



| For Office Use Only | |
|---|--------------------------|
| Date Filed: _____ | Appl. No.: _____ |
| Appl. Fee: \$ _____ | Escrow Deposit: \$ _____ |
| Check One: | |
| <input type="checkbox"/> Zoning Board of Adjustment | |
| <input type="checkbox"/> Planning Board | |

Revision Date: 7/2020

TOWNSHIP OF NORTH BRUNSWICK

Variance Application (FORM C)

The original and fourteen (14) copies of the completed application form supplied by the Township and the required number of copies of supporting documents listed in the applicable checklist must be filed with the Department of Community Development. If a waiver is being requested for any item on the checklist, it must be noted in the "waiver requested" section, and each item must be listed by checklist number and a detailed reason for the request must be provided. Any application that does not include an item required by the checklist, and for which a waiver has not been requested, will be automatically deemed incomplete.

All applications must be accompanied by appropriate fees and escrow deposits together with a written explanation of the amount calculations. Separate application fee and escrow deposit checks must be provided.

In addition to submittal of hard copies of documents, copies of all applications, surveys, plans, reports and studies, such as environmental impact, traffic, stormwater, sewer and water reports, and any other documents associated with the application, shall be submitted on a CD in portable document format (pdf) at 400 x 400 dpi. Submittal of such digital copies shall be required to constitute an application for development, and all revised files shall be resubmitted as the originals are changed or amended. Every electronic submission must be accompanied by a cover letter listing all attached documents and any revisions, where applicable. Single-family or two-family homeowners preparing variance applications on their own behalf shall not be subject to this electronic submission requirement, provided that such applications do not require site plan or subdivision approval.

The following proof of satisfying the notice requirements must be filed with the Secretary of the appropriate Board at least five (5) days prior to the date fixed for the hearing:

- Affidavit of Service
- Copy of notice served
- Certified List of Property Owners within 200 feet and others served with manner of service
- Certified Mail receipts stamped by the USPS
- Affidavit of Publication from the newspaper in which the notice was published.

PART I

SUBJECT PROPERTY:

Block 143 Lot(s) 24.06 (formerly Lot 24.05) Zone (1)-R
 Property Location 100 Fidelity Plaza North Brunswick, NJ
 Size of Property _____

Present Use: ☐ Residential ☒ Non-Residential ☐ Vacant
Proposed Use: ☐ Residential ☒ Non-Residential Specify: _____

CONTACTS:

Applicant: ☐ Corporation ☐ Partnership ☐ Individual
☒ Other/Explain Limited Liability Company

Name: Route 130 Fidelity Plaza (E) North Brunswick Land Holdings, LLC

Address: 3400 West Chester Pike, Suite 100, Newton Square, PA

Telephone: (610) 810-3290 Fax: 866-710-1953

Email: eric@catalystex.com

Owner (if different from Applicant):

Name: North Brunswick Business Park, LLC

Address: 371 Hoes Lane, ^{Ste 201} Piscataway, New Jersey 08854 - Suite 201

Telephone: (732) 470-3714 Fax: (800) 811-6670

Email: Kumar.Bhavanasi@first-tek.com

Engineer:

Name: Hammer Land Engineering

Address: 1707 Atlantic Avenue, Suite R2, Manasquan, New Jersey 08736

Telephone: (732) 899-0898 Fax: (888) 712-4519

Email: msousa@hammerengineering.com

Attorney:

Name: Steven M. Hambro, Esq.

Address: 12 Stults Road, Suite 104, Dayton, New Jersey

Telephone: (609) 409-0500 Fax: (609) 409-0102

Email: shambro@hambromitchell.com

PART II

Describe the Proposed Development/Request (continue on a separate sheet if necessary):

Development of a Monument Display sign approximately 20' in height [referenced at Section 205-105 as per Advertising Structure (billboard)] by the Route 130 entrance to Fidelity Plaza, serving as a municipal gateway to the Township's Route 130 corridor from the north; and integrating a visual communication platform to promote activities and events of the Township of North Brunswick, as well as emergency and commercial messaging. The proposed Monument Display incorporating the above messaging differs from the type of structures envisioned by North Brunswick's Ordinance (§205-102 and 105 et seq.) and, accordingly, variance relief to accommodate this proposal is requested.

VARIANCE(S) REQUESTED (Check all that apply):

X - "C" Variance(s):

X - C(1) - The strict application of the provisions of Chapter 205 would result in peculiar and exceptional practical difficulties or exceptional and undue hardship.

X- C(2) - The purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment.

X - "D" Variance(s): Section 205-102A (D(1)) and 205-103(D)

X - D(1) - Use or principal structure in a district restricted against such use or principal structure.

☐ D(2) - Expansion of a nonconforming use.

☐ D(3) - Deviation from a specification or standard pertaining solely to a conditional use.

☐ D(4) - Increase in the permitted floor area ratio.

☐ D(5) - Increase in the permitted density.

☐ D(6) - Height of a principal structure exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure.



ASSOCIATED APPROVALS REQUESTED:

Site Plan:

- ☒ Site Plan
- ☐ Amended Site Plan
- ☐ Conditional Use

Subdivision:

- ☐ Minor Subdivision
- ☐ Preliminary Major Subdivision
- ☐ Final Major Subdivision
- ☐ Amended Preliminary Major Subdivision
- ☐ Amended Final Major Subdivision

☐ Other (specify): _____

A change to a nonpermitted use shall require a site plan approval or, as a minimum, a site plan waiver request. Such request may be considered by the Board, and, if granted, will constitute an acknowledgment by the Board that the condition of the property is satisfactory and meets the requirements of Chapter 205. No site plan waiver will be granted if the condition of the property is not satisfactory in such matters as traffic, circulation, access, parking, lighting, setbacks, lot coverage, safety, landscaping, buffer, fire safety, noise or other requirements of Chapter 205

Is a site plan waiver requested? ☐ YES ☒ NO

☐ If a site plan waiver is sought, explain why the request shall be granted:

Is the application proposed to be bifurcated? ☐ YES ☒ NO

If bifurcated, identify the nature of subsequent development approvals to be sought:

Identify Requested Variances:

| | | |
|--|--|---|
| Ordinance Section: §205- 81A, 102A&103D | <u>Requirement:</u> Specified permitted uses in O-R Zone. Not a permitted use. Signs to be related to premises or advertising a product not sold on the premises, etc. | <u>Proposed Deviation:</u> Monument Display (sign or advertising structure) provides for community services messaging and commercial messaging unrelated to the premises. |
|--|--|---|



| | | |
|---------------|--|--|
| §205- 105I(2) | No Advertising Structure within 20' of Lot Line | Monument Display located 17.5' from the Lot Line and Route 130 |
| §205- 105I(8) | No Advertising Structure within 500' of Residential Zone | Monument Display within 500' of Residential Zone - Opposite side of Route 130 and 300+ feet to South |
| §205- _____ | _____ | _____ |
| §205- _____ | _____ | _____ |
| §205- _____ | _____ | _____ |
| §205- _____ | _____ | _____ |
| §205- _____ | _____ | _____ |
| §205- _____ | _____ | _____ |
| §205- _____ | _____ | _____ |
| §205- _____ | _____ | _____ |
| §205- _____ | _____ | _____ |

Identify Requested Design Waivers:

| Ordinance Section: | Requirement: | Proposed Deviation: |
|--------------------|--------------|---------------------|
| §205- _____ | _____ | _____ |
| §205- _____ | _____ | _____ |
| §205- _____ | _____ | _____ |
| §205- _____ | _____ | _____ |
| §205- _____ | _____ | _____ |
| §205- _____ | _____ | _____ |
| §205- _____ | _____ | _____ |

"C" Variance(s) (Check one that applies):

☒ A variance under N.J.S.A. 40:55D-70.C(1):

Detail your argument for how this case conforms to this requirement, including, if applicable, reference to exceptional narrowness, shallowness or shape of the property, or exceptional topographic conditions or physical features uniquely affecting the property, or extraordinary and exceptional situations uniquely affecting the property or the structures lawfully existing thereon:

The property is unique in size, shape and having access along both Route 130 and Route 1 and yet not being a retail property like the adjoining shopping center. Wetlands restrictions on site limit the available

location for the monument display proposed and the



2.5 foot deviation from the Lot Line setback is consistent with existing signage and is necessary in order to maintain site lines to the roadway, which is essential for community messaging and emergency services. This proposal is also unique in that there is no traffic, noise, pedestrians, or actual buildings requiring heating, water or sewer services. The proposal includes public benefits for the community at large and public service and emergency messaging and serves as North Brunswick Township's gateway with Township logo, seal and messaging for township and local businesses on a high traffic gateway corridor.

☒ A variance under N.J.S.A. 40:55D-70.C(2):

Detail your argument for how this case conforms to this requirement: The benefits of the deviation from the Ordinance substantially outweigh the detriments and the purposes of the MLUL are advanced by the proposal, particularly 40:55D-2(a-c), g&h, i.e., promotion of the public health safety and general welfare safety for fire, flood, panic and other disasters, provide adequate light, air and open space, sufficient space for variety of uses and promotes a desirable visual event through creative development, techniques and good civic design, etc.

D Variance(s):

State special reasons why the refusal to allow the project would impose on the applicant an undue hardship and/or how the proposed project carries out a purpose of zoning as defined in N.J.S. 40:55D-2. Detail your argument for 1) how the proposed use inherently serves the public good, and/or 2) why the property cannot reasonably be adapted to a conforming use, and/or 3) what unique characteristics of the site make it particularly appropriate for the proposed use rather than a permitted use: The property and more specifically, the specific location of this proposal is particularly suited for this use and promotes the purposes of zoning (40:55D-2) as set forth above. The specific locations as a gateway to the Township Route 130 corridor in conjunction with the township, community and public service/emergency messaging are unique to this location as travelers enter or leave the Route 130 corridor.

C and D Variance(s):

Supply a statement of facts why relief can be granted without substantial detriment to the public good: There is substantial benefit to the public good resulting from community, township and public service and emergency messaging, in coordination with the township community, in accordance with the township and community. ~~Diminutive impact and nothing~~ negative as the proposed structure is attractive and does not negatively impact from a lighting or traffic standpoint.

Supply a statement of facts why relief can be granted without substantial detriment to the intent and purpose of the zone plan and zoning ordinance: This type of attractive Monument Display/Community platform and the benefits to the public was not anticipated by the Township's Ordinance restrictions in Section 205-102 & 105 et seq. and the substantial benefits attendant with this proposal. The use is appropriate in that it fits into the location and will not cause harm to the intent and purposes of the zone plan or ordinance.



PART III

Has there been any previous application to any Township Board involving these premises?

☒ YES ☐ NO

If yes, provide file number(s) and state the nature, date and disposition of said matter:

Minor Subdivision Application #2578, Planning Board Resolution of Approval, adopted on

July 17, 2018. Subsequent Resolution Extending Time to Perfect/File Deeds.

Is public water available?

☒ YES ☐ NO

If no, how will water service be supplied? N/A

Is public sewer available?

☒ YES ☐ NO

If no, provide proposed method of sewage disposal: N/A

Are there any existing deed restrictions, easements or covenants?

☒ YES ☐ NO * Does not impact or affect this location.

If yes, are copies provided? ☒ NO ☐ YES

Are any deed restrictions, easements or covenants contemplated?

☐ YES ☒ NO

If yes, are copies provided?

☐ YES ☐ NO

Does the owner own or have any ownership interest in any contiguous property?

☒ YES ☐ NO

If yes, provide type of ownership, address, block and lot(s): The owner also owns other lots which were part of the "Fidelity Plaza property". Lots 24.02, 24.03, 24.06 and 24.07

LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:

| Quantity: | Description of Item: |
|-----------|---|
| <u>15</u> | <u>Site Plan entitled "North Brunswick Route 130 Gateway Sign (six sheets SP-01-06), prepared by Hammer Land Engineering.</u> |
| <u>15</u> | <u>WTA Waiver Plan - EX-01, prepared by Hammer Land Engineering.</u> |
| <u>15</u> | <u>Storm Water Management Narrative, prepared by Hammer Land Engineering.</u> |
| <u>15</u> | <u>Architectural Renderings of Monument Style Sign</u> |
| <u>15</u> | <u>Schematic Design of Monument Style Sign</u> |



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DISCLOSURE OF OWNERS OF CORPORATION OR PARTNERSHIP:

A corporation or partnership applying to a Board for permission to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes shall list the names and addresses of all stockholders or individual partners owning at least 10% of its stocks of any class or at least 10% of the interest in the partnership, as the case may be, as required by N.J.S.A. 40:55D-48.1. Applications which do not comply with N.J.S.A. 40:55D-48.1 et seq. will be deemed incomplete.

Name: Thaddeus J. Bartkowski III Address: PO Box 1421, Malvern, PA 19355

Name: Patrick Wolfington Address: 857 Miller Avenue, Bryn Mawr, PA 19100

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Applicant's Signature:


Patrick Wolfington, Authorized Member

Date:

11/16/20



ESCROW FUNDS AGREEMENT:

The Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) authorizes the collection of Technical Review Escrow Fees to cover the costs incurred by the Township for professional services involved in the review of land use development applications. Subsection 205-139 of the North Brunswick Township Land Use Ordinance establishes the amount of Technical Review Escrow Fees and the procedures for collecting and replenishing same. I hereby acknowledge and agree to the following: 1) I am responsible for the cost of all reasonable professional services rendered to the Planning Board or Board of Adjustment during the review and processing of my development application. 2) If I receive a written Deficiency Notice from the Chief Financial Officer or his/her designee (CFO) that the balance of funds remaining in the account is insufficient to cover invoices, vouchers or bills submitted to the Township for services which have already been performed, no further consideration, review or processing of the application will be permitted until such time as the funds requested in the Deficiency Notice have been deposited, and this cessation of work could result in carrying my application to the next regularly scheduled public meeting of the designated land use agency. 3) Failure to deposit the amount requested in the Deficiency Notice within ten days of receipt shall toll the period for action by the Planning Board or Board of Adjustment as stipulated in N.J.S.A. 40:55D-1 et seq., and shall bar me from seeking a default approval under N.J.S.A. 40:55D-10.4. 4) Failure to post funds requested in the Deficiency Notice within 45 days shall be grounds for dismissal of my application without prejudice, and I acknowledge that failure to pay the shortfall shall result in the shortfall being deemed a lien on the property which is subject of the land development application. 5) In the event that my application is approved and a Deficiency Notice is received after the approval is memorialized, failure to pay the shortfall amount shall be grounds for voiding the approval. 6) In the event that my application is denied and a Deficiency Notice is received after the denial is memorialized, I am still obligated to pay any shortfall amount, and I acknowledge that failure to pay the shortfall shall result in the shortfall being deemed a lien on the property which is subject of the land development application.

Applicant's Signature: _____

Patrick Wolfington, Authorized Member

Date: _____

11/16/21

Owner's Signature (if different from Applicant): _____

Date: _____

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ESCROW FUNDS AGREEMENT:

The Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) authorizes the collection of Technical Review Escrow Fees to cover the costs incurred by the Township for professional services involved in the review of land use development applications. Subsection 205-139 of the North Brunswick Township Land Use Ordinance establishes the amount of Technical Review Escrow Fees and the procedures for collecting and replenishing same. I hereby acknowledge and agree to the following: 1) I am responsible for the cost of all reasonable professional services rendered to the Planning Board or Board of Adjustment during the review and processing of my development application. 2) If I receive a written Deficiency Notice from the Chief Financial Officer or his/her designee (CFO) that the balance of funds remaining in the account is insufficient to cover invoices, vouchers or bills submitted to the Township for services which have already been performed, no further consideration, review or processing of the application will be permitted until such time as the funds requested in the Deficiency Notice have been deposited, and this cessation of work could result in carrying my application to the next regularly scheduled public meeting of the designated land use agency. 3) Failure to deposit the amount requested in the Deficiency Notice within ten days of receipt shall toll the period for action by the Planning Board or Board of Adjustment as stipulated in N.J.S.A. 40:55D-1 et seq., and shall bar me from seeking a default approval under N.J.S.A. 40:55D-10.4. 4) Failure to post funds requested in the Deficiency Notice within 45 days shall be grounds for dismissal of my application without prejudice, and I acknowledge that failure to pay the shortfall shall result in the shortfall being deemed a lien on the property which is subject of the land development application. 5) In the event that my application is approved and a Deficiency Notice is received after the approval is memorialized, failure to pay the shortfall amount shall be grounds for voiding the approval. 6) In the event that my application is denied and a Deficiency Notice is received after the denial is memorialized, I am still obligated to pay any shortfall amount, and I acknowledge that failure to pay the shortfall shall result in the shortfall being deemed a lien on the property which is subject of the land development application.

Applicant's Signature: _____

Patrick Wolfington, Authorized Member

Date: _____

11/16/20

Owner's Signature (if different from Applicant): _____

Date: _____

11/17/20



SITE INSPECTION AUTHORIZATION

I hereby give permission for North Brunswick professional staff or municipal agencies and their agents to come upon and inspect these premises with respect to this application.

Owner's Signature: _____ Date: _____
Satyakumar Bhavanasi, Manager, North Brunswick Business Park, LLC

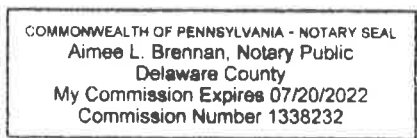
APPLICANT'S CERTIFICATION:

I, Patrick Wolfington, Authorized Member, of full age, being duly sworn according to law and upon my oath, depose that: I have a business address of 400 West Chester Pike, Ste. 100 Newton Square in the _____ County of Delaware and State of Pennsylvania, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the individual applicant, or a general partner of the partnership applicant, or an officer of the corporate applicant, and I am authorized to sign the application for the partnership or corporation.


SIGNATURE
Patrick Wolfington, Authorized Member

Sworn to and subscribed before
me this 16 day of
November, 2020

Aimee L Brennan
NOTARY PUBLIC



OWNER'S CERTIFICATION (If the owner is a corporation, this section must be signed by an authorized corporate officer. If the owner is a partnership, this section must be signed by a general partner):

I, Satyakumar Bhavanasi, of full age, being duly sworn according to law and upon my oath depose that: I have a business address of 371 Hoes Lane, Ste 201, Piscataway Township in the _____ County of Middlesex and State of New Jersey, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the owner in fee of all that certain lot, piece or parcel of land

SITE INSPECTION AUTHORIZATION

I hereby give permission for North Brunswick professional staff or municipal agencies and their agents to come upon and inspect these premises with respect to this application.

Owner's Signature: _____

Satyakumar Bhavanasi

Date: _____

11/17/20

Satyakumar Bhavanasi, Manager, North Brunswick Business Park, LLC

APPLICANT'S CERTIFICATION:

I, Patrick Wolfington, Authorized Member, of full age, being duly sworn according to law and upon my oath, depose that: I have a business address of 400 West Chester Pike, Ste. 100 Newton Square in the County of Delaware and State of Pennsylvania, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the individual applicant, or a general partner of the partnership applicant, or an officer of the corporate applicant, and I am authorized to sign the application for the partnership or corporation.

Patrick Wolfington
SIGNATURE

Patrick Wolfington, Authorized Member

Sworn to and subscribed before
me this 16 day of

November, 2020

Aimee L. Brennan
NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA - NOTARY SEAL
Aimee L. Brennan, Notary Public
Delaware County
My Commission Expires 07/20/2022
Commission Number 1338232

OWNER'S CERTIFICATION (If the owner is a corporation, this section must be signed by an authorized corporate officer. If the owner is a partnership, this section must be signed by a general partner):

I, Satyakumar Bhavanasi, of full age, being duly sworn according to law and upon my oath depose that: I have a business address of 371 Hoos Lane, Ste. 201, Piscataway Township in the County of Middlesex and State of New Jersey, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the owner in fee of all that certain lot, piece or parcel of land

situated lying and being in the municipality aforesaid, and known and designated as Block(s) _____ and Lot(s) _____ 21 On (Annually) or 20-25- _____, and that I am either the applicant or I have authorized the applicant to make this application, and I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

Mariam Faisal

Sworn to and subscribed before
me this 11 day of November
2020



SIGNATURE
Satyakumar Bhavani, Manager, North
Brunswick Business Park, LLC

NOTARY PUBLIC

Mariam Faisal
Notary Public
State of New Jersey
Comm. Expires on
September 27, 2021



For Office Use Only

Date Filed: _____ Appl. No.: _____
Appl. Fee: \$ _____ Escrow Deposit: \$ _____

Check One:

- ☐ Zoning Board of Adjustment
☐ Planning Board

Revision Date: 9/2020

TOWNSHIP OF NORTH BRUNSWICK

Site Plan/Conditional Use Application (FORM A)

The original and fourteen (14) copies of the completed application form supplied by the Township and the required number of copies of supporting documents listed in the applicable checklist must be filed with the Department of Community Development. If a waiver is being requested for any item on the checklist, it must be noted in the "waiver requested" section, and each item must be listed by checklist number and a detailed reason for the request must be provided. Any application that does not include an item required by the checklist, and for which a waiver has not been requested, will be automatically deemed incomplete.

All applications must be accompanied by appropriate fees and escrow deposits together with a written explanation of the amount calculations. Separate application fee and escrow deposit checks must be provided.

In addition to submittal of hard copies of documents, copies of all applications, surveys, plans, reports and studies, such as environmental impact, traffic, storm water, sewer and water reports, and any other documents associated with the application, shall be submitted on a CD in portable document format (pdf) at 400 × 400 dpi. Submittal of such digital copies shall be required to constitute an application for development, and all revised files shall be resubmitted as the originals are changed or amended. Every electronic submission must be accompanied by a cover letter listing all attached documents and any revisions, where applicable.

The following proof of satisfying the notice requirements must be filed with the Secretary of the appropriate Board at least five (5) days prior to the date fixed for the hearing:

- Affidavit of Service
- Copy of notice served
- Certified List of Property Owners within 200 feet and others served with manner of service
- Certified Mail receipts stamped by the USPS
- Affidavit of Publication from the newspaper in which the notice was published.

PART I

SUBJECT PROPERTY:

Block 143 Lot(s) 24.06 (formerly 24.05) Zone Q-R
Property Location 100 Fidelity Plaza, North Brunswick, New Jersey
Size of Property _____

Present Use: ☐ Residential ☒ Non-Residential ☐ Vacant
Proposed Use: ☐ Residential ☒ Non-Residential Specify: Installation of a sign on
commercial property

CONTACTS:

Applicant: ☐ Corporation ☐ Partnership ☐ Individual
☒ Other/Explain Limited Liability Company

Name: Route 130 Fidelity Plaza (F) North Brunswick Land Holdings, LLC

Address: 3400 West Chester Pike, Suite 100, Newton Square, PA 19073

Telephone: 610-810-3290 Fax: 866-710-1953

Email: eric@catalystex.com

Owner (if different from Applicant):

Name: North Brunswick Business Park, LLC

Address: 371 Hoes Lane, ^{Ste 201} Piscataway, New Jersey 08854

Telephone: 732-470-3744 Fax: 800-811-6670

Email: Kumar.Bhuvanasi@firsttek.com

Engineer:

Name: HammerLand Engineering

Address: 1707 Atlantic Avenue, Suite 132, Manasquan, New Jersey 08736

Telephone: 732-899-0898 Fax: 888-712-4519

Email: msousa@hammerengineering.com

Attorney:

Name: Steven M. Hambro, Esq

Address: 12 Stults Road, Suite 104, Dayton, New Jersey 08810

Telephone: 609-409-0500 Fax: 609-409-0102

Email: shambro@hambromitchell.com

PART II

TYPE OF APPROVAL REQUESTED (Check all that apply):

- ☒ Site Plan
- ☐ Amended Site Plan
- ☐ Conditional Use

ASSOCIATED APPROVALS REQUESTED:

Variances:

(Complete and attach Form C, Part II)

- ☒ "C" Variance(s)
- ☒ "D" Variance(s)

Subdivision:

(Complete and attach Form B, Part II)

- ☐ Minor Subdivision
- ☐ Preliminary Major Subdivision
- ☐ Final Major Subdivision
- ☐ Amended Preliminary Major Subdivision
- ☐ Amended Final Major Subdivision

☐ Other (specify): _____

Describe Proposed Development (continue on a separate sheet if necessary):

Development of a monument style communication platform by the Route 130 entrance to Fidelity Plaza serving as a Township gateway communications platform integrating community, public services, emergency and commercial messaging. The proposed communication platform structure incorporating the above messaging differs from the type of structures anticipated by North Brunswick's Ordinance (Section 205-102 et. seq.) and, accordingly, variance relief to accommodate this proposal is requested. (aka "The Offices at Campus Point")

PART III

Has there been any previous application to any Township Board involving these premises?

☒ YES ☐ NO

If yes, provide file number(s) and state the nature, date and disposition of said matter:

Minor Subdivision Application #2578, Planning Board Resolution of Approval, adopted on
July 17, 2018. Subsequent Resolution Extending Time to Perfect/File Deeds.

Is public water available?

☒ YES ☐ NO

If no, how will water service be supplied? N/A

Is public sewer available?

☒ YES ☐ NO

If no, provide proposed method of sewage disposal N/A

Are there any existing deed restrictions, easements or covenants?

☒ YES ☐ NO

If yes, are copies provided?

YES

☒ NO * Does not impact or
affect this location.

Are any deed restrictions, easements or covenants contemplated?

☐ YES ☒ NO

If yes, are copies provided?

☐ YES ☐ NO

Does the owner own or have any ownership interest in any contiguous property?

☒ YES ☐ NO

If yes, provide type of ownership, address, block and lot(s): The owner also owns other lots which
were part of the "Fidelity Plaza project", Block 143, Lots 24 02, 24 03 and 24 07.

LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:

| Quantity: | Description of Item: |
|-----------|---|
| <u>15</u> | <u>Site Plan entitled "North Brunswick Route 130 Gateway" (six sheets SP-01-06),</u> <u>prepared by Hammer Land Engineering.</u> |
| <u>15</u> | <u>WTA Waiver Plan - EX 01, prepared by Hammer Land Engineering.</u> |
| <u>15</u> | <u>Storm Water Management Narrative, prepared by Hammer Land Engineering.</u> |
| <u>15</u> | <u>Architectural Renderings of Monument Style Communication Platform</u> |
| <u>15</u> | <u>Schematic Design of Monument Style Communications Platform</u> |



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DISCLOSURE OF OWNERS OF CORPORATION OR PARTNERSHIP:

A corporation or partnership applying to a Board for permission to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes shall list the names and addresses of all stockholders or individual partners owning at least 10% of its stocks of any class or at least 10% of the interest in the partnership, as the case may be, as required by N.J.S.A. 40:55D-48.1. Applications which do not comply with N.J.S.A. 40:55D-48.1 et seq. will be deemed incomplete.

| | |
|---|--|
| Name: <u>Thaddeus J. Bartkowski III</u> | Address: <u>PO Box 1421, Malvern, PA 19355</u> |
| Name: <u>Patrick Wolfington</u> | Address: <u>857 Miller Avenue, Bryn Mawr, PA 19100</u> |
| Name: _____ | Address: _____ |
| Name: _____ | Address: _____ |
| Name: _____ | Address: _____ |
| Name: _____ | Address: _____ |
| Name: _____ | Address: _____ |
| Name: _____ | Address: _____ |
| Name: _____ | Address: _____ |
| Name: _____ | Address: _____ |

Applicant's Signature:  Date: 11/16/20
Patrick Wolfington, Authorized Member



ESCROW FUNDS AGREEMENT:

The Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) authorizes the collection of Technical Review Escrow Fees to cover the costs incurred by the Township for professional services involved in the review of land use development applications. Subsection 205-139 of the North Brunswick Township Land Use Ordinance establishes the amount of Technical Review Escrow Fees and the procedures for collecting and replenishing same. I hereby acknowledge and agree to the following: 1) I am responsible for the cost of all reasonable professional services rendered to the Planning Board or Board of Adjustment during the review and processing of my development application. 2) If I receive a written Deficiency Notice from the Chief Financial Officer or his/her designee (CFO) that the balance of funds remaining in the account is insufficient to cover invoices, vouchers or bills submitted to the Township for services which have already been performed, no further consideration, review or processing of the application will be permitted until such time as the funds requested in the Deficiency Notice have been deposited, and this cessation of work could result in carrying my application to the next regularly scheduled public meeting of the designated land use agency. 3) Failure to deposit the amount requested in the Deficiency Notice within ten days of receipt shall toll the period for action by the Planning Board or Board of Adjustment as stipulated in N.J.S.A. 40:55D-1 et seq., and shall bar me from seeking a default approval under N.J.S.A. 40:55D-10.4. 4) Failure to post funds requested in the Deficiency Notice within 45 days shall be grounds for dismissal of my application without prejudice, and I acknowledge that failure to pay the shortfall shall result in the shortfall being deemed a lien on the property which is subject of the land development application. 5) In the event that my application is approved and a Deficiency Notice is received after the approval is memorialized, failure to pay the shortfall amount shall be grounds for voiding the approval. 6) In the event that my application is denied and a Deficiency Notice is received after the denial is memorialized, I am still obligated to pay any shortfall amount, and I acknowledge that failure to pay the shortfall shall result in the shortfall being deemed a lien on the property which is subject of the land development application.

Applicant's Signature:

Patrick Wolfington, Authorized Member

Date:

11/16/20

Owner's Signature (if different from Applicant):

Suryakumar Bhavanasi Manager North Brunswick Business Park, LLC

Date:

Kumar Bhavanasi,

Page 6 of 11

Manager, North Brunswick Business Park, LLC

ESCROW FUNDS AGREEMENT:

The Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) authorizes the collection of Technical Review Escrow Fees to cover the costs incurred by the Township for professional services involved in the review of land use development applications. Subsection 205-139 of the North Brunswick Township Land Use Ordinance establishes the amount of Technical Review Escrow Fees and the procedures for collecting and replenishing same. I hereby acknowledge and agree to the following: 1) I am responsible for the cost of all reasonable professional services rendered to the Planning Board or Board of Adjustment during the review and processing of my development application. 2) If I receive a written Deficiency Notice from the Chief Financial Officer or his/her designee (CFO) that the balance of funds remaining in the account is insufficient to cover invoices, vouchers or bills submitted to the Township for services which have already been performed, no further consideration, review or processing of the application will be permitted until such time as the funds requested in the Deficiency Notice have been deposited, and this cessation of work could result in carrying my application to the next regularly scheduled public meeting of the designated land use agency. 3) Failure to deposit the amount requested in the Deficiency Notice within ten days of receipt shall toll the period for action by the Planning Board or Board of Adjustment as stipulated in N.J.S.A. 40:55D-1 et seq., and shall bar me from seeking a default approval under N.J.S.A. 40:55D-10.4. 4) Failure to post funds requested in the Deficiency Notice within 45 days shall be grounds for dismissal of my application without prejudice, and I acknowledge that failure to pay the shortfall shall result in the shortfall being deemed a lien on the property which is subject of the land development application. 5) In the event that my application is approved and a Deficiency Notice is received after the approval is memorialized, failure to pay the shortfall amount shall be grounds for voiding the approval. 6) In the event that my application is denied and a Deficiency Notice is received after the denial is memorialized, I am still obligated to pay any shortfall amount, and I acknowledge that failure to pay the shortfall shall result in the shortfall being deemed a lien on the property which is subject of the land development application.

Applicant's Signature: _____

Patrick Wolfington, Authorized Member

Date: 11/16/20

Owner's Signature (if different from Applicant): _____

Sanyokanar Bhavanathi Manager North Brunswick Business Park, LLC

Date: 11/17/20

Kumar Bhavanathi,

Page 6 of 11
Manager, North Brunswick Business Park, LLC



SITE INSPECTION AUTHORIZATION

I hereby give permission for North Brunswick professional staff or municipal agencies and their agents to come upon and inspect these premises with respect to this application.

Owner's Signature: _____ **Date:** _____
Satyakumar Bhavanasi, Manager, North Brunswick Business Park, LLC

APPLICANT'S CERTIFICATION:

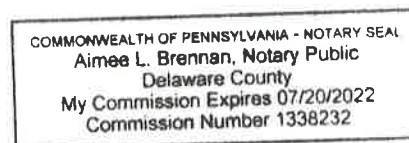
I, Patrick Wollington, Authorized Member, of full age, being duly sworn according to law and upon my oath, depose that: I have a business address of 400 West Chester Pike, Ste. 100 Newton Square in the _____ County of Delaware and State of Pennsylvania and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the individual applicant, or a general partner of the partnership applicant, or an officer of the corporate applicant, and I am authorized to sign the application for the partnership or corporation.

Sworn to and subscribed before
me this 16 day of

November, 2020

Aimee L Brennan
NOTARY PUBLIC


SIGNATURE
Patrick Wollington, Authorized Member



OWNER'S CERTIFICATION (If the owner is a corporation, this section must be signed by an authorized corporate officer. If the owner is a partnership, this section must be signed by a general partner):

I, Satyakumar Bhavanasi, of full age, being duly sworn according to law and upon my oath depose that: I have a business address of 371 Hoes Lane, Ste 201, Piscataway Township in the County of Middlesex and State of New Jersey and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the owner in fee of all that certain lot, piece or parcel of land

SITE INSPECTION AUTHORIZATION

I hereby give permission for North Brunswick professional staff or municipal agencies and their agents to come upon and inspect these premises with respect to this application.

Owner's Signature: _____

Satyakumar Bhavnani, Manager, North Brunswick Business Park, LLC

Date: _____

11/7/20

APPLICANT'S CERTIFICATION:

I, Patrick Wolfington, Authorized Member, of full age, being duly sworn according to law and upon my oath, depose that: I have a business address of 400 West Chester Pike, Ste. 100 Newton Square in the County of Delaware and State of Pennsylvania and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the individual applicant, or a general partner of the partnership applicant, or an officer of the corporate applicant, and I am authorized to sign the application for the partnership or corporation.

Sworn to and subscribed before me this 16 day of

November, 2020

Aimee L. Brennan
NOTARY PUBLIC

SIGNATURE

Patrick Wolfington, Authorized Member

COMMONWEALTH OF PENNSYLVANIA - NOTARY SEAL
Aimee L. Brennan, Notary Public
Delaware County
My Commission Expires 07/20/2022
Commission Number 1338232

OWNER'S CERTIFICATION (If the owner is a corporation, this section must be signed by an authorized corporate officer. If the owner is a partnership, this section must be signed by a general partner):

I, Satyakumar Bhavnani, of full age, being duly sworn according to law and upon my oath depose that I have a business address of 371 Hogg Lane, Ste. 201, Piscataway Township in the County of Middlesex and State of New Jersey and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the owner in fee of all that certain lot, piece or parcel of land

situated, lying and being in the municipality aforesaid, and known and designated as Block(s)
[4] and Lots) 14.06 (Lottery 1 on 21-22)

and that I am either the applicant or I have authorized the applicant to make this application, and
I agree to be bound by the application, the representations made and the decision in the same
manner as if I were the applicant.

Mariam Faisal

Signed in and subscribed before
me this 17 day of November
2020



SIGNATURE
Satyankumar Bhavsani, Manager, North
Brunswick Business Park, LLC

NOTARY PUBLIC

Mariam Faisal
Notary Public
State of New Jersey
Comm. Expires on
September 27, 2021

LAND USE

205 Attachment 1

Township of North Brunswick

Appendix A Site Plan Completeness Checklist (To be completed by applicant) [Amended 5-15-2006 by Ord. No. 06-09]

| | Submitted | Waiver Requested | N/A | |
|-----|-----------|---------------------|---------------|---|
| 1. | <u>X</u> | <u> </u> | <u> </u> | Original and 14 copies of application forms. |
| 2. | <u>X</u> | <u> </u> | <u> </u> | Application form signed and notarized. |
| 3. | <u>X</u> | <u> </u> | <u> </u> | Owner consent. |
| 4. | <u>X</u> | <u> </u> | <u> </u> | 15 complete sets of plans (site plan, lighting, details, etc.) shall be submitted, together with 15 reduced copies of plans measuring 11 inches by 17 inches. |
| 5. | <u>X</u> | <u> </u> | <u> </u> | Application fee. |
| 6. | <u>X</u> | <u> </u> | <u> </u> | Escrow fee. |
| 7. | <u>X</u> | <u> </u> | <u> </u> | Signed escrow transmittal form. |
| 8. | <u>X</u> | <u> </u> | <u> </u> | Signed authorization form. |
| 9. | <u>X</u> | <u> </u> | <u> </u> | Three complete "Tax and Assessment Payment Report" forms which will be forwarded to the Collector of Revenue office for verification that no delinquent taxes or assessments are due. |
| 10. | <u>X</u> | <u> </u> | <u> </u> | Survey of property which is less than 1 year old prepared by a New Jersey Licensed Land Surveyor showing: <ul style="list-style-type: none"> a. Boundaries of the property. b. Building and setback lines and the lines of all existing streets, roads, reservations, easements, rights-of-way and areas dedicated to public use, within 200 feet of the property. c. Title, reference meridian, scale. d. Name and address of record owner. e. Name, address, professional license number and seal of the surveyor who prepared the survey. |

NORTH BRUNSWICK CODE

The following shall be on the plans submitted:

| | Submitted | Waiver Requested | N/A | |
|-----|-----------|---------------------|-------|--|
| 11. | <u>X</u> | _____ | _____ | Key map showing site and its relation to surrounding area. Map shall be at a scale of not less than one inch equals 1,000 feet. Names of all streets and Township boundaries within 500 feet shall be shown. |
| 12. | <u>X</u> | _____ | _____ | Plans certified by appropriate professional as stipulated by N.J.S.A. 45:8, N.J.A.C. 13:40-7.1 et seq. |
| 13. | <u>X</u> | _____ | _____ | Date (of original and revisions), scale, and North arrow. |
| 14. | <u>X</u> | _____ | _____ | Zone data, including zone district and tax map block, lot and street number. |
| 15. | <u>X</u> | _____ | _____ | Location of all existing and proposed buildings or structures with spot elevations. |
| 16. | <u>X</u> | _____ | _____ | Names of all owners of record of all adjoining property, and property directly across the street or streets from the property involved, and the block and lot numbers of all the property shown on the plan. |
| 17. | <u>X</u> | _____ | _____ | Existing and proposed contours at 1-foot intervals based on National Geodetic Vertical Datum 1929 to determine general slope and natural drainage of the land. Where necessary to evaluate drainage, the Board shall require contours to be shown for all lands within 200 feet of the property in question. |
| 18. | <u>X</u> | _____ | _____ | Existing and proposed easements. |
| 19. | <u>X</u> | _____ | _____ | The location of all existing watercourse, wooded areas, rights-of-way, streets, roads, highways, freeways, railroads, canals, rivers, buildings, structures or any other feature directly on the property or beyond the property if such feature has an effect upon the use of said property. |
| 20. | <u>X</u> | _____ | _____ | All existing schools and zoning district boundaries within 200 feet of the property. Such features shall be shown on a separate map or as a key map on the detailed map itself. |

LAND USE

| | Submitted | Waiver Requested | N/A | |
|-----|-----------|---------------------|----------|---|
| 21. | <u>X</u> | _____ | _____ | The distances, as measured along the center lines of existing streets abutting the property to the nearest intersection with any public street. |
| 22. | <u>X</u> | _____ | _____ | Location of existing edge of pavement and proposed edge of pavement of all roadways abutting site. |
| 23. | <u>X</u> | _____ | _____ | Location of all existing and proposed storm drainage structures and utility lines, including telephone, power, water, sewer, gas, etc., whether publicly or privately owned, with pipe sizes, grades and direction of flow. |
| 24. | <u>X</u> | _____ | _____ | Proposed use or uses of land and buildings, including outdoor storage. |
| 25. | <u>X</u> | _____ | _____ | Size and location of all driveways and curb cuts. |
| 26. | <u>X</u> | _____ | _____ | Cross sections and construction details of all streets, pavement, curb, sidewalks and walkways. |
| 27. | _____ | _____ | <u>X</u> | Parking and loading layout. |
| 28. | _____ | _____ | <u>X</u> | Total number of parking or loading spaces. |
| 29. | _____ | _____ | <u>X</u> | Dimensions of parking or loading spaces, aisles and parking islands. |
| 30. | _____ | _____ | <u>X</u> | Interior traffic and pedestrian circulation. |
| 31. | <u>X</u> | _____ | _____ | Percent total impervious coverage. |
| 32. | <u>X</u> | _____ | _____ | Percent total building coverage. |
| 33. | <u>X</u> | _____ | _____ | Building dimensions. |
| 34. | <u>X</u> | _____ | _____ | Area, finished floor elevation and height of proposed and existing building or structures. |
| 35. | _____ | _____ | <u>X</u> | Preliminary architectural plans for proposed buildings, including building elevations (each side) indicating materials and colors to be used in construction, height and general design or architectural styling. |
| 36. | <u>X</u> | _____ | _____ | Location, direction of illumination and intensity of all outdoor lighting. Type if fixture and height of lighting area to be indicated and isolux lines are to be superimposed on the plan. |

NORTH BRUNSWICK CODE

| | Submitted | Waiver Requested | N/A | |
|-----|---------------|---------------------|---------------|--|
| 37. | <u>X</u> | <u> </u> | <u> </u> | Manufacturer's catalogue cut sheet for proposed lighting. |
| 38. | <u>X</u> | <u> </u> | <u> </u> | The location, size, materials, illumination and construction details of existing and proposed signs. |
| 39. | <u>X</u> | <u> </u> | <u> </u> | Existing and proposed screening and landscaping, including a planting plan, with quantity, species, caliper and location of planting noted in accordance with § 205-106. |
| 40. | <u> </u> | <u> </u> | <u>X</u> | The location of and identification of proposed open spaces, parks or other recreation areas. |
| 41. | <u>X</u> | <u> </u> | <u> </u> | Name, address, professional license number and seal of the architect, engineer, planner or surveyor preparing the site plan. |
| 42. | <u> </u> | <u> </u> | <u>X</u> | Refuse enclosure location and detail. |
| 43. | <u> </u> | <u> </u> | <u>X</u> | Fencing detail. |
| 44. | <u> </u> | <u> </u> | <u>X</u> | Percolation test and soil log results (if applicable) certified by New Jersey Licensed Professional Engineer. |
| 45. | <u> </u> | <u> </u> | <u>X</u> | Soils Report, including location of seasonal high ground water table. |
| 46. | <u>X</u> | <u> </u> | <u> </u> | Evidence of soil erosion and sediment control plan submittal to Freehold Soil Conservation Service (if soil disturbance meets or exceeds 5,000 square feet). |
| 47. | <u> </u> | <u> </u> | <u>X</u> | Evidence of submittal to New Jersey Department of Transportation for Access Permit and Drainage Permit (Routes 1, 27 and 130 properties only). |
| 48. | <u> </u> | <u> </u> | <u>X</u> | Traffic study, including anticipated traffic volumes, capacity of existing or proposed roads traffic impact on road network and need for traffic improvements. |
| 49. | <u> </u> | <u> </u> | <u>X</u> | Evidence of submittal to New Jersey Department of Environmental Protection for stream encroachment permit (if applicable). |

LAND USE

| | Submitted | Waiver Requested | N/A | |
|-----|-------------------|---------------------|-------------------|--|
| 50. | <u>X</u> | <u> </u> | <u> </u> | A Letter of Interpretation from New Jersey Department of Environmental Protection Freshwater Wetlands Division, including evidence that notice was given to the Municipal Clerk pursuant to N.J.S.A. 13:9B. If the New Jersey Department of Environmental Protection deems that wetlands are present, or the applicant does not receive a response to its request for a Letter of Interpretation, the applicant shall show such areas on a survey of the property, prepared by a Licensed Surveyor of the State of New Jersey. |
| 51. | <u>X</u> | <u> </u> | <u> </u> | Evidence of submittal to Middlesex County Planning Board (if on county road or involving county drainage structure). |
| 52. | <u>X</u> | <u> </u> | <u> </u> | Stormwater Management Report. |
| 53. | <u>X</u> | <u> </u> | <u> </u> | Statement of the steps to be taken by the applicant to eliminate any drainage problems which may be caused by the development of the site and to mitigate impact from prior upstream development. |
| 54. | <u> </u> | <u> </u> | <u>X</u> | Copy of any protective covenants or deed restrictions that are intended to cover all or any part of the tract. |
| 55. | <u> </u> | <u> </u> | <u>X</u> | "Letter of Intent" detailing size of proposed building, proposed use, number of tenants, number of employees, anticipated hours of operation, traffic, etc. for multifamily residential developments. The applicant shall determine whether the dwelling units are going to be offered for sale, for rent or for both sale and rent. |
| 56. | <u>X</u> | <u> </u> | <u> </u> | Such other items and information pertaining to the site as the Planning and Engineering Departments reasonably determine would be necessary or helpful to the Planning or Zoning Board in reviewing the application. |
| 57. | <u> </u> | <u> </u> | <u>X</u> | Staging plan for any area that will be developed in stages, a total development plan must be submitted in accordance with this section. |

NORTH BRUNSWICK CODE

| | Submitted | Waiver Requested | N/A | |
|-----|-------------------|---------------------|-----------------|---|
| 58. | <u> </u> | <u> </u> | <u>X</u> | Location of 100-year flood limit as depicted on current State of New Jersey, Department of Environmental Protection, Bureau of Flood Plain Management, Delineation of Floodway and Flood Hazard Area Map. If stream has not been studied, then a copy of the application for floodplain delineation to NJDEP Land Use Regulation Program should be provided, if applicable. |



TAX AND ASSESSEMENT PAYMENT REPORT

APPLICATION # _____

RECEIVED _____

Under the provisions of N.J.S.A. 40:44D-39e and N.J.S.A. 40:44D-65h, an applicant for development of land must submit proof that no taxes or assessments for local improvements are due or delinquent on the property stated below.

The Applicant shall complete Section I and submit 3 copies of this form with the application for development. The forms will be forwarded to the Tax Collector for verification that no delinquent taxes or assessments are due.

Developers are cautioned that additional assessments may be levied where a structure is present.

SECTION I (to be completed by the Applicant/Owner)

I, Route 130 Fidelity Plaza (E) North Brunswick, resident at have a business address of 3400 West Chester Pike,
Land Holdings, LLC
Suite 100, Newton Square, PA, and I am making an application to the Planning

Board/Zoning Board of Adjustment for the development of the property located at
100 Fidelity Plaza, Block(s) 143 Lot(s) 24.06,

in the O-R Zoning District, whose owner of record is North Brunswick Business Park LLC,
~~residing at~~ having a business address of 371 Hoes Lane, Suite 201, Piscataway, NJ 08854.

This tract was formerly subdivided on July 30, 2020 (Original Block(s) 143,
Lot(s) 24.06). I acquired interest in this property on _____.

I request for the Tax Collector to determine whether there are any delinquent and/or assessments due.

Applicant's Signature: [Signature]

Date: 11/17/20

SECTION II (to be completed by the Tax Collector)

I find that: ☐ All taxes due have been paid
☐ All assessments due have been paid
☐ The following are delinquent and past due:

Tax Collector's Signature: _____

Date: _____



STORMWATER MANAGEMENT NARRATIVE

North Brunswick Route 130 Gateway Sign

Block 143, Lot 24.06

300 Fidelity Plaza, Township of North Brunswick, Middlesex County, New Jersey

HAMMER# 20141

The property is known as Lot 24.06 in Block 143 in the Township of North Brunswick, Middlesex County, New Jersey. The property is bounded to the north and east by existing retail establishments, to the west and south by residential dwellings. Additionally, the property is bounded by New Jersey State Highways Route 1 and Route 130 to the north and south respectively. The property consists of approximately 87.03 acres and is currently developed with existing office buildings, daycare center, associated parking and driveways, and open space areas. The proposed project includes adding a ground mounted sign along a portion of the Route 130 (south east) facing property line.

Regarding Stormwater Management, the project will disturb less than one (1) acre and provide less than one-quarter (1/4) acre of new impervious area, therefore this project is not classified as a "Major Development" by the NJDEP Stormwater Management Regulations contained in NJAC 7:8. Therefore, stormwater detention, water quality and groundwater recharge is not required for this project.

The proposed disturbance for this project is approximately 0.13 acres (5,746 square feet). The new impervious area is approximately 0.02 acres (926 square feet), therefore the increase in impervious area to the site is of a de minimis quantity. In addition, the existing drainage patterns of the site have not been altered. No stormwater management is proposed for this project in accordance with NJAC 7:8.

Due to the project disturbing less than one (1) acre, negligible increase of impervious area and not altering the drainage pattern of the property, this proposed project will not have an adverse impact to the existing on-site stormwater systems or the surrounding lands.

A handwritten signature in blue ink, appearing to read "Michael D. Sousa", is written over a horizontal line.

Michael D. Sousa, PE
NJ Professional Engineer License # 55283

November 11, 2020

x:\20141 catalyst ex nb\project management\reports\2020-08-11 sw narrative.docx



State of New Jersey

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Land Use Regulation
Mail Code 501-02A

P.O. Box 420
Trenton, New Jersey 08625-0420
www.nj.gov/dep/landuse

CATHERINE R. McCABE
Commissioner

February 14, 2019

Raymond Walker, PhD
Maser Consulting, P.A.
331 Neman Springs Road
Suite 203
Red Bank, New Jersey 07701

Re: Request to amend a Freshwater Wetlands Letter of Interpretation
DLUR File No. 1215-09-0003.2FWW140001
Block: 143; Lots: 24.02, 24.03, & 247.04
Township of North Brunswick; Middlesex County

Dear Dr. Walker:

On February 9, 2015, the Division of Land Use Regulation issued a Freshwater Wetlands Letter of Interpretation for the referenced property. Through a letter dated November 9, 2018, you asked the Division to reclassify some of the onsite wetland features from intermediate resource value to ordinary resource value. Based upon an inspection of the property by Division staff on January 16, 2019, the Division hereby reclassifies the following features from intermediate resource value to the following resource value classification:

The following field points delineate ditches of ordinary resource value.

- Field points N-7 through N-15, N-20- through N-21, N-24 through N-28.
- Field points G-1 through G-20.
- Field points M-9 through M-12, Q-1 through Q-4, and E-60 through E-68.
- Field points H-1 through H-6 was classified in the referenced Letter of Interpretation as ordinary resource value. That classification remains in effect, but this letter shall clarify that this feature is a ditch.

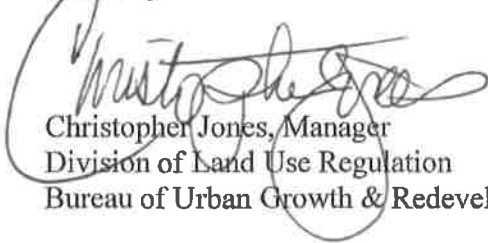
The following field points are swales of ordinary resource value:

- Field points E-86-A through E86-W to E-87 was classified in the referenced Letter of Interpretation as an ordinary resource value wetland. That classification remains in effect, but this letter shall clarify that this feature is a swale.
- Field points J-1 through J-16 delineates a swale of ordinary resource value.
- Field points I-1 through I-14.

Transition areas are not required adjacent to ordinary resource value wetlands. Please note that the original issuance and expiration dates of the Letter of Interpretation remain unchanged.

You may contact Joslin Tamagno at (609) 98-6216 or at Joslin.Tamagno@dep.nj.gov if you have any questions concerning this letter.

Sincerely,



Christopher Jones, Manager
Division of Land Use Regulation
Bureau of Urban Growth & Redevelopment

C: North Brunswick Township Clerk
North Brunswick Township Construction Official



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Land Use Regulation

CATHERINE R. McCABE
Commissioner

SHEILA Y. OLIVER
Lt. Governor

Mail Code 501-02A
P.O. Box 420

April 6, 2020

North Brunswick Business Park, LLC
c/o Mr. Kumar Bhavanasi
1551 S. Washington Avenue,
Suite 402A
Piscataway, NJ 08854

RE: Authorization for Freshwater Wetlands Letter of Interpretation - Extension
LUR File No.: 1215-09-0003.2
Activity Number: FWW200001
Applicant: North Brunswick Business Park, LLC
Block: 143 Lots: 24.02, 24.03 and 24.04
Township of North Brunswick, Middlesex County

Dear Mr. Bhavanasi:

The Division of Land Use Regulation (Division) issued an original Freshwater Wetlands Letter of Interpretation (LOI) for the referenced site on February 9, 2015, which was then amended on February 14, 2019. You had requested that this LOI be extended in accordance with the requirements at N.J.A.C. 7:7A-4.6.

After review of the most recently updated resource value information and site conditions, the Division hereby extends the original LOI and amendment letter without modification to February 8, 2025, which is five years from expiration of the original LOI. Please be advised that the resource value classification of the wetlands on the property is subject to change if new information is received by the Division.

Please be advised that any surface water features on the site or adjacent to the site may possess flood hazard areas and/or riparian zones and development within these areas may be subject to the Flood Hazard Area Control Act rules at N.J.A.C. 7:13. The Department can verify the extent of flood hazard areas and/or riparian zones through a flood hazard area verification under the application procedures set forth at N.J.A.C. 7:13-5.1.

Appeal Process

In accordance with N.J.A.C. 7:7A-21, any person who is aggrieved by this decision may request a hearing within 30 days of the date the decision is published in the DEP Bulletin by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, Mail Code 401-04L, P.O. Box 402, 401 East State Street, 7th Floor, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist found at www.state.nj.us/dep/landusc/forms. Hearing requests received after 30 days of publication notice may be

denied. The DEP Bulletin is available on the Department's website at www.state.nj.us/dep/bulletin. In addition to your hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see the website www.nj.gov/dep/odr for more information on this process.

Please contact Michael Prihoda of our staff by e-mail at michael.prihoda@dep.nj.gov or (609) 984-6216 should you have any questions regarding this letter. Be sure to indicate the Department's file number in all communication.

Sincerely,



Joslin C. Tamagno
Environmental Supervisor, ES4
Bureau of Urban Growth and Redevelopment
Division of Land Use Regulation

c: Township of North Brunswick Clerk
Township of North Brunswick Construction Official
Mr. Raymond Walker, Maser Consulting, Agent



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Land Use Regulation
Mail Code 501-02A, P. O. Box 420
Trenton, New Jersey 08625-0420
www.nj.gov/dep/landuse

CHRIS CHRISTIE
Governor

KIM GUADAGNO
J.L. Governor

BOB MARTIN
Commissioner

C. Anthony Nelson
First State Investors 3300, LLC
550 Blair Mill Road, Suite 120
Horsham, PA 19044

FEB 09 2015

RE: Freshwater Wetlands Letter of Interpretation: Line Verification
File No.: 1215-09-0003.2
Activity Number: FWW140001
Applicant: First States Investors 3300, LLC
Block: 143 Lots: 24.02, 24.03 and 24.04
North Brunswick Township, Middlesex County

Dear Mr. Nelson:

This letter is in response to your request for a Freshwater Wetlands Letter of Interpretation to have Division of Land Use Regulation (Division) staff verify the boundary of the freshwater wetlands, transition area and/or State open waters on the referenced property.

In accordance with agreements between the State of New Jersey Department of Environmental Protection, the U.S. Army Corps of Engineers Philadelphia and New York Districts, and the U.S. Environmental Protection Agency, the NJDEP, the Division is the lead agency for establishing the extent of State and Federally regulated wetlands and waters. The USEPA and/or USACOE retain the right to reevaluate and modify the jurisdictional determination at any time should the information prove to be incomplete or inaccurate.

Based upon the information submitted, and upon site inspections conducted by Division staff on October 23, 2014 and December 16, 2014, the Division has determined that the wetlands and waters boundary line(s) as shown on the plan map entitled: "WETLAND LOCATION SURVEY FOR GRAMERCY PROPERTY TRUST 100-300 FIDELITY PLAZA, BLOCK 143, LOTS 24.02, 24.03, AND 24.04, TOWNSHIP OF NORTH BRUNSWICK, MIDDLESEX COUNTY, NEW JERSEY", Sheet Number 1 of 1, dated 8/21/14, last revised 1/15/15, and prepared by Michael F. Burns of Maser Consulting, PA, is accurate as shown.

The Department has determined that the wetlands on the subject property are of ordinary and intermediate resource values. The ordinary value wetlands are delineated as follows: E-86-A – E-87 and H-1 – H-6. No transition area is required adjacent to ordinary resource value wetlands. The remaining wetlands onsite are intermediate resource value and the required transition area adjacent to intermediate resource value wetlands is 50 feet. The Department has also identified State open waters on the property; they are noted on the referenced plan by the following points: A-1 – A-11 and B-1 – B-11. It should be noted that the Flood Hazard Area Control Act may require a riparian buffer from State open waters. Resource value classification may affect requirements for wetland and/or transition area permitting. This classification may affect the requirements for an Individual Wetlands Permit (see N.J.A.C. 7:7A-7), the types of General Permits available for the property (see N.J.A.C. 7:7A-4) and any modification available through a transition area waiver (see N.J.A.C. 7:7A-6). Please refer to the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) and implementing rules for additional information.

Wetlands resource value classification is based on the best information available to the Department. The classification is subject to reevaluation at any time if additional or updated information is made available, including, but not limited to, information supplied by the applicant.

Under N.J.S.A. 13:9B-7a(2), if the Division has classified a wetland as exceptional resource value, based on a finding that the wetland is documented habitat for threatened and endangered species that remains suitable for use for breeding, resting or feeding by such species, an applicant may request a change in this classification. Such requests for a classification change must demonstrate that the habitat is no longer suitable for the documented species because there has been a change in the suitability of this habitat. Requests for resource value classification changes and associated documentation should be submitted to the Division at the address at the top of this letter.

Pursuant to the Freshwater Wetlands Protection Act Rules, you are entitled to rely upon this jurisdictional determination for a period of five years from the date of this letter unless it is determined that the letter is based on inaccurate or incomplete information. Should additional information be disclosed or discovered, the Division reserves the right to void the original letter of interpretation and issue a revised letter of interpretation.

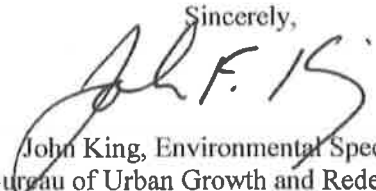
Regulated activities proposed within a wetland, wetland transition area or water area, as defined by N.J.A.C. 7:7A-2.2 and 2.6 of the Freshwater Wetlands Protection Act rules, require a permit from this office unless specifically exempted at N.J.A.C. 7:7A-2.8. The approved plan and supporting jurisdictional limit information are now part of the Division's public records.

This letter in no way legalizes any fill which may have been placed, or other regulated activities which may have occurred on-site. This determination of jurisdiction extent or presence does not make a finding that wetlands or water areas are "isolated" or part of a surface water tributary system unless specifically called out in this letter as such. Furthermore, obtaining this determination does not affect your responsibility to obtain any local, State, or Federal permits which may be required.

In accordance with N.J.A.C. 7:7A-1.7, any person who is aggrieved by this decision may request a hearing within 30 days of the date the decision is published in the DEP Bulletin by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, P.O. Box 402, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist found at www.state.nj.us/dep/landuse/forms. Hearing requests received after 30 days of publication notice may be denied. The DEP Bulletin is available on the Department's website at www.state.nj.us/dep/bulletin. In addition to your hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see the website www.nj.gov/dep/odr for more information on this process.

Please contact Cathryn Schaffer of our staff by e-mail at Cathryn.Schaffer@dep.nj.gov or (609) 777-0454 should you have any questions regarding this letter. Be sure to indicate the Department's file number in all communication.

Sincerely,


John King, Environmental Specialist 4
Bureau of Urban Growth and Redevelopment
Division of Land Use Regulation

c: North Brunswick Township Construction Official
Agent (original): Ray Walker, Ph.D., Maser Consulting, PA

Adjudicatory Hearing Request Checklist and Tracking Form

I. Permit Decision or Other Department Decision Being Appealed:

Issuance Date of Decision Document

Document Number (If any)

II. Please provide Name, Address and Phone No. of:

Person Requesting Hearing

Name of Attorney (If applicable)

Address

Address

Phone No.

Phone No.

III. If you are the applicant or permittee, please include the following information with your hearing request:

- A. The date you received the permit decision or other decision which you are appealing;
- B. A copy of the decision document;
- C. The findings of fact and conclusions of law you are appealing;
- D. A statement as to whether or not you raised each legal and factual issue during the permit application process;
- E. Suggested revised or alternative permit conditions;
- F. An estimate of the time required for the hearing;
- G. A request, if necessary, for a barrier-free hearing location for physically disabled persons;
- H. A clear indication of any willingness to negotiate a settlement with the Department prior to the Department's processing of our hearing request to the Office of Administrative Law; and
- I. This form completed; signed and dated with all of the information listed above, including attachment to:

1. New Jersey Department of Environmental Protection Office of Legal Affairs
Attention: Adjudicatory Hearing Requests
401 East State Street
P.O. Box 402
Trenton, NJ 08625-0402:

With a copy to:

2. New Jersey Department of Environmental Protection
Land Use Regulation Program
Attention: Director
P.O. Box 420, Code 501-02A
Trenton, NJ 08625-0420

Signature: _____

Date: _____

IV. If you are a person other than the applicant or permittee, please include the following information with your hearing request:

- A. The date you or your agent received notice of the permit decision, and a copy of the permit decision;
- B. Evidence that a copy of your hearing request has been delivered to the applicant for the permit decision which is the subject of your hearing request (e.g., certified mail return receipt);
- C. A detailed statement of which findings of fact and/or conclusion of law you are challenging;
- D. A description of our participation in any public hearings held in connection with the permit application and copies of any written comments you submitted;
- E. Whether you claim a statutory or constitutional right to a hearing, and, if you claim such a right, a reference to the applicable statute or an explanation of how your interests are affected by the permit decision;
- F. Suggested revised or alternative permit conditions;
- G. An estimate of the time required for the hearing;
- H. A request, if necessary, for a barrier-free hearing location for physically disabled persons;
- I. A clear indication of any willingness to negotiate a settlement with the Department prior to the Department's processing of the hearing request to the Office of Administrative Law; and
- J. This form completed, signed and dated with all the information listed above, including attachments to

- 1. New Jersey Department of Environmental Protection Office of Legal Affairs
Attention: Adjudicatory Hearing Requests
401 East State Street
P.O. Box 402
Trenton, NJ 08625-0402:

With a copy to:

- 2. New Jersey Department of Environmental Protection
Land Use Regulation Program
Attention: Director
P.O. Box 420, Code 501-02A
Trenton, NJ 08625-0420

Signature: _____

Date: _____



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| ANGLES | ± | | | | | | |