



For Office Use Only

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

Check One:

- ☐ Zoning Board of Adjustment
☐ Planning Board

TOWNSHIP OF NORTH BRUNSWICK

Site Plan/Conditional Use Application (FORM A)

The original and twenty-four (24) 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.

Revision Date: 7/2020



PART I

SUBJECT PROPERTY:

Block 140.01 Lot(s) 5.02 & 7.01 Zone I-1 & C-2
Property Location 1460 Livingston Avenue & Route 1
Size of Property 22.7 acres

Present Use: ☐ Residential ☒ Non-Residential ☐ Vacant
Proposed Use: ☐ Residential ☒ Non-Residential **Specify:** Warehouses.

CONTACTS:

Applicant: ☐ Corporation ☐ Partnership ☐ Individual
☒ Other/Explain Limited liability company.

Name: 1460 Livingston Avenue LLC
Address: c/o Zev Spira, 1189 Lakewood Farmingdale Road, Howell, NJ 07731
Telephone: 732-367-8273 Fax: _____
Email: zspira@dmserviceus.com

Owner (if different from Applicant):

Name: 1460 Livingston Ave. Investors, L.P.
Address: 920 E County Line Road, Unit 103, Lakewood, NJ 08701
Telephone: _____ Fax: _____
Email: _____

Engineer:

Name: Gregory S. Oman, P.E., Menlo Engineering Associates, Inc.
Address: 261 Cleveland Avenue, Highland Park, NJ 08904
Telephone: 732-846-8585 Fax: 732-846-9439
Email: goman@menloeng.com

Attorney:

Name: Peter U. Lanfrit, Esq., Borrus, Goldin, Foley, Vignuolo, Hyman and Stahl, P.C.
Address: 2875 US Route One, North Brunswick, NJ 08902
Telephone: 732-422-1000 Fax: 732-422-1016
Email: peter@borrus.com & erin@borrus.com



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:
Numerous site plan and variance applications.

Is public water available?

☒ YES ☐ NO

If no, how will water service be supplied? _____

Is public sewer available?

☒ YES ☐ NO

If no, provide proposed method of sewage disposal: _____

Are there any existing deed restrictions, easements or covenants?

☒ YES ☐ NO

If yes, are copies provided? ☒ YES ☐ NO

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): _____

LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:

Quantity:	Description of Item:
<u>15</u>	<u>Preliminary/Final Site Plan</u>
<u>15</u>	<u>Architectural drawings</u>
<u>15</u>	<u>Boundary & Partial Topographic Survey</u>
<u>3</u>	<u>Stormwater Management Report</u>
<u>3</u>	<u>Operation and Maintenance Manual</u>
<u>3</u>	<u>Field investigation report</u>
<u>3</u>	<u>Traffic Statement</u>



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: Zev Spira Address: 1189 Lakewood Farmingdale Road, Howell, NJ 07731

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

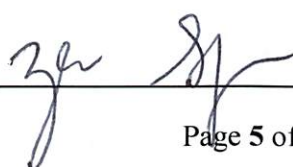
Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Applicant's Signature:  Date: 2-23-21



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: _____

Date: 2-23-21

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

Date: 2-23-21



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: _____

2-23-21

APPLICANT'S CERTIFICATION:

1460 Livingston Avenue LLC
I, c/o Zev Spira, of full age, being duly sworn according to law and upon my oath, depose that: I reside at 189 Lakewood Farmingdale Road, Howell in the County of Monmouth 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 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 23 day of

February, 20 21

NOTARY PUBLIC

SIGNATURE

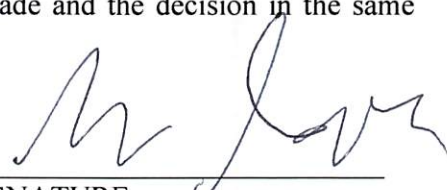
KIMBERLY A. FOSTER
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50078619
My Commission Expires 3/12/2023

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):

1460 Livingston Ave. Investors,
I, L.P. - Moshe Mendlowitz of full age, being duly sworn according to law and upon my oath depose that: I reside at 920 E County Line Road, Unit 103, Lakewood in the County of Ocean 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) 140.01 and Lot(s) 5.02 & 7.01,
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.


SIGNATURE

Sworn to and subscribed before
me this 23 day of
February, 20 21


NOTARY PUBLIC

KIMBERLY A. FOSTER
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50078619
My Commission Expires 3/12/2023