.A. 45:8-27 et. seq. [Map filing law] and include the following:
 - Title to read "SITE PLAN"
 - Name of the development, if any
 - Tax map sheet, block and lot number[s] of the site, as shown on the latest Township Tax Map, the date of which shall also be shown.
 - Date of original and all subsequent revisions.
 - Names and addresses of owner and applicant/developer, so designated.
 - Name, signature, address and license number of the engineer, architect, land surveyor, or planner who prepared the plan with their embossed seal.

3. The following table shall be included on the first [1st] sheet of all plans submitted to the Planning Board or Zoning Board of Adjustment for Major Site Plan, Minor Site Plan, Major Subdivision, or Minor Subdivision: (PLEASE INCLUDE INFORMATION FOR EACH ZONE/BLOCK/LOT INVOLVED – ATTACH ADDITIONAL SHEETS AS NECESSARY)

ZONE DISTRICT:			
	<u>Required and/or Permitted</u>	<u>Existing</u>	<u>Proposed</u>
Minimum lot area			
Maximum density			
Maximum floor area ratio (FAR)			
Minimum lot width			
Minimum lot frontage			
Minimum lot depth			

	<u>Required and/or Permitted</u>	<u>Existing</u>	<u>Proposed</u>
Minimum front yard setback			
Minimum side yard setback			
Minimum combined side yard setback			
Minimum rear yard setback			
Maximum percent building cover			
Maximum percent lot cover			
Maximum number of stories			
Maximum building height			
Minimum improvable area			
Minimum improvable area – diameter of a circle [feet]			
Off-street parking spaces			
Loading spaces			
Signs			
Existing use or uses:			
Proposed use or uses:			
Existing floor area:			
Proposed floor area:			

NOTE: Any items that are not applicable to a particular application shall be marked with an “N/A”.

4. North arrow and written and graphic scale.
5. The tops of the banks and boundaries of the floodways and flood hazard areas of all existing water courses, where such have been delineated or the limits of alluvial soils where the boundaries of floodways and flood hazard areas have not been determined, and/or such other information as may assist the Planning and/or Zoning Board in the determination of floodway and flood hazard area limits.
6. Paving and right of way widths of existing streets within two hundred [200'] feet of the site.
7. The boundary, nature and extent of wooded areas, swamps, bogs and ponds within the site and within two hundred [200'] feet thereof and delineated of all wetlands soils as defined by the New Jersey Department of Environmental Protection and the U.S. Army Corp of Engineers.
8. Existing and proposed manholes, sewer lines, fire hydrants, water lines, utility poles and all other topographic features of a physical or engineering nature with the site and within two hundred [200'] feet thereof.
9. All existing structures on the site and within two hundred [200'] feet thereof including their use, indicating those to be destroyed or removed and those to remain.
10. Location, use, finished grade level, ground coverage, first floor and basement elevations, front, rear, and side setbacks of all buildings and other pertinent improvements.

11. Existing and proposed public easements or rights-of-way and the proposed use thereof, including conservation easements.
12. A grading plan showing existing and proposed grading contours at one [1'] foot intervals throughout the tract, except if slopes exceed five [5%] percent, a two [2'] foot interval may be used. If they exceed ten [10%] percent, a five [5'] foot interval is permissible. Datum shall be United States Coast and Geodetic Survey Datum [MSL=O] and source of datum and bench marks shall be noted. In addition to proposed grading contours, sufficient additional spot elevations shall be drawn to clearly delineate proposed grading.

13. On Site Drainage Plan:

- The drainage plan shall be presented in graphic form which shall clearly show the street and site layout and those terms which are pertinent to drainage including existing and proposed contours as previously required.
- The plan shall outline each area contributing to each inlet.
- All proposed drainage shall be shown with pipe type and sizes, invert and grade or rim elevations, grades and all direction of flow. The direction of flow of all surface waters and of all streams shall be shown.
- The drainage shall be accompanied by complete drainage calculations made in accordance with the Soil Conservation Service method.

14. Off Site Drainage Plan:

The plan shall also be accompanied by an off site drainage plan prepared in accordance with the following standards:

- The plan shall consist of an outline of the entire drainage basin in which the site is located. The terminus of the basin and existing ground contours or other basis for determining basin limits shall be shown.
- The pertinent off site existing drainage shall be shown with elevations of inverts and grates to the nearest one tenth of a foot.
- To the extent that information is available and maybe obtained from the County or Township Engineer, any existing plans for drainage improvements shall be shown.
- In the event a temporary drainage system is proposed, full plans of that system shall be shown.
- The off site drainage plans shall be accompanied by profiles of all proposed drainage, showing existing details, pipe sizes, type inverts, crowns, slopes, all proposed structures and connections and design hydraulic grade lines for all conduits designed to carry forty [40] or more cubic feet per second. Cross sections at intervals not exceeding one hundred [100'] feet shall be shown for all open channels.
15. If required by the Township Engineer, center line profiles of streets bordering the site, internal roadways, and major circulation aisles showing existing and final grades and slopes, and pipe sizes, type, inverts and grate or rim elevations of drainage and sanitary sewage facilities.

16. Soil Boring Logs:

Unless the Township shall determine that a lesser number of boring logs are required or that some or all the boring logs may be deferred to the final plan stage, the site plan shall be accompanied by a set of boring logs and soil analyses for borings made in accordance with the following:

- One boring not less than fifteen [15'] feet below grade or twenty [20'] feet minimum depth shall be made for every five [5] acres [or portion thereof] of land where the water table is found to be ten [10'] feet or more below proposed or existing grade at all boring locations.

- One additional boring shall be made per acre [or portion thereof] in those areas where the water table is found to be less than ten [10'] feet below proposed or existing grade.
- In addition to the above, in those areas where the water table is found to be five[5'] feet or less below existing or proposed grade, two additional borings per acres [or portion thereof] will be required if construction of basement is contemplated. Borings shall be located where such basements are proposed
- Boring logs shall show soil types and characteristics encountered, ground water depths, the methods and equipment used, the name of the firm, if any, making the borings and the name of the person in charge of the boring operation. The boring logs shall also show surface elevations to the nearest one tenth of a foot.
- Based on the borings, the site plan shall clearly indicate all areas having a water table within two [2'] feet of the existing surface of the land, or within two [2'] feet of proposed grade, of all areas within which two [2'] feet or more of fill is contemplated or has previously been placed.
- Certified soil tests as a basis for design standards for pavement, pipe, bedding, etc.
- 17. Zone boundaries and the tax map sheet, lot and block numbers and the names of owners of all properties within two hundred [200'] of the site.
- 18. A key map, at a scale of not less than one [1] inch equals one thousand [1,000] feet, showing the location of the site with reference to surrounding areas, existing streets, the names of all such streets and any zone boundary or municipal boundary which is within two hundred [200'] feet of the site.
- 19. The location, area, dimensions and proposed disposition of any area or areas of the site proposed to be retained as common open space, indicating the facilities to be provided in such areas.
- 20. The capacity of off-street parking areas, and the location and dimensions of all access drives, aisles and parking stalls. The location and treatment of existing and proposed entrances and exits to public rights of way, including the possible utilization of traffic signals, channelization, acceleration and deceleration lanes, additional width and any other device necessary for traffic safety and/or convenience, and the estimated average number of passenger vehicles, single-unit trucks or buses and semi-trailers that will enter the site each day.
- 21. Graphic depiction of the anticipated routes and details of the system of on-site vehicular and pedestrian circulation.
- 22. The location and size of proposed loading docks.
- 23. The location of curbs and sidewalks.
- 24. Cross sections showing the composition of pavement areas, curbs, and sidewalks.
- 25. Exterior lighting plan, including the location, direction of illumination, amount of illumination expressed in horizontal foot candles, wattage and drawn details of all outdoor lighting standards and features.
- 26. Landscaping and screening plan showing the location, type, spacing and number of each type of tree or shrub and the location, type and size, spacing and number of each type of ground cover to be utilized and planting details for trees, shrubs and/or ground cover.
- 27. Drawn details of the type of screening to be utilized for refuse storage areas, outdoor equipment and bulk storage areas.
- 28. Floor plans and building elevation drawings of any proposed structure or structures or existing structures to be renovated.

29. Location of facilities for the handicapped, including parking spaces and ramps [where applicable], and including construction details for ramps for the handicapped.

Sectionalization and staging plan:

30. Developers of large uses such as shopping centers, multifamily dwellings, industrial parks or other such uses proposed to be developed in stages shall submit Sectionalization and staging plan showing the following:
- The anticipated date of commencing construction of each section or stage.
 - Plans for separate construction emergency access for the project in order to avoid occupancy conflict.
31. Written description of the proposed operations in sufficient detail to indicate the effects of the use in producing traffic congestion, noise, glare, air pollution, fire hazards or safety hazards. The written description shall also include the hours of operation of the use, the number of shifts to be worked, the number of employees in each shift, the number of vehicles to be stored or parking on the site and provisions to be made for site maintenance.
32. Traffic analysis report and recommendations from a qualified traffic engineer.
33. Such other information as the Municipal Agency and/or Township Engineer may require during site plan review.
34. Use Group Classification of the building or structure.
35. Type of construction classification of building or structure to be erected, altered or extended, as defined by the International Residential Code or the International Building Code, New Jersey Edition.