

LAND USE BOARD
APPLICATION FOR USE VARIANCE AND/OR BULK VARIANCE(S)

Information on Subject Property:

1. Property address: 215 Brinley Ave., Bradley Beach, NJ

Block(s) 50 Lot(s) 3 Zone: R-1

2. Does the Applicant own adjoining property? YES NO

If answer to foregoing is yes, describe location and size of adjoining property: -

3. An application is hereby made for a variance(s) from the terms of Article(s) and Section(s):

A use "d" variance is required for an expansion of a non-conforming use (deck/outdoor shower), bulk "c" variances are also required for the expansion of a non-conforming structure, sideyard setback of the rear deck (5' and 10' required); and sideyard setback of the entry deck (5' and 10' required).

4. Justification/Reasons why each variance should be granted [attach forms as necessary]

The "D" variance allows for the expansion of the use in a way that improves the visual impact and function of the property.
Bulk variances are existing.

5. If conditional use is required/requested with this application, detail conformance/deviation from the requirements of the zoning ordinance [attach forms as necessary].

Contact Information:

6. Name of applicant: 215 Brinley Ave, LLC
Carmine Cerminara, Managing Partner

Mailing address: 795 Watchung Rd., Bound Brook, NJ 08805

Phone # [REDACTED] Fax # _____ Cell # _____

E-mail address: _____ [REDACTED] _____

7. Interest of Applicant if other than owner (i.e. tenant, contract purchaser)(If applicant is not the owner, Owner(s)' Affidavit of Authorization and Consent must be completed & submitted with this application):

N/A - Applicant is Owner

8. Name of present owner: _____

Mailing address: _____

Phone # _____

Fax # _____

Cell # _____

E-mail address: _____

9. Contact Person: _____

Mailing address: _____

Phone # _____

Fax # _____

Cell # _____

E-mail address: _____

Applicant's Professionals' Information:

10. Name of applicant's Attorney (if applicable) _____

(Companies/Corporations must be represented): Richard B. Stone, Esq.
Stone Mandia, LLC

Mailing Address: 685 Neptune Blvd., PO Box 846, Neptune, NJ 07754-0846

Phone # 732-531-4300

Fax # 732-531-4305

Cell # _____

E-mail address: rbs@stonemandia.com AND ryn@stonemandia.com

11. Name of applicant's Engineer (if applicable): Marc S. Leber
East Point Engineering, LLC

Mailing Address: 11 South Main St., Marlboro, NJ 07746

Phone # 732-577-0180

Fax # _____

Cell # _____

E-mail address: _____

12. Name of applicant's Planner (if applicable): Allison Coffin, PP, AICP
James W. Higgins Assoc.

Mailing Address: 14 Tilton Dr., Ocean, NJ 07712

Phone # 732-245-0273

Fax # _____

Cell # _____

E-mail address: alli.coffin@gmail.com

13. Name of applicant's Surveyor: Lakeland Surveying

Mailing Address: 4 West Main St., Rockaway, NJ 07866

Phone # 973-625-5670

Fax # 973-625-4121

Cell # _____

E-mail address: office@LakelandSurveying.com

14. Name of applicant's Architect (if applicable): John Mannino, AIA

Mailing Address: 224 Courtyard Dr., Hillsborough, NJ 08844

Phone # 908-685-7700 Fax # 908-526-3019 Cell # _____

E-mail address: jm@cerminaraarchitect.com

15. Name of applicant's Other Professional (if applicable): -

Mailing Address: _____

Phone # _____ Fax # _____ Cell # _____

E-mail address: _____

Detail Property Information:

(PLEASE INCLUDE INFORMATION FOR EACH ZONE/BLOCK/LOT INVOLVED BELOW – ATTACH ADDITIONAL SHEETS AS NECESSARY)

PRINCIPAL USE:	Required and/or Permitted	Existing	Proposed
Minimum lot area			
Minimum lot width			
Minimum lot depth			
Minimum lot frontage			
Minimum front yard setback			
Minimum rear yard setback			
Minimum side yard setback			
Maximum percent building coverage			
Maximum percent lot coverage			
Maximum number of stories			
Maximum building height (in feet)			
Square footage of principal structure			
Off-street parking spaces			
Prevailing Setback of adjacent buildings within the block/within 200 ft.			
ACCESSORY USE/STRUCTURE:	Required and/or Permitted	Existing	Proposed
Minimum front yard setback			
Minimum rear yard setback			
Minimum side yard setback			
Minimum combined side yard setback			
Maximum percent building coverage			
Maximum percent lot coverage			
Maximum number of stories			
Maximum building height (in feet)			
Square footage of accessory structure			
Distance between principal & accessory structure			
Existing use or uses on the lot: <i>Residential</i>			
Proposed use or uses on the lot: <i>Residential</i>			
Is the property located in a special flood hazard area? <i>NO</i>			

SEE ATTACHED

SEE ATTACHED

NOTE: Any items that are not applicable to a particular application shall be marked with an "N/A".

Detail Proposed Information:

16. Existing and proposed number of units, if applicable: 3 existing, 3 proposed

17. Are any extensions of municipal facilities or utilities involved with this application? Y N

If answer is YES, describe: -

18. Are drainage ditches, streams, or other water courses involved with this application? Y N

If answer is YES, describe: -

19. Has there been any previous applications before the Planning/Zoning Board/Land Use Board involving these premises? Yes No Unknown *to this Applicant*

If so, when: -

Result of decision: - (attach copy of prior Resolution)

20. Has a Zoning denial been received as part of this application? YES NO If yes, please attach.

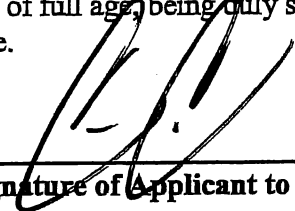
21. Tax and Assessment payment report indication of all taxes and/or assessment required to be paid attached to this application: YES NO

22. Are any easements or special covenants by deed involved with this application?
 YES (If yes, attach copy) NO

AFFIDAVIT OF APPLICATION

State of New Jersey :
 : ss
 County of Monmouth :

Carmine Cerhinara being of full age, being duly sworn according to Law, on oath depose and says that all the above statements are true.



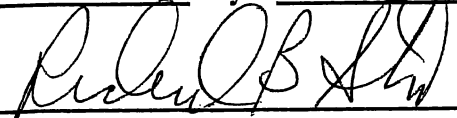
 (Original Signature of Applicant to be Notarized)

Carmine Cerhinara

 (Print Name of Applicant)

Sworn and subscribed before me this
12th day of Dec, 2023

[NOTARY SEAL]



Signature of Notary Public
Richard B - Stone
 Attorney At Law
 STATE OF N.J

N/A -
Applicant is Owner

OWNER(S)' AFFIDAVIT OF AUTHORIZATION AND CONSENT
STATEMENT OF LANDOWNER WHERE APPLICANT IS NOT LANDOWNER
[Original signatures only - copies will not be accepted]

IN THE MATTER BEFORE THE LAND USE BOARD

IN THE BOROUGH OF BRADLEY BEACH, STATE OF NEW JERSEY, COUNTY OF MONMOUTH.

I/WE, _____, WITH MAILING ADDRESS OF
(Insert Property Owner's Name)

_____ OF FULL AGE BEING DULY
(Insert Property Owner's Mailing Address)

SWORN ACCORDING TO LAW AND OATH DEPOSES AND SAYS:

"I/WE ARE THE OWNER(S) OF THE SUBJECT PROPERTY IN CONNECTION WITH
THIS APPLICATION DESIGNATED AS BLOCK(S) _____ LOT(S) _____

ALSO KNOWN AS _____
(Insert physical address of the subject property)

I/WE AUTHORIZE _____
(Insert name of Owner(s)' representative appearing before the Board)

TO APPEAL TO THE LAND USE BOARD OF THE BOROUGH OF BRADLEY BEACH FOR SUCH
RELIEF AS MAY BE REQUIRED RELATING TO THE PROPERTY LISTED ABOVE, CONSENT
TO SUCH APPEAL AND APPLICATION, AND AGREE THAT ANY DECISION OF THE LAND USE
BOARD ON SUCH APPEAL SHALL BE BINDING UPON ME/US AS IF SAID
APPLICATION/APPEAL HAS BEEN BROUGHT AND PROSECUTED DIRECTLY BY ME/US AS
THE OWNER(S).

(Original Signature of Owner to be Notarized)

(Original Signature of Owner to be Notarized)

Sworn and subscribed before me this
_____ day of _____, 20____

[NOTARY SEAL]

Signature of Notary Public

SITE VISIT AUTHORIZATION OF PROPERTY OWNER

I hereby authorize any member of the Borough of Bradley Beach Land Use Board, any of said of Board's professionals or reviewing agencies of the Board to enter upon the property which is the subject matter of this application, during daylight hours, for limited purpose of viewing same to report and comment to the Board as to the pending application.

Date: 12/11/2027

Signature of Property Owner
Carmine Cerminara

Escrow Agreement

I/we fully understand an "Escrow Account" will be established to cover the costs of the professional services which will include engineering, legal, planning, architectural, and any other expenses incurred in connection with the review of this application before the Board.

The amount of the Escrow Deposit will be determined by the Borough of Bradley Beach Ordinance Chapter 60. Land Use Procedures Section 60-29. Application fees and escrow requirements. Please see attached for details.

Any request for replenishment of escrow funds shall be due within fifteen [15] days of receipt of the request. If payment is not received within that time, applicant will be considered to be in default, and such default may jeopardize appearance before the Board and/or hold up of any and all pending approvals and building permits. Continued refusal will result in legal action against the property.

Also in accordance with N.J.S.A. 40:55D-53.1, all unused portion of the escrow account will be refunded upon written request from the applicant, and verification of completion by the board's professionals who reviewed the application.

By signature below, I/we acknowledge receipt of the Borough of Bradley Beach's Chapter 60. Land Use Procedures Section 60-29. Application fees and escrow requirements and agree to all conditions listed.

Name of Applicant: 215 Brinley Ave., LLC
Carmine Cerminara, Managing Partner
[please print]

Property Address: 215 Brinley Ave. Block 50 Lot 3

Applicant's Name: Carmine Cerminara
[Print Name] [Signature of Applicant]

Owner's Name: Carmine Cerminara
[Print Name] [Signature of Owner]

Date: 12/12/23

PROPERTY ADDRESS: 215 BRINLEY AVE BLOCK 50 LOT 3

TOTAL SQUARE FOOT AREA OF LOT (length x width): 7500 (A)

BUILDING COVERAGE (Include proposed improvements. Calculate from survey; length x width)

Dwelling (including porches)	<u>1454</u> sq. ft.	INCLUDES 50 SF FOR PROPOSED FRONT PORCH
Garage	<u>0</u> sq. ft.	
Garage apartment	<u>0</u> sq. ft.	
Covered carport	<u>0</u> sq. ft.	
Shed*	<u>0</u> sq. ft.	
Other: <u>REAR COTTAGE</u>	<u>1103</u> sq. ft.	
Other: _____	<u>0</u> sq. ft.	

*Storage sheds up to 100 sf, built on a foundation of lumber, wood timber or other pervious material are not included.

TOTAL BUILDING COVERAGE (all items above): 2557 sq. ft (B)

Divide (B) by (A) and multiply by 100 for Building Coverage Percentage:

(B) 2557 ÷ (A) 7500 x 100 = 34.09 %

ADDITIONAL COVERAGE (Include proposed improvements. Calculate from survey; length x width)

Pools - inground**	<u>0</u> sq. ft.
Pools / hot tubs - above ground	<u>0</u> sq. ft.
Walkways	<u>603</u> sq. ft.
Driveway	<u>1253</u> sq. ft.
Deck - elevated <u>EXISTING 2ND FLR</u>	<u>367</u> sq. ft.
Deck - on-grade***	<u>0</u> sq. ft.
Patio	<u>0</u> sq. ft.
Other: <u>EXISTING STONE PARKING</u>	<u>621</u> sq. ft.

**Inground swimming pool water surface up to 4% of lot size not included.

***On-grade decks up to 5% of lot area not included.

TOTAL ADDITIONAL COVERAGE (all items above): 2884 sq. ft (C)

Divide (C) by (A) and multiply by 100 for Additional Coverage Percentage:

(C) 2844 ÷ (A) 7500 x 100 = 37.92 %

TOTAL LOT COVERAGE : Add Building Coverage (B) and Additional Coverage (C) for Total Impervious Lot Coverage (D)

(B) 2557 + (C) 2844 = 5401 sq. ft. (D)

LOT COVERAGE PERCENTAGE: Divide Total Impervious Lot Coverage (D) by Lot Area (A) and multiply by 100 for Impervious Coverage Percentage

(D) 5401 ÷ (A) 7500 x 100 = 72.01 %

R-1 RESIDENTIAL SINGLE-FAMILY ZONE DISTRICT REQUIREMENTS

	<u>REQUIRED</u>	<u>PROVIDED</u>	<u>VARIANCE REQ.</u>
<u>LOT REQUIREMENTS</u>			
MINIMUM LOT AREA	5,000 S.F.	7,500 S.F.	NO
MINIMUM LOT WIDTH	50 FT	50 FT	NO
MINIMUM LOT DEPTH	100 FT	150 FT	NO
<u>PRINCIPAL BUILDING SETBACKS</u>			
MINIMUM FRONT YARD			
N-S STREETS	15 FT	N/A	NO
E-W STREETS	25 FT	24.5 FT	+
MINIMUM SIDE YARD (FRONT BLDG.)	5 / 10 FT	7.0 / 10.8 FT	NO
MINIMUM SIDE YARD (REAR BLDG.)	5 / 10 FT	4.1 / 5.6 FT	+
MINIMUM REAR YARD	25 FT	6.6 FT	+
<u>BLDG. COVERAGE</u>			
MAXIMUM PERMITTED	35%	34.1% (2,557 S.F.)	NO
<u>LOT COVERAGE</u>			
MAXIMUM PERMITTED	60%	74.1% (5,559 S.F.)	YES
<u>HEIGHT LIMITATIONS</u>			
MAX. BLDG. HEIGHT (FRONT)	35 FT 2 1/2 STORIES	28 FT 2 STORY	NO NO
MAX. BLDG. HEIGHT (REAR)	35 FT 2 1/2 STORIES	18 FT 1 STORY	NO NO

+ EXISTING NON-CONFORMITY

LAND DEVELOPMENT

270 Attachment 1

APPENDIX A
Borough of Bradley Beach

Application Checklist and Documents Required To Be Submitted
[Amended 7-23-2019 by Ord. No. 2019-18]

No.	Description	Variance Applic.	Sketch Plan	Minor Application		Major Application				Submitted	
				Subdivision	Site Plan	Subdivision		Site Plan		<input checked="" type="checkbox"/>	N/A
						Prelim.	Final	Prelim.	Final		
A.	Application Form (5 copies of completeness) (20 copies for review)	X	X	X	X	X	X	X	X	X	
B.	Project Plat Information (5 copies of completeness) (20 copies for review)										
	1. Name, telephone # and address of owner and applicant.	X	X	X	X	X	X	X	X	X	
	2. Notarized signature/affidavit of ownership If applicant is not the owner, state applicant's interest in the plan.	X	X	X	X	X	X	X	X	X	
	3. Name, signature, license number, seal, address, telephone #, and fax # of the professional engineer, land surveyor, architect, planner, and/or certified landscape architect, as applicable, involved in preparation of the plan.	X	X	X	X	X	X	X	X	X	

BRADLEY BEACH CODE

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				Subdivision	Site Plan	Subdivision		Site Plan		<input checked="" type="checkbox"/>	N/A
						Prelim	Final	Prelim.	Final		
4.	Title block denoting type of application, tax map sheet, county, name of the municipality, block and lot, and street location.	X	X	X	X	X	X	X	X	X	
5.	Key map at specified scale showing location of surrounding properties, streets, easements, municipal boundaries, etc. within 500 feet of the property.	X	X	X	X	X	X	X	X	X	200' provided
6.	North arrow and scale for key map and plur. Scale to include bar graph depicting both feet and meters.	X	X	X	X	X	X	X	X	X	
7.	Schedule of required zoning district Requirements, including, lot area, density, FAR, lot width, depth, yard, setbacks, building and impervious coverage, parking.	X	X	X	X	X	X	X	X	X	
8.	Signature and date blocks for Board Chairman, Secretary and Engineer.			X	X	X	X	X	X	X	
9.	Proof that tax payments are current.	X	X	X	X	X	X	X	X	X	
10.	Certification blocks required by the Map Filing Law.			X			X				
11.	Monumentation as specified by the Map Filing Law and required by the Borough Engineer.			X			X				

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				Subdivision	Site Plan	Subdivision		Site Plan		<input checked="" type="checkbox"/>	N/A
						Prelim	Final	Prelim	Final		
12.	Date of current property survey, name of reference plat and name and license number of New Jersey professional land surveyor.	X		X	X	X	X	X	X		
13.	Plans to a scale of not less than 1"=30' and not larger than 1"= 10' on one of the following standard sheet sizes: 8 1/2" x 14", 11" x 17", 24" x 36", or 30" x 42".	X	X	X	X	X	X	X	X		
14.	Metes and bounds description showing dimensions, bearing of original and proposed lots.			X	X	X	X	X	X		X
15.	Metes and bounds description showing dimensions, bearings, curve data, length of tangents, radii, arcs, chords and central angles for all center lines and right-of-way lines on streets.			X	X	X	X	X	X		X
16.	Acreage of tract to the nearest tenth of a square foot and thousandth of an acre.	X	X	X	X	X	X	X	X		
17.	Date and number of original plan preparation and of each subsequent revision. Include a brief narrative of each revision.	X		X	X	X	X	X	X		

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						Prelim	Final	Prelim.	Final		
18.	Size and location of all existing and proposed structures with all setbacks and length measurement of perimeter building walls dimensioned.	X	X	X	X	X	X	X	X		
19.	Size and location of all existing structures within 200 feet of the site boundaries. (General use for sketch plan)		X	X	X	X	X	X	X		X
20.	Tax lot and block numbers of existing lots. The final plat shall show block and lot numbers, street names and addresses (numbers) as approved by the Borough Assessor and Engineer.			X	X	X	X	X	X		X
21.	Proposed lot lines and area of proposed lots in square feet.		X	X	X	X					X
22.	Any existing or proposed easement or land reserved or dedicated for public use.	X	X	X	X	X	X	X	X		X
23.	Property owners within 200 feet of the property. (From the most recent Borough tax records).	X	X	X	X	X	X	X	X		
24.	Location of slopes of 15% or greater, streams, floodplains, wetlands or other environmentally sensitive areas on or within 200 feet of the property. (Note: Variance applications need only show on-site)	X		X	X	X	X	X	X		X

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						Prelim	Final	Prelim.	Final		
25.	List of required or requested variances.	X		X	X	X	X	X	X		
26.	List of requested design exceptions.	X	X	X	X	X	X	X	X		X
27.	Phasing plan as applicable to include: a. Circulation plan, including signage separating construction traffic from that generated by the intended use of site. b. Timetable and phasing sequence.					X	X	X	X		X
28.	Preliminary architectural floor plans and building elevations.	X	X		X			X	X	X	
29.	Site identification signs, traffic control signs, and identification signs.				X	X	X	X	X		X
30.	Sight triangles.			X	X		X	X	X		X
31.	Proposed street names if and where a new street is proposed.					X	X	X	X		X
32.	Parking plan showing spaces with size and type, aisle widths, curb cuts, drives, driveways, and all ingress and egress points, areas, dimensions and the number of spaces required by ordinance and the number of spaces provided.			X	X			X	X		X
33.	Number of employees, total and maximum per shift.				X			X	X		X

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						Prelim	Final	Prelim	Final		
34.	Solid waste management and recycling plan showing dumpster location and provisions for waste and recyclables.				X			X	X		X
35.	Size and location of all existing and proposed streets (general location for sketch plan).	X	X	X	X	X	X	X	X	X	
36.	Existing and proposed grades and other topographic features of the property and for a minimum distance of 50 feet beyond the property lines. Contours shall be at one-foot intervals with spot elevations at critical points.			X	X						X
37.	Topographical features of the property from county aerial map.		X								
38.	Boundary, limit, nature and extent of wooded areas, specimen trees and other significant physical features	X	X	X	X	X	X	X	X		X
39.	Existing system of drainage of the property and any larger tract or basin of which it is a part.				X	X	X	X			X
40.	Pre and post drainage area maps.				X	X	X	X			X
41.	Pre and post drainage calculations.				X	X	X	X			X

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42.	Percolation tests and soil logs where retention basin, or groundwater recharge is proposed or required.			X	X	X	X	X	X		X
43.	Existing rights-of-way and easements within 200 feet of the tract.		X	X	X	X	X	X	X		X
44.	Number of lots following subdivision and acreage if over one acre, or square feet if less than one acre.	X	X	X	X	X	X	X	X		X
47.	Indication of existing utilities.		X								
48.	Copy of plat and plans on a 3.5" diskette or CD in a.dxf file format if the plat or plans are drawn in AutoCAD format.						X		X		X
49.	Two copies of the final map as filed with the Borough Tax Assessor and Engineer.						X		X		X
C. Construction Plans											
1.	Site layout showing all roadways, circulation patterns, curbs, sidewalks buffers, structures, open space, recreation etc.. as applicable.				X	X	X	X	X		X
2.	Grading and utility plan to include as applicable:				X	X	X	X	X		X

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						Prelim	Final	Prelim	Final		
	<p>a. Existing and proposed grades and other topographic features of the property and for a min. distance of 50 feet beyond the property lines. Contours shall be at 1-foot intervals with spot elevations at critical points.</p> <p>b. Elevations of existing and proposed structures.</p> <p>c. Location and invert elevation of existing and proposed drainage structures.</p> <p>d. Location of all streams, ponds, lakes and wetland areas.</p> <p>e. Locations of existing and proposed utilities, including depth of structures, manholes, valves, services, etc.</p>										
3.	<p>a. Typical cross sections and center line profiles of all proposed streets and driveways, including utilities and stormwater facilities.</p>					X		X			X
	<p>b. Final center line profiles for all new streets and driveways, showing existing grades, proposed grades, stationing and proposed elevations of all proposed vertical curves, stationing and proposed elevations at intersection of all utility and stormwater lines.</p>						X		X		X

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4.	Landscaping plan to include: a. Location of existing vegetation including all shade trees six-inch caliper and greater measured at 5 feet above ground level and all ornamental trees four-inch caliper or greater measured at 1 foot above ground level and the limits of clearing. b. Proposed buffer areas and method of protection during construction. c. Proposed landscaped areas. d. Number, size, species and location of proposed plantings, including street trees. e. Details for method of planting, including optimum planting season.				X	X	X	X	X	X	X
5.	Soil erosion and sediment control plan prepared in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey and the requirements of Chapter 188, Soil and Land Conservation.				X	X	X	X	X		X
6.	Lighting plan to include: a. Location and height of proposed fixtures. b. Detail for construction of fixture.				X	X	X	X	X		X

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	7. All required standard Borough construction details for all improvements, including: a. Roadways b. Curb c. Sidewalk d. Driveway aprons e. Drainage inlets f. Pipe bedding g. Outfalls h. Manholes i. Gutters j. Plantings k. Soil erosion & sediment control struct. l. Parking lots m. Water services, fire hydrants, and valves.				X	X	X	X	X	X	X
D. Supplementary Documents											
	1. List all federal, state, county, regional and/or municipal approval or permits required.	X		X	X	X	X	X	X	X	X
	2. Copies of any existing or proposed deed restrictions or covenants.	X		X	X	X	X	X	X	X	X
	3. Copies of by laws for condominium applications.					X		X			X
	4. Freshwater wetlands letter of interpretation for the project area.			X	X	X	X	X	X		X

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						Prelim	Final	Prelim	Final		
5.	Performance guaranties.			X	X		X		X		X
6.	Executed developers agreement.						X		X		X
7.	Disclosure statement. (See N.J.S.A. 40:55D-48.1 et seq.)	X	X	X		X	X	X	X	X	
8.	Statement from utility companies as to serviceability of the site.			X	X	X	X	X	X		X
9.	Stormwater management calculations.					X	X	X	X		X
10.	Payment of all applicable fees and posting of required escrows.	X	X	X	X	X	X	X	X	X	
11.	Statement of environmental impact and assessment (SEIA).					X		X			X
12.	Number of witnesses if any and their area of expertise.	X	X	X	X	X	X	X	X	X	
13.	A plan providing for alternate safe circulation for pedestrians and vehicles during construction	X	X	X	X	X	X	X	X		X