

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>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>ONLY FOLDED PLANS WILL BE ACCEPTED</u>
				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 (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 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]
				4. Required Plans folded, no larger than 30"x42":
		<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"/>	b. Five (5) copies with initial submission and each subsequent submission for completeness review.
		<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 checked="" type="checkbox"/>	<input 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"/>	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>1000</u> Escrow Deposit \$ <u>2,500</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.

The Process:

After you submit your application, fees, and supporting documents, your application will be reviewed for completeness. At that time, you will receive a letter in the mail advising you whether or not your application is “complete”. If your application is deemed “incomplete”, please provide the additional information requested contained in the “incomplete” letter. If your application is deemed “complete”, the letter will advise you of your hearing date.

It is helpful to the Board that you provide as much detailed information as possible regarding your proposal. Recent photos of the structure as it exists; showing front, sides, and rear of the property.

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

In general, the Board can make their decision at the first meeting/hearing unless the applicant has failed to provide sufficient information.

Once the Board has made a decision, a resolution will be prepared indicating the variance has been granted/denied, and then memorialized at the following hearing/meeting. 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).

You will be required to public a notice in the newspaper of the “Decision of the Board”. Publication can be done in the Township approved newspaper – the Coaster, 111 Main Street, Asbury Park, New Jersey 07719. The original “Affidavit of Publication” of your notice must be submitted to the Board Office once the publication has been published.

Also, please be aware than an objector of your application/approval has up to forty-five (45) days after your notice is published in the newspaper to file an appeal on the decision of the Board.

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

Again if you have any questions or require assistance with the process, please contact the Board Office at 732-988-5200 Ext. 278.

§ 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	Preliminary		\$750.00 plus \$75.00 per lot.
		Final		\$500.00 plus \$40.00 per lot.
Site Plan	Minor Site Plan			\$500.00
	Major Site Plan	Residential	Prelim	\$750.00 plus \$60.00 per dwelling unit
			Final	50% of Preliminary
		Non-residential	Prelim	\$1,500.00 plus \$50.00 per acre, plus \$0.08 per square foot of proposed building area.
			Final	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

Revised 08/27/07

25 Neptune Boulevard • Neptune, New Jersey 07753

Tel. 732.988.5200 • Fax 732.988.0062 • www.neptunetownship.org

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	Preliminary	0-5 lots - \$4,500 6-24 lots - \$6,000 25-100 lots - \$8,000 101+ - \$10,000	
		Final	50% of Preliminary	
		Minor Site Plan		\$1,500.00
Site Plan	Major Site Plan	Residential	Prelim \$2,500.00 plus \$25.00 per dwelling unit Final 50% of preliminary	
		Non-residential	Prelim \$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 Final 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	

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- 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 Please see attached.

- Bulk Variance [Lot Coverage] _____
- Use Variance [proposal not permitted in zone] _____
- Appeal/Interpretation of Decision _____
- Other, Specify _____

1. Property Address: 75 South Main Street, Neptune, NJ 07753
2. Block 306 Lot 7
3. Property is located in B-1 Town Commercial Zoning District according to the Neptune Twp. Land Ordinance.
4. Name of applicant: Rite Aid of New Jersey, Inc.
Mailing address: P.O. Box 3165, Harrisburg, Pennsylvania 17105
Phone # (856) 217-8431 Fax # _____ Cell # _____
E-mail address: Michael.Lazar@riteaid.com
5. Name of owner: West Grove Square Associates LLC
Mailing address: 3899 Route 516, Old Bridge, NJ 08857
Phone # _____ Fax # _____ Cell # _____
E-mail address: _____
6. Name of contact person: William F. Harrison, Esq. at Genova Burns LLC
Mailing address: 494 Broad Street, Newark, New Jersey 07102
Phone # (973)535-4430 Fax # (973)533-1112 Cell # _____
E-mail address: wharrison@genovaburns.com
7. Interest of applicant, if other than owner: Lessee

Detailed Information:

- Existing use of property: Retail Shopping Center, application is for the pharmacy only.
- Proposed use of property: N/A there will be no change in use of the property.
- Special Flood Hazard Area: No

Principal Use:

	Required and/or Permitted	Existing	Proposed
Lot Size	min 15,000 sf	6.934 acres	No Change
Lot Coverage	80% max.	75.6%	No Change
Building Coverage	35% max.	17.7%	No Change
Building Height	48ft max.	1 story	No Change
Front Setback	15ft	62.18ft	No Change
Rear Setback	20ft.	N/A	N/A
Side Setback	0/10ft	N/A	N/A
Combined Side Setback	25ft.		

(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 #19 was heard and approved on June 21, July 5 and July 19, 2000.
 Result of decision granted approval for shopping center site plan and signage.

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

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

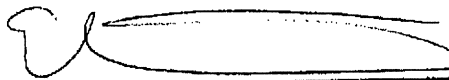
Rite Aid of New Jersey, Inc. being of full age, being duly sworn according to
(Insert Applicant's Name)

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


(Original Signature of Applicant to be Notarized)

MICHAEL LAZAR
(Print Name of Applicant)

Sworn and subscribed before me this
3rd day of August, 2021


Signature of Notary Public

ELIZABETH GREEN
Notary Public
State of New Jersey
My Commission Expires Mar. 21, 2022
I.D.# 50057181

[NOTARY SEAL]

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, West Grove Square Associates LLC, WITH MAILING ADDRESS OF
(Insert Property Owner's Name)

3899 ROUTE 516 OLD BRIDGE, NJ, 08857 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) 306 LOT(S) 7
ALSO KNOWN AS 25-75 South Main Street, Neptune, NJ
(Insert physical address of the subject property)

I/WE AUTHORIZE Rite Aid of New Jersey, Inc.
(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).

FREDDY ROJAS
NOTARY PUBLIC OF NEW JERSEY
ID # 50048963
My Commission Expires Nov. 3, 2021

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

(Original Signature of Owner to be Notarized)

Sworn and subscribed before me this

19 day of August, 20 21

[Signature]
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: 8/19/21 _____  _____
Signature of Property Owner

STATEMENT FROM TAX COLLECTOR

Block 306 Lot 7

Property Location 25-75 South Main Street, Neptune, NJ

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: Rite Aid of New Jersey, Inc.
[please print]

Property Address: 75 South Main Street Block 306 Lot 7

Applicant's Name: MICHAEL LAZAR 
[Print Name] [Signature of Applicant]

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

Date: 8-19-21

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.

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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: Rite Aid of New Jersey, Inc.
[please print]

Property Address: 75 South Main Street Block 306 Lot 7

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

Owner's Name: STEVEN B. STAN _____
[Print Name] [Signature of Owner]
Steven B. Stan
Marygy M...

Date: 8/19/21