



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	

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 91 Lot(s) 4 Zone C-1
Property Location 901 Joyce Kilmer Avenue
Size of Property 63,000 sq. ft. / 1.446 acres

Present Use: Residential Non-Residential Vacant
Proposed Use: Residential Non-Residential **Specify:** Existing use to remain + warehouse.

CONTACTS:

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

Name: 900 Joyce Kilmer Avenue L.L.C.
Address: 901 Joyce Kilmer Drive, North Brunswick, NJ 08902
Telephone: 732-233-5600 Fax: _____
Email: simc123@aol.com

Owner (if different from Applicant):

Name: Same as Applicant.
Address: _____
Telephone: _____ Fax: _____
Email: _____

Engineer:

Name: Ron Sadowski, P.E.
Address: 10 Edward Avenue, Edison, NJ 08802
Telephone: 732-744-6392 Fax: _____
Email: ronsadowski@verizon.net

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 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):

Applicant is applying to the Zoning Board of Adjustment for D(1) use variance, preliminary and final site plan approval. The D(1) variance is being requested so that the applicant can continue to use the previously constructed warehouse building as a warehouse which is not permitted in the zone. The preliminary and final site plan approval is to re-stripe the parking lot, move bollards, and relocate the fence.



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 mater:

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:
15	"Proposed Use Variance and Site Plan Application"
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



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: William Simcox Address: 901 Joyce Kilmer Drive, North Brunswick, NJ 08902

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

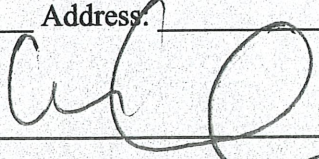
Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

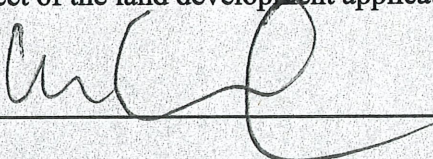
Name: _____ Address: _____

Applicant's Signature:  Date: 01/04/2022



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.

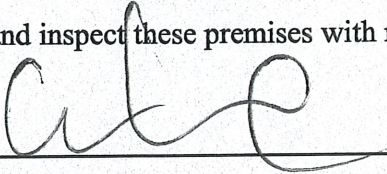
Applicant's Signature:  Date: 01/04/2022

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



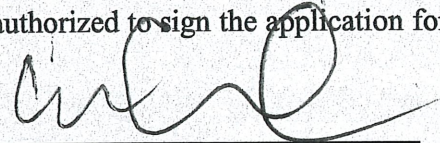
SITE INSPECTION AUTHORIZATION

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: 01/04/2022

APPLICANT'S CERTIFICATION:

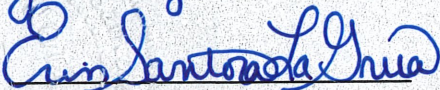
William Simcox, Authorized Signatory
I, of 900 Joyce Kilmer Avenue L.L.C., of full age, being duly sworn according to law and upon my oath, depose that: I reside at 900 Joyce Kilmer Avenue, North Brunswick in the County of Middlesex and State of New Jersey, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the 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.



Erin E. Santora LaGruta SIGNATURE

Sworn to and subscribed before NOTARY PUBLIC OF NEW JERSEY
me this 4 day of My Commission Expires 8/20/2024

January, 2022


NOTARY PUBLIC

My Commission Expires 8/20/2024
NOTARY PUBLIC OF NEW JERSEY
Erin E. Santora LaGruta

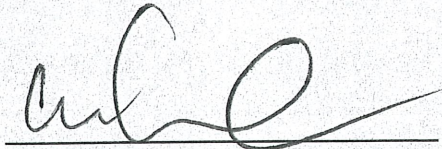
OWNER'S CERTIFICATION (If the owner is a corporation, this section must be signed by an authorized corporate officer. If the owner is a partnership, this section must be signed by a general partner):

William Simcox, Authorized Signatory
I, of 900 Joyce Kilmer Avenue L.L.C., of full age, being duly sworn according to law and upon my oath depose that: I reside at 900 Joyce Kilmer Avenue, North Brunswick 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



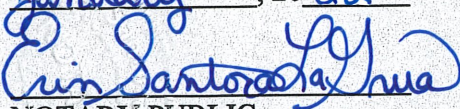
situated, lying, and being in the municipality aforesaid, and known and designated as Block(s)
91 and Lot(s) 4,

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 4 day of

January, 20 22


NOTARY PUBLIC

Erin E. Santora LaGrúa
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 8/20/2024



PART II

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

See Part II of Form A.

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

"C" Variance(s):

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

"D" Variance(s):

- 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): _____



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:	Requirement:	Proposed Deviation:
§205- 65	Uses Permitted in C-1.	Warehouse.
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____

Identify Requested Design Waivers:

Ordinance Section:	Requirement:	Proposed Deviation:
§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:

and/or

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

Detail your argument for how this case conforms to this requirement: _____

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: _____

Applicant applied for and recieved a building permit for the warehouse. The construction drawings clearly indicated the proposed use was a warehouse and the applicant was never informed that a use variance was necessary.

C and D Variance(s):

Supply a statement of facts why relief can be granted without substantial detriment to the public good: _____

Building currently exists and is compatible with the surrounding land uses and the parking is sufficient for that building and the permitted commercial building.

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: _____

See above.
