

COMPLETENESS CHECKLIST for USE and/or BULK VARIANCES

§802B. Completeness Checklist for Use Variance and Bulk Variance Request. (Last revised by Ordinance No. 13-17.)

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

- C I N/A W* [C = Complete I = Incomplete N/A = Not Applicable W = Waiver Requested*]**
- | | | | | |
|-------------------------------------|--------------------------|-------------------------------------|-------------------------------------|---|
| <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: |
| | | | | <input checked="" type="checkbox"/> Applicant's name, address, telephone number, facsimile number and e-mail address. |
| | | | | <input checked="" type="checkbox"/> Property Owner's name, address, telephone number, facsimile number and e-mail address. |
| | | | | <input checked="" type="checkbox"/> Applicant's interest in the property. |
| | | | | <input checked="" type="checkbox"/> Name, address, telephone number, facsimile number and e-mail address of the Applicant's attorney (if represented), and any and all other professional representatives. |
| | | | | <input checked="" type="checkbox"/> Street address of property under consideration. |
| | | | | <input checked="" type="checkbox"/> Tax Block and Lot numbers of property. |
| | | | | <input checked="" type="checkbox"/> Zoning District in which 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 (i.e., Use Variance or Bulk Variance). |
| | | | | <input checked="" type="checkbox"/> Identification of subject property's 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"/> 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. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 4. Required plans, folded, no larger than 30" x 42". |
| | | | | PLEASE NOTE: Only folded plans will be accepted, and all submitted plans must be to scale. |
| <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 of site plans/construction plans with initial submission and with 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 site plans/construction plans, plus one (1) reduced-size paper copy of the plans (no larger than 11" x 17"), and one (1) CD containing the plans in .pdf format. |
| <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 §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 schedule. |
| | | | | PLEASE NOTE: Application Fee and Escrow Deposit must be paid in separate checks. |

*Any request for a waiver must include a written explanation for the request.

The information below roughly outlines the steps involved in processing an application for a Use and/or Bulk Variance:

After you submit your application, fees, and supporting documents, your application will be reviewed for completeness. At that time, you will receive notification advising you whether your application is “complete”. If your application is deemed “incomplete”, you will be asked to provide the additional information as outlined in the notification. If your application is deemed “complete”, you will receive a letter advising you of your scheduled hearing date.

When you receive your hearing letter, it will include further instructions regarding the process necessary to notify the public of your application, and the notice requirements for the newspaper.

PLEASE NOTE: It is helpful to the Board that you provide as much detailed information as possible regarding your proposal. Recent photographs of the entire structure/property, clearly showing front, sides and rear, are strongly suggested. In general, the Board can make its decision at the first meeting/hearing unless the Applicant has failed to provide sufficient information.

Once the Board has rendered a decision, a resolution will be prepared indicating the variance has been granted or denied; this resolution will be memorialized at the next scheduled meeting/hearing. Approximately two (2) to five (5) days after the memorialization of the resolution, it will be mailed to you or to your attorney (should you be represented by an attorney).

Following memorialization, you will be required to publish a “Notice of Decision” in the Township-approved newspaper – The Coaster, 111 Main Street, Asbury Park, NJ 07719. When placing your ad, you must request an “Affidavit of Publication”, the original “Affidavit of Publication” of your notice must be submitted to the Board Office once the Notice has been published.

Please be aware that any objector to your approval/denial has up to forty-five (45) days after your notice is published in the newspaper to file an appeal of the decision of the Board.

Please note that application fees are not refundable whether your application has been approved or denied; however, any unused portion of your escrow deposit will be refunded to you. A written request for such refund must be received by the Board Office in order to begin the refund process.

Should you have any questions or require assistance with the application process, please contact the Board Office either by phone (732-897-4162 .x. 204), or by email (kdickert@neptunetownship.org).

§ 1000 Application and Escrow Fees

A. Fee schedule. Every application for development shall be accompanied by a check payable to the municipality in accordance with the following schedule:

TABLE 10.1: APPLICATION FEES

Type of Application			Administrative Fee	
Appeals and Interpretations			\$100.00	
Appeal to Governing Body			\$250.00	
Conceptual/Informal Reviews			\$50.00	
Bulk Variances	Residential		\$100.00	
	Nonresidential		\$250.00 per variance	
Use Variances			\$750.00	
Conditional Use			\$500.00	
Subdivision	Minor		\$750.00	
	Major	<i>Preliminary</i>	\$750.00 plus \$75.00 per lot.	
		<i>Final</i>	\$500.00 plus \$40.00 per lot.	
Site Plan	Minor Site Plan		\$500.00	
	Major Site Plan	Residential	<i>Prelim</i>	\$750.00 plus \$60.00 per dwelling unit
			<i>Final</i>	50% of Preliminary
		Non-residential	<i>Prelim</i>	\$1,500.00 plus \$50.00 per acre, plus \$0.08 per square foot of proposed building area.
			<i>Final</i>	50% of preliminary
General Development Plan			\$2,000.00	
Certified List per MLUL 40:55D-12c.			\$10.00 or \$0.25/name, whichever is greater	
Special Meeting			\$1,500.00	
Resubmission or Revision Fee			\$100.00 or 40% of original fee, whichever is greater	
Tax Map Revisions			\$300.00 plus \$25.00 per lot or unit.	
Zone Change Request			\$250.00	
Appeal to the Township Committee			\$250.00	
Tree Removal Permit			For new residential building lots, \$25.00 dollars per tree, up to a maximum of \$300.00 per lot; For all other properties, \$25.00 per tree up to a maximum of \$600.00 for each acre.	
Zoning Permit			\$35.00	
Historic Preservation Commission Certificate of Appropriateness			\$10.00	
Certification of Pre-existing Nonconforming Use (from Administrative Officer or Zoning Board of Adjustment)			\$100.00 per use.	
Research Letter (from Administrative Officer)			\$75.00	
Extension of Approvals			\$250.00	
Soil Removal			\$100.00 per lot.	
Historic Preservation Commission Demolition (partial or total)			\$25.00	

TABLE 10.2: ESCROW FEES

Type of Application				Escrow
Appeals and Interpretations				\$750.00
Conceptual/Informal Board Review				\$750.00
Conceptual/Informal Technical Review				\$1,500.00
Bulk Variances	Residential			\$200.00
	Residential Requiring Engineering Review			\$750.00
	Nonresidential			\$1,250.00
Use Variances				\$1,500.00
Conditional Use				\$2,000.00
Subdivision	Minor			\$4,500.00
	Major		<i>Preliminary</i>	0-5 lots - \$4,500 6-24 lots - \$6,000 25-100 lots - \$8,000 101+ - \$10,000
			<i>Final</i>	50% of Preliminary
	Minor Site Plan			\$1,500.00
Site Plan	Major Site Plan	Residential	<i>Prelim</i>	\$2,500.00 plus \$25.00 per dwelling unit
			<i>Final</i>	50% of preliminary
		Non-residential	<i>Prelim</i>	\$2,500.00 plus 0-5,000 sf - \$1,500.00 5,001-10,000 sf - \$3,500.00 10,001 - 25,000 sf - \$6,500.00 25,001-75,000 sf - \$8,500.00 75,000 sf + - \$10,000.00
			<i>Final</i>	50% of preliminary
General Development Plan				Same as Preliminary Site Plan
Certified List				None
Special Meeting				\$500.00
Resubmission or Revision Fee				40% of original fee.
Administrative Approval of Changes				\$500.00 per change.
Appeal to the Township Committee				None
Issuance of a Permit in Certain Areas				\$200.00
Tree Removal Permit				\$500.00
Zoning Permit/Certificate of Appropriateness				None
Historic Preservation Commission Demolition				\$1,800.00
Review of Architectural elevations by Township Architect (if required by Planning or Zoning Board Officials)				\$1,500.00
Certification of Pre-existing Nonconforming Use (from Administrative Officer or Zoning Board of Adjustment)				None
Extension of Approvals				\$1,000.00
Treatment Works Approval				\$500.00
Soil Removal				\$100.00 for review of an application by the Township Engineer and inspection of the site, plus \$0.05 per sq. foot of area disturbed due to the removal of soil
Plot Plan/Grading Plan and As-built Survey Review				\$750.00 per lot

B. Purpose of fees. The application charge is a flat fee to cover direct administrative expenses and is non-refundable. The escrow account is established to cover the costs of professional services including engineering, legal, planning and other expenses connected with the review of the submitted materials. In accordance with N.J.S.A. 40:55D-53 and N.J.S.A. 40:55D-53.1, sums not utilized in the review process shall be returned to the applicant upon written request. If additional sums are deemed necessary, the applicant shall be notified by certified mail or personal service of the required additional amount and shall add such sum to the escrow. Payment shall be due from the applicant within fifteen (15) days of receipt of the notice. If payment is not received within fifteen (15) days, the applicant shall be considered to be in default, and such default may be grounds for denial of the application.

C. More than one request. Where one application for development includes several approval requests, the sum of the individual required fees shall be paid.

D. Costs of review and inspection. Each applicant for subdivision or site plan approval shall agree in writing to pay all reasonable costs for professional review of the application, including costs incurred with any informal review of a concept plan which may have preceded the submission of a preliminary application. Additionally, each applicant shall agree in writing to pay all reasonable costs for the municipal inspection of the constructed improvements. All such costs for review and inspection must be paid before any construction permit is issued and all remaining costs must be paid in full before any occupancy issued or bonding is released.

E. Court reporter. If an applicant desires a court reporter, the cost of taking testimony and transcribing it and providing a copy of the transcript to the municipality shall be at the expense of the applicant who shall arrange for the reporter's attendance. The municipality provides for the tape recording of the proceedings before the Board.

F. Waiver of fees for affordable housing. Notwithstanding any other provision of this Ordinance, a waiver of municipal subdivision and site plan application fees, and zoning permit fees may be granted by the approving municipal agency for all housing units being provided by the applicant for low and moderate income families.

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 Place of Worship/K-8 School to Place of Worship/Pre-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 Neptune Township Land Development 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 #: 609-406-7400 Fax #: _____ Cell #: _____
E-mail Address: jcahill@dioceseoftrenton.org
6. Interest of Applicant, if other than Owner: _____
7. Name of Contact Person: Michael W. Herbert, Esq. and Alena Hyatt, 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 #: 908-256-9575
E-mail Address: mherbert@parkermccay.com; ahyatt@parkermccay.com
8. Applicant's Attorney: _____ Company: _____
Mailing Address: _____
Phone #: _____ Fax #: _____ Cell #: _____
E-mail Address: _____
9. Applicant's Engineer: _____ Company: _____
Mailing Address: _____
Phone #: _____ Fax #: _____ Cell #: _____
E-mail Address: _____
10. Applicant's Architect: _____ Company: _____
Mailing Address: _____
Phone #: _____ Fax #: _____ Cell #: _____
E-mail Address: _____
11. Applicant's Surveyor: _____ Company: _____
Mailing Address: _____
Phone #: _____ Fax #: _____ Cell #: _____
E-mail Address: _____
12. Applicant's Planner: _____ Company: _____
Mailing Address: _____
Phone #: _____ Fax #: _____ Cell #: _____
E-mail Address: _____

DESCRIPTION OF PROPERTY (e.g., Single Family Dwelling, Commercial/Retail):

Existing use of property: Church and Public K-8 School
 Proposed use of property: Church and Public Pre-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 for each.)

ACCESSORY (if applicable):

	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 for each.)

8. Have there been any previous applications to the Planning Board or Board of Adjustment involving these premises?

YES NO

If YES, please give date(s): Application for two principal uses and to use premises as K-8 school, adopted 10/7/2020, memorialized 11/4/2020.

Result of decision: _____

9. Justification/reason(s) for variance(s) requested. (Be as specific as possible; attach additional sheets if necessary.):

Application for two principal uses and to use premises as K-8 school approved with conditions.

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 W. Herbert on behalf of College Achieve

(Insert Applicant's Name)

being of full age, being duly sworn according to

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

[Signature]
(Original Signature of Applicant to be Notarized)

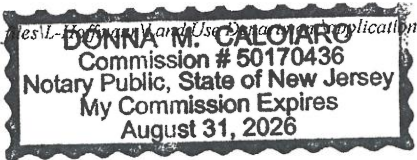
College Achieve
(Print Name of Applicant)

Sworn and subscribed before me this

6th day of April, 2023

[NOTARY SEAL]

[Signature]
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]

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 College Achieve
(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)

Michael W. Herbert Esq. on behalf of
College Achieve
(Original Signature of Owner to be Notarized)

Sworn and subscribed before me this
6th day of April, 2023

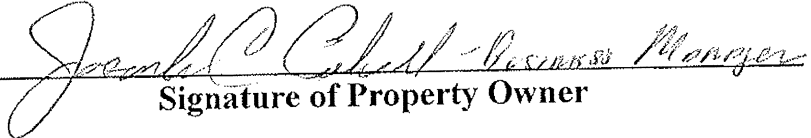
[NOTARY SEAL]


Signature of Notary Public

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

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 Feed, 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: _____
[please print]

Property Address: _____ Block _____ Lot _____

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

Owner's Name: Joseph C. Colville _____
[Print Name] [Signature of Owner] *Joseph C. Colville Business Manager*

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 pre-kindergarten to 12 grade 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 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 it 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 Pre-Kindergarten and 9-12, in addition to students in grades Kindergarten-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 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 Pre-Kindergarten and 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.