

APPLICATION

PLANNING BOARD
BOROUGH OF RIVERTON
505A HOWARD STREET
RIVERTON, NJ 08077
TELEPHONE: (856) 829-0120

This application, with supporting documentation, must be filed with the Secretary of the Planning Board at the above referenced address, for a review and determination as to completeness **prior** to a hearing date being set or an applicant advertising for, or mailing notices regarding a hearing date. Hearing dates are only set by the Board Secretary and/or Chairman.

This Section to be completed by Planning Board Staff Only

Date File (Received): 5/26 Application No.: SD-V-04-21
Application Fee: \$100/200 Date of Check: 5/24 Check No.: ✓
Escrow Deposit: \$350/500 Date of Check: 5/24 Check No.: ✓
Review for Completeness Completed: _____ Hearing Date Set For: 6/22/21

TO BE COMPLETED BY THE APPLICANT

1. **SUBJECT PROPERTY:** 409-413
Location (Street Address): 411 Lippincott Avenue
Tax Map: Block 801 Lot(s) 5, 6 and 7
Dimensions: Frontage 225.25 +/- feet Depth 190 +/- feet Total Area 42,854 +/- square feet
Zoning District (See Zoning Map): R-8

2. APPLICANT INFORMATION:

Name: JRB Property Group, LLC
Address 163 Pinnacle Road, Ocean City, NJ 08226
(Street) (City) (State) (Zip Code)
Telephone Number(s): DAY (215) 740-0845 EVENING ()

Applicant is a (please check one): Corporation ^{LLC} Partnership Sole Proprietor
Resident

3. DISCLOSURE STATEMENT

Pursuant to N.J.S. 40:55D-48.1, the names and addresses of all persons owning 10% or more of the stock in a corporation that is an applicant, or 10% or greater interest in a partnership that is an applicant, must be disclosed. In accordance with N.J.S. 40:55D-48.2, that disclosure requirement applies to any stockholder in a corporation that is the applicant, or partner in a partnership that is an applicant, who owns or holds 10% or more of its stock, or 10% or greater interest in the partnership, until the names and addresses of the non-corporate stockholders and individual partners, at or exceeding the 10% ownership criterion, have been listed. **[Attach pages as necessary to fully comply with the following information requested for each individual.]**

Name: Jim Brandenburg Percentage of Interest Held: 100 %
Address: 163 Pinnacle Road Ocean City NJ 08226
(Street) (City) (State) (Zip Code)

4. OWNER IF DIFFERENT FROM THE APPLICANT Check here if same

If the owner of the property is someone different from the Applicant, then please complete the following:

Owner's Name: _____

Address: _____
(Street) (City) (State) (Zip Code)

Telephone Number: DAY (____) _____ EVENING: (____) _____

5. PROPERTY INFORMATION

Restrictions, covenants, easements, association by-laws, either existing or proposed on the property:

[] YES (Attach copies) [] NO [] PROPOSED (Attach Description)

NOTE: All deed restrictions, covenants, easements, association by-laws, either existing or proposed, must be submitted for review, and must be written in easily understandable English in order to be approved.

Present use of the premises: Single family home (currently vacant)

6. APPLICANT'S EXPERTS/REPRESENTATIVES:

Applicant's Attorney Michael F. Floyd, Esquire, Archer & Greiner, P.C.

(Name)

Address 33 Euclid Avenue Haddonfield NJ 08033
(Street) (City) (State) (Zip Code)

Telephone Number (856) 616-6140 Fax Number ()

Applicant's Engineer ^{Surveyor} William J. Robins, P.E., Robins Associates

(Name)

Address 9 Scott Street Riverside NJ 08075
(Street) (City) (State) (Zip Code)

Telephone Number (856) 461-9494 Fax Number ()

Applicant's Planning Consultant Joseph Mancini, P.E., P.P., CFM Tri-State Engineering & Surveying

(Name)

Address P.O. Box 1304 Blackwood NJ 08012
(Street) (City) (State) (Zip Code)

Telephone Number (856) 677-8742 Fax Number ()

Applicant's Traffic Engineer N/A

(Name)

Address _____
(Street) (City) (State) (Zip Code)

Telephone Number () Fax Number ()

7. OTHER EXPERTS

List any other expert who will submit a report or who will testify for the Applicant: (Attach additional sheets, as may be necessary, with the following information):

Name N/A Field of Expertise _____

Address _____
(Street) (City) (State) (Zip Code)

Telephone Number () Fax Number ()

8. RELIEF BEING REQUESTED

The applicant is requesting the following relief from the Planning Board; (List as many forms of relief that are applicable):

SUBDIVISION:

- Major Subdivision Approval Minor Subdivision Approval
- Subdivision Approval (Preliminary) Subdivision Approval (Final)
- Number of Lots to be created _____ Number of proposed dwelling units _____

SITE PLAN:

- Major Site Plan Approval Minor Site Plan Approval
- Preliminary Site Plan Approval (phases- if applicable) _____
- Final Site Plan Approval (phases- if applicable) _____
- Amendment of Revision to an Approved Site Plan (Area to be disturbed-square feet)

Total number of proposed dwelling units _____

- Request for Waiver from Site Plan Review and Approval

Reason for request: _____

- Informal Review of _____

- Appeal decision of an Administrative Officer (N.J.S.A. 40:55D-70a); Describe nature of appeal:

- Map or Ordinance Interpretation of Special Question (N.J.S.A. 40:55D-70b); Description:

- Variance Relief – “Hardship” (N.J.S.A. 40:55d-70c(1)); Provide Reasons:

Variance Relief – “Substantial Benefit” (N.J.S.A. 40:55D-70c(2)); Provide Reasons:

Please see attached cover letter.

Variance Relief – “Use” (N.J.S. 40:55d-70d); Provide Reasons:

Conditional Use Approval (N.J.S. 40:55D-67). Site applicable section of the Riverton Land Use Ordinance: _____

Direct issuance of a permit for a structure in a bed of mapped street, public drainage way, or flood control basin (N.J.S. 40:55D-34). Describe: _____

Direct issuance of a permit for a lot lacking street frontage (N.J.S.A. 40:55D-35) Blk _____ Lot _____

Reason for request: _____

Section(s) of Ordinance from which a variance requested: Please see attached cover letter.

Waivers Requested of Development Standards and/or Submission Requirements (attach additional pages as needed): _____

9. SUBMISSION REQUIREMENTS

Attach a copy of the Notice to appear in the official newspaper of the Borough of Riverton (*Burlington County Times*) – see **Form #2**, and the Notice to be mailed to the owners of all real property, as shown on the current tax duplicate, located within 200 feet in all directions of the property which is the subject of this application- see **Form #1**. **NOTE:** Both notices must specify the sections of the Ordinance from which relief is sought, if applicable. Attach a Certification from the Riverton Tax Collector that all taxes on the subject property have been paid up to date- see **Form #4**. Also, attach hereto (or provide at least five days prior to the hearing date) an Affidavit of Service- see **Form #3**. **The publication and the service on the affected owners must be accomplished at least ten (10) days prior to the date scheduled for the hearing. Only an official notice from the Secretary of the Planning Board shall be relied on as to the scheduled hearing date.**

Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises, *if applicable*: (attach pages as needed)

Please see attached cover letter

Please check each of the following that are applicable to this application:

Check here if NONE

Is a public water line available? Is public sanitary sewer available?

Does the applicant propose a well and septic system?

Have any proposed new lots been reviewed by the Tax Assessor to determine appropriate lot & block numbers? YES NO

Are any off-tract improvements required or proposed? Explain: _____

Is the subdivision to be filed by Deed or Plat? Deed: X Plat: _____

What form of security does the applicant propose to provide as performance and maintenance guarantees? Explain: N/A

Other approvals which may be required, and the dates that plans were submitted:

<u>AGENCY OR PERMIT</u>	<u>DECISION</u>	<u>DATE PLANS SUBMITTED</u>
Burlington County Health Department	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____
Burlington County Planning Board	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	_____
Burlington County Soil Conservation	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____
NJ Department of Environmental Protection	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____
PSE&G	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____
Other _____	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____

Check nature of approvals needed:

Sewer extension permit;

Sanitary Sewer Connection Permit;

Stream Encroachment Permit;

Wetlands Permit; Tidal Wetlands Permit;

Potable Water Construction Permit;

List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing): _____

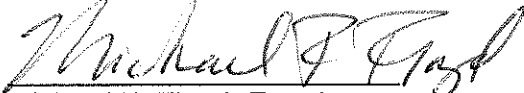
10. CERTIFICATIONS

APPLICANT

I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation, or that I am a general partner of the partnership applicant. (If the applicant is a corporation, this must be signed by an authorized corporate officer as indicated in a resolution of the corporation which must be attached hereto. If the applicant is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this
_____ day of _____, 2_____

ARCHER & GREINER, P.C.

By: 
Michael F. Floyd, Esquire
Attorneys for Applicant/Owner 5/24/21

NOTARY PUBLIC

SIGNATURE OF APPLICANT

OWNER (IF DIFFERENT FROM APPLICANT) Check here if not applicable

I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant(s). (If the owner is a corporation, this must be signed by an authorized corporate officer as indicated in a corporate resolution which must be attached hereto. If the owner is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this
_____ day of _____, 2_____

NOTARY PUBLIC

SIGNATURE OF OWNER

ACKNOWLEDGEMENT OF ESCROW

I understand that the sum of \$ 800.00 has been deposited in an escrow account specifically maintained by the Borough of Riverton for applications before the Planning Board. I have read and understand Riverton Borough Chapter 128, as amended, governing the required fees, escrow deposits and procedures regarding this application. I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials, and publication of the decision of the Board with regard to the application. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days. I ALSO UNDERSTAND, ACKNOWLEDGE AND AGREE THAT ANY DECISION MADE REGARDING MY APPLICATION SHALL BE SUBJECT TO THE PAYMENT OF ALL ESCROWS DUE AND OWING UPON A FINAL DETERMINATION OF THIS APPLICATION, AND THAT A FAILURE TO PAY ALL ESCROW SUMS DUE WILL RESULT IN LEGAL ACTION BEING TAKEN AGAINST ME, INCLUDING LIENS AGAINST ANY PROPERTY THAT I MAY OWN (IF PERMISSABLE), AND THAT I WILL BE FURTHER RESPONSIBLE FOR THE PAYMENT OF ALL LEGAL FEES OR OTHER COSTS OF COLLECTION INCURRED BY THE BOROUGH OF RIVERTON ASSOCIATED WITH THE BOROUGH'S EFFORTS TO OBTAIN ALL SUCH AMOUNTS OWED BY ME.

Date: _____

Signature of Applicant

Sworn to and subscribed before me this
_____ day of _____, 2_____

By: Michael F. Floyd
ARCHER & GREINER, P.C.
Michael F. Floyd, Esquire
Attorneys for Applicant/Owner
5/27/21

NOTARY PUBLIC

TAX PAYMENT CERTIFICATION

Pursuant to the New Jersey State Law, Chapter 174 or 1987, N.J.S. 40:55D-39c and N.J.S. 40:55D-65-h, an applicant may be required to furnish proof that no taxes or assessments for local improvements are due or delinquent on the property for which any relief is being sought through the Planning Board. An applicant must complete Section I of this form and request the Riverton Tax Office to Complete Section II, which verifies that no taxes or assessments are due. When completed, the applicant should attach this form to the application that is to be submitted to the Planning Board.

SECTION I (To be Completed by Applicant):

I, JRB Property Group, LLC residing at 163 Pinnacle Road
(Name of Applicant-Print) (Street Address)

Ocean City NJ 08226 am making an application for the
(City) (State) (Zip Code)

following relief before the Planning Board of the Borough of Riverton: Minor

Subdivision and Bulk Variance Approval

regarding property known as Block 801, Lot(s) 5, 6,
located at: 411 Lippincott Avenue whose owner of record is
409-13 (Street Address)

[same as above], who resides at _____
(Print Name) (Street Address)

_____, I request the Tax Collector of the Borough
(City) (State) (Zip Code)

of Riverton to determine if all taxes and/or assessments are paid on the property that is the subject of my application.

ARCHER & GREINER, P.C.

DATE OF REQUEST: 5/24/21

By: Michael F. Floyd
Michael F. Floyd, Esquire
Attorneys for Applicant/Owner

SECTION II (To be completed by Tax Collector)

I certify that : All taxes are paid up to date on the above referenced property
 All assessments due have been paid
 The following are delinquent and past due: Sewer

I verify that this information accurately reflects municipal tax records. (Stamp Here & Sign)

Date: 5/26/21

Dolores Rosso

Dolores Rosso, CTC
Tax Collector, Riverton Borough
County of Burlington



366-0 Sewer del

Assessed Value Additional Billing Deductions Balance All Charges Add/Omit Notes

Prop Loc: 489-13 LIPPINCOTT AVE Account Id: 80803385 Tax Bill PTR Form Restricted Edit

Owner: RIVERBTON, N J City/St: RIVERBTON, N J Zip: 08077-0811

Street 1: 489-13 LIPPINCOTT AVE Street 2: Additional Lot 1: 6.7 Additional Lot 2: Property Class: 2

Country: Unpaid Interest: Vendor: User Msgs: Exclude from Tax Sale: Online Payment Restrictions: None

Phone: Municipal Lien: Assignment: Bankruptcy: APR 2: Outside Lien: Sp Charges: Install Plan:

Bank Code: Add Edit Close Delete Previous Next Detail Letter Help

Notes Exist

Block: 801 Lot: 5

Qualifier: RIVERBTON, N J

Assessed Value Additional Billing Deductions Balance All Charges Add/Omit Notes

Prop Loc: 489-13 LIPPINCOTT AVE Account Id: 80803385 Tax Bill PTR Form Restricted Edit

Owner: RIVERBTON, N J City/St: RIVERBTON, N J Zip: 08077-0811

Street 1: 489-13 LIPPINCOTT AVE Street 2: Additional Lot 1: 6.7 Additional Lot 2: Property Class: 2

Country: Unpaid Interest: Vendor: User Msgs: Exclude from Tax Sale: Online Payment Restrictions: None

Phone: Municipal Lien: Assignment: Bankruptcy: APR 2: Outside Lien: Sp Charges: Install Plan:

Bank Code: Add Edit Close Delete Previous Next Detail Letter Help

Notes Exist

Block: 801 Lot: 5

Qualifier: RIVERBTON, N J

CHECKLIST FOR SUBMISSION

Please call for Deadlines
PUBLIC NOTICES DEPARTMENT
Burlington County Times (NJ)
215-949-4112
Fax: 215-259-0603
EMAIL: legals@thebct.com

- X 17 Copies of application and plan with the original being certified and notarized 20 days prior to hearing
- X 200 Ft List Request form completed
- X **Application Fee CHECK NUMBER** _____
(check all that apply)
 \$100 Variance Application
 \$50 Change of Use for Non-Residential
 \$350 Site Plan Application
 \$200 Minor Subdivision
 \$500 Major Subdivision
- X **Escrow Paid (amount) CHECK NUMBER** _____
(check all that apply)
 \$350 Variance
 \$500 Minor Subdivision
 \$4,000 Major Subdivision
 \$1,000 floor area less than 1,000 sq. feet Site Plan
 \$3,000 floor area between 1,000 – 9,999 sq. feet Site Plan
 \$5,000 floor area 10,000 sq. feet and over Site Plan
- _____ Board Secretary confirm date for application hearing
Secretary Initials _____
- _____ Publication in Official Newspaper MUST BE DONE AT LEAST 10 DAYS PRIOR TO HEARING DATE
Form 2
Public Notice to 200 foot list with Affidavit Form 3
- _____ Tax Certification Form 4
- _____

TO THE HEARING BRING FORMS 2, 3, 4 with all receipts, proof of mailing, and Affidavits.

**BOROUGH OF RIVERTON
505A HOWARD STREET
RIVERTON, NJ 08077
(856)829-0120**

May 2nd, 2021

Jim Brandenburger
163 Pinnacle Rd
Ocean City, NJ 08226

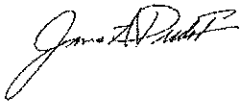
RE: Block: 801 Lots: 5,6,7

Mr. Brandenburger:

Pursuant to your request, I hereby certify that the enclosed is a list of property owners within 200 feet of the above property.

Other agencies (governmental, utilities, cable, etc) or municipalities may have to be notified. Contact the Riverton Planning & Board of Adjustments for further information.

Respectively Submitted,



James A Duda II, CTA
Tax Assessor

CC: Riverton Planning Board



Michael F. Floyd
Member of New Jersey
mfloyd@archerlaw.com
856-616-6140 Direct
856-795-0574 Direct Fax

Archer & Greiner, P.C.
One Centennial Square
Haddonfield, NJ 08033-2374
856-795-2121 Main
856-795-0574 Fax
www.archerlaw.com

May 24, 2021

VIA EMAIL - mhack@riverton-nj.com and HAND DELIVERY

Borough of Riverton Planning Board
Attn: Michelle Hack, Planning Board Secretary / Administrative Officer
Riverton Borough
Borough Hall
505A Howard Street
Riverton, NJ 08077

Re: JRB Property Group, LLC
Application for Minor Subdivision / Lot Line Adjustment and
Bulk Variance Approval
411 Lippincott Avenue, Block 801, Lots 5, 6 & 7
Our File No.: ZZZ730-00900

Dear Ms. Hack:

On behalf of our client, JRB Property Group, LLC (the "Applicant"), and in connection with the above-captioned Application for Minor Subdivision / Lot Line Adjustment and Bulk Variance Approval, enclosed are the following:

1. Completed Planning Board Application – seventeen (17) copies;
2. Minor Subdivision Plan entitled "Minor Subdivision, Lots 5, 6 & 7, Block 801, Borough of Riverton, Burlington County, New Jersey," prepared by Robins Associates Land Surveying, dated May 5, 2021 – 17 copies;
3. Certified List of Property Owners, dated May 2, 2021 – seventeen (17) copies;
4. Our firm's check, in the amount of \$200.00, made payable to the Borough of Riverton, to satisfy the Minor Subdivision Application fee;
5. Our firm's check, in the amount of \$500.00, made payable to the Borough of Riverton, to satisfy the Minor Subdivision Escrow fee;
6. Our firm's check, in the amount of \$100.00, made payable to the Borough of Riverton, to satisfy the Bulk Variance Application fee; and

7. Our firm's check, in the amount of \$350.00, made payable to the Borough of Riverton, to satisfy the Bulk Variance Escrow fee.

This Application for Minor Subdivision / Lot Line Adjustment and Bulk Variance Approval involves property located at 411 Lippincott Avenue, which property is identified as Block 801, Lots 5, 6 & 7 on the Borough of Riverton's Official Tax Maps (the "Property"). The Property is currently improved with an existing two and a half (2.5) story single-family home, along with related site improvements, including but not limited to a detached garage. The single-family home is located entirely on existing Lot 6; however, the detached garage encroaches onto existing Lot 5. The Property is located in the Residential-8 Zoning District ("R-8"), and is owned by the Applicant.

This Application provides for a lot line adjustment so that the detached garage will be located solely on Proposed Lot 6, along with the single-family home. Due to the lot line adjustment, the Applicant is requesting Bulk Variance Approval to allow Proposed Lot 5 to have a lot frontage of approximately 65 feet, when a 75 foot lot frontage is required by Ordinance in the R-8 Zone. Note that, while the Minor Subdivision Plan references Proposed Lot 7, this Minor Subdivision Plan does not propose any changes to the existing meets and bounds description of existing Lot 7. Note, too, that the Minor Subdivision Plan depicts the potential to construct two new single-family homes on Proposed Lot 5 and existing Lot 7, and both homes will comply will required bulk and area criteria.

The Applicant will be prepared to provide testimony in support of the request Bulk Variance Approval to allow 65 feet of lot frontage, rather than 75 feet of lot frontage. Among other justifications, the granting of the requested Bulk Variance will avoid the need to demolish the detached garage. Further, the granting of the Bulk Variance will advance several purposes of the Municipal Land Use Law (the "MLUL"), including but not limited to advancing the general welfare (N.J.S.A. 40:55D-2(a)); providing adequate light, air and open space (N.J.S.A. 40:55D-2(c)); and, promoting a desirable visual environment through creative development techniques and good civic design and arrangement (N.J.S.A. 40:55D-2(i)). Pursuant to N.J.S.A. 40:55D-70(c)(2), the testimony provided during the public hearing on this Application will show that the benefit of granting of the Bulk Variance will substantially outweigh any detriment, and that the Bulk Variance can be granted without any substantial detriment to the public good and will not impair the intent and purpose of the zone plan and zoning ordinance.

We respectfully request that this Application be placed in the next available agenda of the Borough of Riverton Planning Board. Once you advise as to the planning board meeting date, we will publish and serve the appropriate notice for the public hearing on this Application and, thereafter, we will forward to you our Affidavit of Service of Notice and the Affidavit of Publication from the newspaper, upon our receipt of same.

Michelle Hack, Secretary Administrative Officer
May 24, 2021
Page 3

If you have any questions or need any additional information, please let me know.

Thank you for your courtesy and assistance.

Very truly yours,



MICHAEL F. FLOYD

MFF:rad

Enclosures

CC: JRB Property Group, LLC c/o Jim Brandenburger
Charles D. Petrone, Esq.
Jeff Hanson, P.E., CME
Michelle Taylor, P.P., AICP
Joseph Mancini, P.E., P.P.

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