

**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 4.461/4.46 Lot(s) 1.07/1.04 Zone TMU

Property Location Block 4.461, Lot 1.07 Township of North Brunswick, Middlesex County, New Jersey

Size of Property \_\_\_\_\_

Present Use:  Residential  Non-Residential  Vacant

Proposed Use:  Residential  Non-Residential Specify: Parking Lot

### **CONTACTS:**

**Applicant:**  Corporation  Partnership  Individual

Other/Explain \_\_\_\_\_

Name: Commerce Center NB, LLC c/o Prestige Properties & Development, Co., Inc

Address: 546 5th Avenue, 15th Floor, New York, NY 10036

Telephone: 212-944-0444 Fax: 732-383-1984

Email: paltamura@prestige-nyc.com

### **Owner (if different from Applicant):**

Name: Commerce Center NB, LLC c/o Prestige Properties & Development, Co., Inc

Address: 546 Fifth Avenue, 15th Floor, New York, NY

Telephone: 212-944-0444 Fax: 732-383-1984

Email: paltamura@prestige-nyc.com

### **Engineer:**

Name: Vincent Kelly, P.E

Address: 101 Crawfords Corner Road, Ste. 340, Holmdel, NJ 07733

Telephone: 732-383-1950 Fax: 732-383-1984

Email: vincent.kelly@collierseng.com

### **Attorney:**

Name: Prime & Tuvel Law - Duncan Prime, Esq.

Address: 14000 Horizon Way, Ste. 325, Mt. Laurel, NJ 08054

Telephone: 856-273-8300 Fax: 856-273-8383

Email: duncan@primelaw.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):

Proposed quick serve restaurant with drive thru and retail/medical office or restaurant spec building within the Township of North Brunswick, Middlesex County, New Jersey



### 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:  
201346

**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): Partnership; Block 4.46 Lot 1.04;  
Block 4.461 Lot 1.07 and 1.06; Block 4.45 Lot 3 and 4

**LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:**

Quantity:      Description of Item:

Site Plans

Survey

Stormwater Report

Traffic Report

Preliminary Architectural Plans for Freddy's Spec Building



**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: Sam Shalem Address: 546 Fifth Ave 15FL, New York, NY 10036

Name: Irving Pergament      Address: 546 Fifth Ave 15FL, New York, NY 10036

Name: \_\_\_\_\_ Address: \_\_\_\_\_

*[Signature]*

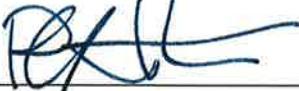
Applicant's Signature:  Date: 4/19/23

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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:  Date: 4/19/23

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: 4/19/23

### APPLICANT'S CERTIFICATION:

I, Philip Altamura, of full age, being duly sworn according to law and upon my oath, depose that: I reside at 546 Fifth Ave 15FL in the County of New York and State of New York, 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

Sworn to and subscribed before  
me this 19<sup>th</sup> day of

April, 20 23

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, Philip Altamura, of full age, being duly sworn according to law and upon my oath depose that: I reside at 546 Fifth Ave 15FL in the County of New York and State of New York, 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) 4.461 & 4.46 and Lot(s) 1.07 & 1.04, 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 19<sup>th</sup> day of  
April, 20 23

  
\_\_\_\_\_  
NOTARY PUBLIC

