

**TOWNSHIP OF SOUTHAMPTON
PLANNING BOARD/ZONING BOARD OF ADJUSTMENT**

INSTRUCTIONS FOR APPLICANTS
READ CAREFULLY

Introduction:

Applications to the Planning Board or Zoning Board of Adjustments are governed by the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.; the provisions of the Zoning Ordinances of the Township of Southampton as amended; and Rules and Procedures of the Boards. You must be familiar with this information to assure that your application is complete and can be properly considered. Copies of the Zoning Ordinances are available for purchase from the Township Zoning Officer or Board Secretary. It is recommended that you consult an attorney.

THE FOLLOWING GENERAL INSTRUCTIONS ARE PROVIDED FOR YOUR CONVENIENCE.
A FAILURE TO COMPLY WITH ALL PROCEDURES OR THE SUBMISSION OF AN INCOMPLETE APPLICATION MAY RESULT IN DELAY OR NON-CONSIDERATION OF YOUR APPEAL OR APPLICATION.

I. APPLICATION FORMS:

Application forms are available from the Board Secretary. All applications received will be reviewed by the Review Advisory Committee on the third Thursday of the month for completeness and scheduling for a hearing by the Board. The Administrative Officer of the Planning Board/Zoning Board of Adjustment has **forty-five (45) days** to deem an application complete **NO APPLICATION WILL BE PLACED ON AN AGENDA UNTIL THE "RAC" HAS DEEMED THE APPLICATION COMPLETE.** The Administrative Officer of the Planning Board/Zoning Board of Adjustment will notify the applicant of scheduled meeting date and time.

a. Please note that original and **fifteen (15)** copies of all documents submitted must be provided by the applicant. All site plans and subdivisions must be filed with the Burlington County Planning Board. (See N.J.S.A. 40:55D-37c)

II. NOTICES REQUIRED:

At least **ten (10)** days prior to the date fixed for your hearing, the applicant shall arrange for the following notices required by N.J.S.A. 40:55D-12:

a. **PUBLICATION:**

Public notice of any hearing shall be given by publication in the official newspaper (**The Central Record**) or a newspaper in general circulation in the municipality (**The Burlington County Times or the Courier Post**).

b. **PROPERTY OWNERS:**

Personal notice of any hearing shall be given to the owners of all real property, as shown on the current tax list, located within 200 feet in all directions of the subject property line, including residents of adjacent townships. This notice shall be given by: (1) serving a copy of the Notice of Hearing on the property owner(s) *personally, or his agent in charge, or (2) mailing a copy by certified mail to the owner at the address shown on the current tax list.

Names and addresses of owner(s) of real property within 200 feet may be obtained from the Southampton Township Assessor's office for a fee of **\$10.00**.

Notices may be given to property owner(s) on form provided with the Application Packet.

c. **MUNICIPAL CLERK:**

Notice of any hearing shall be given to the Clerk of any adjoining municipality within 200 feet of the subject property by service or certified mail.

d. **COUNTY PLANNING BOARD:**

Notice of any hearing shall be given to the Burlington County Planning Board when: (1) notice to a municipal clerk is required, (2) the subject property adjoins county land, or (3) the subject property adjoins a county road, existing or proposed. Such service shall be personal or by certified mail.

e. **COMMISSIONER OF TRANSPORTATION:**

Notice of any hearing shall be given to the Commissioner of Transportation when the subject property adjoins a State Highway by personal service of certified mail.

f. **DIVISION OF STATE — REGIONAL PLANNING:**

Notice of any hearing shall be given to the Director of the Division of State and Regional Planning in the Department of Community Affairs when the subject property exceeds 150 acres or the application involves more than 500 dwelling units. (See N.J.S.A. 40:55D-12g)

III. **CONTENTS OF NOTICES:**

It is essential that all Notices published and served contain complete information as required by N.J.S.A. 40:55D-11. Applicants should use form provided in the Application Packet or consult an attorney.

IV. **PROOF OF NOTICE:**

At least **three (3) days** prior to the date fixed for hearing the application, the applicant shall file with the Board's Secretary a signed Affidavit of Proof of Service on form provided in Application Packet. In addition, appropriate Proof of Publication of the required public notice in the newspaper (The Central Record, Burlington County Times or Courier Post) shall be filed together with the Affidavit and certified mail form. If the required Proof is not filed on time, an application will not be heard.

V. **POWERS OF THE ZONING BOARD OF ADJUSTMENT:**

The powers of the Zoning Board of Adjustment are established by N.J.S.A. 40:55D-70 and 76. Briefly, the types of relief available are as follows:

a. Appeals:

Hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or refusal made by an administrative officer based on or made in the enforcement of the zoning ordinances;

b. Interpretations:

Hear and decide requests for interpretation of the zoning map or ordinance or for decisions upon other special questions upon which such board is authorized to pass by any zoning or official map ordinance, in accordance with this act;

c. Hardship Variances:

The Board may grant variances where the strict application of the Zoning Ordinances or Zoning Plan would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon a person due to: (a) exceptional narrowness, shallowness or shape of a specific piece of property; (b) exceptional topographic conditions or physical features uniquely affecting a specific piece of property; or (c) an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.

In addition, the Board may grant a variance for a specific piece of property where 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. The burden is upon the applicant to demonstrate the facts establishing that a variance should be granted under the foregoing standards.

d. Use "D" Variances:

The Board may grant variances to allow a departure from the regulations of the Zoning Ordinances to permit: (1) a use or principal structure in a district restricted against such use or principal structure; (2) an expansion of a nonconforming use; (3) deviation from a specification or standard pertaining solely to a conditional use; (4) an increase in the permitted floor area ratio; (5) an increase in the permitted density, except as applied to the required lot area for a lot or lots for detached one or two dwelling unit buildings, which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision, or; (6) a height of a principal structure which exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure. The burden is upon the applicant to demonstrate the facts establishing that a variance should be granted under the foregoing standards. A variance under this subsection shall be granted only by affirmative vote of at least five members.

e. Site Plan or Subdivision:

In conjunction with an application for a Use "D" Variance only, the Board may grant site plan, subdivision or conditional use approval in the same matter as the Planning Board. NO PART OF THE ABOVE FORMS OF RELIEF MAY BE GRANTED UNLESS THE APPLICANT ESTABLISHES THAT ANY RELIEF REQUESTED WILL NOT SUBSTANTIALLY IMPAIR THE INTENT OF THE ZONING PLAN AND ZONING ORDINANCES NOR RESULT IN SUBSTANTIAL DETRIMENT TO THE HEALTH, WELFARE AND SAFETY OF THE PUBLIC.

VI. FEES AND COSTS:

The applicant must pay all costs and expenses for the preparation, filing and service of application materials and notices. In addition, every application filed with the Board Secretary shall be accompanied by the applicable fees and escrow deposits per ORDINANCE #1998-9.

VII. REPRESENTATION:

At the time of hearing, the applicant may appear on his own behalf or be represented by an attorney. In the event, the applicant is a corporation, it must be licensed to do business in the State of New Jersey and be represented by a New Jersey licensed attorney.

VIII. PRIOR APPROVALS:

Certain applications require approval of other county or state agencies. It is the applicant's responsibility to determine the necessity for such approvals and submit appropriate verification to the Board.

IX. NOTICE OF DECISIONS:

As permitted by N.J.S.A. 40:55D-10I, the Planning/Zoning Board Secretary shall cause publication of a brief notice of any decisions in the official newspaper or in a newspaper in general circulation in the community. Such publication fixes the date from which the time for appeal runs.

SOUTHAMPTON TOWNSHIP PROFESSIONAL STAFF

PLANNING BOARD ENGINEER

The Alaimo Group
200 High Street
Mount Holly, NJ. 08060
Frank Morris, P.E.

609-267-8310
Fax: 609-267-4929

fmorris@alaimogroup.com

ZONING BOARD OF ADJUSTMENT ENGINEER

Environmental Resolutions, Inc.
815 East Gate Drive, Suite 103
Mount Laurel, NJ 08054
Rakesh Darji, Engineer

856-235-7170
Fax: 856-273-9239

rdarji@erinj.com

PLANNING & ZONING BOARD PLANNER

Environmental Resolutions, Inc.
815 East Gate Drive, Suite 103
Mount Laurel, NJ 08054
Edward Fox, III, Planner

856-235-7170
Fax: 856-2739239

efox@erinj.com

PLANNING BOARD ATTORNEY

Raymond, Coleman and Heinold
325 New Albany Road
Moorestown, NJ 08057
Thomas Coleman, Esq.

856-222-0100
Fax: 856-222-0411

tomcoleman@rclawnj.com

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ACTING ZONING OFFICER

William Ward

609-859-2786
bward@southamptonnj.org

SECRETARY OF PLANNING BOARD

Michele Gittinger

609-859-5570
planning-zoning@southamptonnj.org

SECRETARY OF ZONING BD OF ADJUSTMENT

Denise Schmied

609-859-1394
planning-zoning@southamptonnj.org

TOWNSHIP OF SOUTHAMPTON
5 Retreat Road
Southampton, New Jersey 08088
609-859-1394
FAX 609-388-5532
Planning-zoning@southamptonnj.org

The application, with supporting documentation, must be filed with the Office of the Planning and Zoning Board Administrator. Determination of completeness will be made within forty-five (45) days. Any additional information provided will be subject to a forty-five (45) days determination of completeness. After a meeting is scheduled, any documents submitted must be delivered to the Board and professionals no later than fifteen (15) days prior to the meeting scheduled.

PLANNING BOARD & ZONING BOARD APPLICATION FORM

Date Filed: _____ Application No. _____
 Planning Board: x
 Zoning Board of Adjustment: _____
 Application Fees: \$1,400.00
 Scheduled for: Review for Completeness: _____ Hearing: _____

1. SUBJECT PROPERTY:

Property Location Address: 1823 Route 206

Tax Map: Page 22 and 23 Block 2203 Lot(s) 14

Page _____ Block _____ Lot(s) _____

Dimensions: Frontage 262' Depth 309' Total Area 11.04 AC
 Zoning District HC - Highway Commercial

2. APPLICANT/OWNER/DEVELOPER:

Name: Southampton DG, LLC
 Address: 361 Summit Boulevard, Suite 110, Birmingham, AL 35243
 Telephone No: (205) 968-9220 Fax No.: _____ Email: info@cgpre.com
 Applicant is a: Corporation _____ Partnership _____ Individual _____ LLC x
 Corp., Partnerships & LLC's, please provide a W-9 form. See attached W-9 form.

3. DISCLOSURE STATEMENT:

Pursuant to N.J.S. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirements applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed. **(Attach pages as necessary to fully comply.)**

See attached
 Corporate
 Ownership
 Disclosure
 Statement.

Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____

4. If Owner is other than the applicant, provide the following information on the Owner(s):

Owner's Name: Catherine Haas
 Address: 1812 Route 206, Southampton, NJ 08088.
 Telephone No: _____ Fax No.: _____

5. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING: SUBDIVISION:

- Minor Subdivision Approval
- Subdivision Approval (Preliminary)
- Subdivision Approval (Final)

Number of lots to be created _____ Number of proposed dwelling units _____
 (including remainder lot) (if applicable)

SITE PLAN:

- Minor Site Plan Approval
- Preliminary Site Plan Approval {Phases (if applicable) ___ }
- Final Site Plan Approval {Phases (if applicable) _____ }
- Amendment or 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: Proposed Dollar General retail store

- Informal Review (Planning Board only)
- Appeal decision of an Administrative Officer (N.J.S. 40:55D-70a)
- Map or Ordinance Interpretation of Special Question (N.J.S. 40:55D-70b)
- Variance Relief (hardship) (N.J.S.40:55D-70c(1))
- Variance Relief (substantial benefit) (N.J.S.40:55D-70c(2))
- Variance Relief (use) (N.J.S. 40:55D-70d)
- Conditional Use Approval (N.J.S.40:55D-67)
- Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin (N.J.S. 40:55D-34)
- Direct issuance of a permit for a lot lacking street frontage (N.J.S.40:55D-35)

See bottom of page.

6. **Attach in paragraph form, an explanation of the exact nature of the application and the changes to be made, including proposed use of the premises, and why any variances or waivers should be granted: (Attach separate sheet)**

7. **PROPERTY INFORMATION:**

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

Yes(attach copies) _____ No Proposed _____

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

Present use of the premises: Vacant land

8. **APPLICANT'S ATTORNEY:** Jason R. Tuvel, Esquire - Prime & Tuvel
 Address: 14000 Horizon Way, Suite 325, Mount Laurel, NJ 08054
 Telephone No: (856) 273-8300 Fax (856) 273-8383
 email: jason@primelaw.com

Applicant proposes to subdivide the property into three lots and to develop upon the smaller lot, which shall contain approximately 2 acres of land, a Dollar General retail store, together with related site improvements, including, but not limited to, drainage, signage, lighting, parking, and landscaping.

9. APPLICANT'S ENGINEER: Paul D. Mutch, Jr., PE - Stonefield Engineering & Design, LLC
 Address: 15 Spring Street, Princeton, NJ 08542
 Telephone No.: (609) 362-6900 Fax (201) 340-4472
 email: pmutch@stonefieldeng.com
10. APPLICANT'S PLANNING CONSULTANT: _____
 Address: _____
 Telephone No.: _____ Fax _____
 email: _____
11. APPLICANT'S TRAFFIC ENGINEER: _____
 Address: _____
 Telephone No.: _____ Fax _____
 email: _____
12. List any other Expert who will submit a report or who will testify for the Applicant: (Attach additional sheets as may be necessary)
 Name: _____
 Field of Expertise: _____
 Address: _____
 Telephone No.: _____ Fax _____
 email: _____
13. Section(s) of Ordinance from which a variance is requested: Please see Zoning Relief Memorandum.
14. Waivers Requested of Development Standards and/or Submission Requirements:
 (attach additional pages as needed)
15. **Attach a copy of the Notice to appear in the official newspaper of the municipality (The Central Record or The Burlington County Times) and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.**
The publication and the service on the affected owners must be accomplished at least ten (10) days prior to the date scheduled by the Administrative Officer of the hearing.
An affidavit of service on all property owners and a proof of publication must be filed at least three (3) days prior to meeting before the application will be complete and the hearing can proceed.
16. Is a public water line available? No
17. Is public sanitary sewer available? No
18. Does the application propose a well and septic system on site? Yes
19. Have any proposed new lots been reviewed with the Township Engineer to determine appropriate lot and block numbers? No
20. Are any off-tract improvements required or proposed? Yes - driveway access along Route 206
21. Is the subdivision to be filed by Deed or Plat? _____

22. What form of security does the applicant propose to provide as performance and maintenance guarantees? Applicant will post bonds

23. Other approvals which may be required and date plans submitted:

	Yes	No	Dates Plans Submitted
Burlington County Board of Health	<u>x</u>	<u> </u>	<u>Pending</u>
Burlington County Planning Board	<u>x</u>	<u> </u>	<u>Pending</u>
Burlington County Soil Conservation District	<u>x</u>	<u> </u>	<u>Pending</u>
NJ Dept. of Environmental Protection	<u> </u>	<u>x</u>	<u> </u>
Pinelands Commission	<u> </u>	<u>x</u>	<u> </u>
Stream Encroachment Permit	<u> </u>	<u>x</u>	<u> </u>
Wetlands Permit	<u> </u>	<u>x</u>	<u> </u>
Other	<u> </u>	<u>x</u>	<u> </u>
NJ Dept. of Transportation	<u>x</u>	<u> </u>	<u>Pending</u>
Public Service Electric & Gas Company	<u> </u>	<u>x</u>	<u> </u>
County 9-1-1 Coordinator, Street Name Approval	<u> </u>	<u>x</u>	<u> </u>

24. Certification from the Tax Collector that all taxes due on the subject property have been paid. See attached Certification of Taxes Paid.

25. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing). Please see Cover Letter.

26. The applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals: Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

Applicants Professional	Reports Requested
Attorney	<u>All reports</u>
Engineer	<u>All reports</u>

CERTIFICATION

27. 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. If the applicant is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this 6th day of August 2020.

Rebecca DiChiaro
Notary Public



Steve
Signature of Applicant

28. 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.

(If the owner is a corporation, this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.)

Please see attached Owner Consent form.

Sworn to and subscribed before me this

_____ day of _____, 20__.

Notary Public

Signature of Owner

29. I understand that the sum of \$ 25,000.00 has been deposited in an escrow account. In accordance with the Ordinance of the Township of Southampton, 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 the publication of the decision by the Board. Sums not utilized in the review process shall be returned under the procedures in the ordinance. 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 understand that no further review of my application will be made until such time as my escrow account is current.

8/6/2020

Date

[Signature]

Signature of Applicant

30. I agree to be responsible for all bills against this development's escrow account. In the event that this project is sold or my interest is transferred to another party, my obligation can only be relieved if all outstanding escrow bills are paid and the new principal obligates himself to the responsibility of all future bills in an agreement with the Township.

8/6/2020

Date

[Signature]

Signature Developer/Applicant

ESCROW AGREEMENT

THIS AGREEMENT made this 6^m day of August, 2020

between Southampton DG, LLC

(name of applicant)

hereinafter referred to as "**Applicant**", and the **PLANNING BOARD OR ZONING BOARD OF ADJUSTMENT** of the **TOWNSHIP OF SOUTHAMPTON**, hereinafter referred to as the "Board".

WHEREAS, Applicant is currently seeking to make an application to the **PLANNING BOARD or ZONING BOARD OF ADJUSTMENT** of the **TOWNSHIP OF SOUTHAMPTON**, and;

WHEREAS, the Board desires to establish an escrow whereby work required to be performed by professionals employed by the Board will be paid by the Applicant as required under the provisions of the Ordinances of the **TOWNSHIP OF SOUTHAMPTON**, and;

WHEREAS, both parties feel it is appropriate to reduce this understanding to written form.

WITNESSETH:

IT IS mutually agreed between the parties that:

1. PURPOSES.

The Board authorizes its professional staff to review, inspect, report and study all plans, documents, statements, improvements and provisions made by the Applicant in conforming to the requirements of the Ordinances of the Township. The Board directs its professional staff to make all oral and/or written reports to the Board or its conclusions and findings derived from the review, study, investigation and like or similar duties performed as elsewhere authorized. The Applicant agrees to pay all reasonable professional fees incurred by the Board for the performance of the duties outlined above.

2. ESCROW ESTABLISHED.

Applicant and the Board in accordance with the provisions of this agreement hereby create an escrow to be established by the Board in a depository selected by the Township Committee.

3. ESCROW FUND.

Applicant by execution of this agreement shall pay to the Township Treasurer, to be deposited in the depository referred to in Section 2, such sums as are required by Schedule 1, which is attached hereto and made a part hereof by reference. Execution of this agreement by the Board acknowledges receipt of the sums referred to under this paragraph.

4. INCREASE IN ESCROW FUND.

If during the existence of this escrow agreement the funds held by the escrow holder shall be insufficient to cover any voucher or bill submitted by the professional staff and reviewed and approved by the Board, Applicant shall within fifteen (15) days from the date of receipt of written notice, deposit additional sums with the escrow holder to cover the amount of the deficit referred to above. The written notice referred to in this paragraph shall be sent to:

5. TIME OF PAYMENT.

The professionals referred to in this agreement, upon the conclusion of their services or periodically during the performance of their services, shall submit vouchers conforming to the requirements established by the Board and/or Township Committee for vouchers or the type and kind referred to under this paragraph. Said vouchers shall include the amounts of all fees and costs incurred as a result of the services set forth under Paragraph 1 of this agreement.

6. BOARD OF REVIEW.

The Township Committee shall review the vouchers submitted by the professionals to determine whether the services have been performed in the manner and to the degree required by this agreement. Upon

making a determination that said services have been performed properly, the Treasurer shall process said vouchers in the same manner and under the same terms as are normally employed for vouchers submitted for performance for the Board. At the conclusion of this processing the amounts specified in said vouchers shall be deducted by the escrow holder from the escrow established pursuant to this agreement.

7. APPLICANT'S OBJECTION.

The Applicant shall have the right to make periodic inquiries of the records maintained by the escrow holder to determine the status of the escrow at any point in time. Where the Applicant objects to the payment of any voucher from the escrow fund, he shall have the right to appeal, upon three (3) days written notice to all professionals, to the **TOWNSHIP COMMITTEE** (Board) to determine whether the payments or payment are objected to be proper. The standards of review to be utilized by the **TOWNSHIP COMMITTEE** (Board) in determining whether said payments are proper and whether the fees incurred are reasonable and whether the work has been performed properly.

8. INTEREST ALLOCATIONS.

Any and all interest which would result from or arise out of the deposits being made and held in escrow by the Applicant shall revert to the use of the escrow holder as compensation for the services rendered in connection with this escrow agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seal the date first written above.



(Applicant)

Administrative Officer of
Planning and Zoning

LAND DEVELOPMENT

Appendix A-2
Preliminary Major Subdivision/Site Plan

SUBMISSION CHECKLIST PRELIMINARY

Revised: 10-6-2003

Revised: 12-8-2004

Revised: 1-20-2005

TOWNSHIP OF SOUTHAMPTON
APPLICATION FOR PRELIMINARY MAJOR SUBDIVISION/SITE PLAN

ORIGINAL AND 15 COPIES OF ALL INFORMATION SUBMITTED, MUST BE PROVIDED BY THE APPLICANT.

BLOCK 2203 LOT(S) 14

APPLICANT/OWNER/DEVELOPER'S NAME Southampton DG, LLC

PROPERTY LOCATION ADDRESS: 1823 Route 206

- Required Application, Application Fee and Escrow Deposit, and Escrow Agreement.
(See attached Fee and Escrow Ordinance.)
- Certification by the Tax Collector that all taxes on said property are paid to date.
- Preliminary Major Subdivision Plat or Major Site Plan drawn to scale of one inch equals 100 inches by professional engineer in accordance with the Township's Land Development Ordinance on one of the four of the following standard sheet sizes: 8 1/2" x 13", 15" x 21", 24" x 36", or 30" x 42"
1. Key map showing entire tract and its relation to the surrounding area at a scale of one inch equals not more than 2,000 feet.
 2. Title Block in accordance with the rules governing title blocks for professional engineers including:
 - a. Name of subdivision or development, township name and county.
 - b. Name, title, address and telephone number of the subdivider or developer.
 - c. Name, title, address, telephone number and license number of the professional(s) that prepared plat or plan.
 - d. Name, title, address and telephone number of the owner or owners of record.
 - e. Scale in inches to feet and bar scale.
 - f. Date of original preparation and of each subsequent revision and a list of the specific revisions entered on each sheet.
 3. North arrow.
 4. Certification that the applicant is the owner of the property or that the owner has consented to the making of the application under an option agreement.

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5. Approval signature lines for: Planning or Zoning Board Chairperson, Board Secretary and Township Engineer.
6. Acreage to the nearest tenth of an acre and a computation of the area of the tract to be disturbed.
7. The names and lot and block numbers of all property owners within 200 feet of the extreme limits of the tract as shown on the most recent tax list prepared by the Township Tax Assessor.
8. Existing block and lot numbers as they appear on the official Tax Map of Southampton Township to be subdivided or developed and proposed block and lot numbers as provided by the Township Tax Assessor upon written request.
9. Boundary lines (heavy solid line) of subdivision or development.
10. Zoning districts including district name(s) and requirements.
11. Locations and dimensions of existing and proposed bridges and the location of natural features such as wooded areas, and any extensive rock formations, both within the tract and within 200 feet of its boundaries.
12. Location and species associations of all individual trees or groups of trees having a caliper of eight inches or more measured three feet above the ground level shall be shown within the portion of the tract to be disturbed as a result of the proposed development. The proposed location of all proposed plantings also shall be indicated and a legend provided listing the botanical and common names, the sizes at time of planting, the total quantity of each plant, and the location keyed to the plan.
13. All existing and proposed watercourses (including lakes and ponds) shall be shown and accompanied by the following information, as may be required by the Township Engineer:
 - (a) When a stream is proposed for alteration, improvement or relocation or where a drainage structure or fill is proposed over, under, in or along a running stream, a report on the status of review by the NJ Dept. of Water Resources or such agency having jurisdiction shall accompany the submission.
 - (b) Cross-sections of watercourses and/or drainage swales at an approximate scale showing the extent of the floodplain, top of the bank, normal water levels and bottom elevations at the following locations, where appropriate:
 - [1] Where a watercourse crosses boundary of the tract;
 - [2] At 100-foot intervals up to 500 feet upstream and downstream of any point of juncture of two or more watercourses within the tract;
 - [3] At 100-foot intervals for a distance of 500 feet upstream and downstream of any proposed and/or existing culvert or bridge within the tract;
 - [4] At a maximum of 100-foot intervals, but not less than two locations, along each watercourse which runs through or within 500 feet of the tract;

LAND DEVELOPMENT

- [5] When ditches, swales, streams or watercourses are to be altered, and measures to control erosion and siltation, as well as typical ditch sections and profiles, shall be shown;
 - [6] The delineation of the floodways and flood fringe areas of all watercourses within or adjacent to the tract.
- (c) Total acreage of the drainage basin of any watercourse running through or adjacent to the tract.
 - (d) The location of all drainage structures downstream of the tract, to which the tract is tributary, between the tract and the municipal boundary, including hydrologic and hydraulic computations for each of the structures.
 - (e) Location and extent of drainage and conservation easements and stream encroachment lines.
 - (f) The location, extent and water level evaluation of all existing or proposed lakes or ponds within the tract and within 200 feet of the tract.
14. Existing and proposed contours with intervals of one foot where slopes are less than 2%; with intervals of two feet where slopes are between 2% and 10%; and with intervals of five feet where slopes exceed 10%. All contour information shall refer to a known datum. Existing contours shall be shown as a dashed line; finished grades shall be shown as a solid line.
 15. Proposal for soil erosion and sediment control as required by the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq.
 16. Locations of all existing structures showing existing and proposed front, rear and side yard setback distances, and indication of whether the existing structures and uses will be retained or removed, and a specific identification of any family burial grounds and buildings more than 60 years old, both within the tract and within 200 feet of its boundary.
 17. Size, height and location of all proposed buildings, structures, signs and lighting facilities.
 18. All dimensions necessary to confirm conformity to this chapter such as the size of the tract and any proposed lot(s), structures, setbacks, structure heights, yards and floor area ratios. All tract and lot sizes shall be expressed in acres and square feet and shall include bearings and distances.
 19. The proposed location, direction of illumination, power and type of proposed outdoor lighting, including details of lighting poles and luminaries.
 20. The proposed screening, buffering and landscaping, including a landscaping plan.
 21. The location and design of any off-street parking area, showing size and location of bays, aisles and barriers.

LAND DEVELOPMENT

22. The application shall include plans and computations for any storm drainage system including the following:
 - (a) All existing or proposed storm sewer lines within or adjacent to the tract showing size and slope of the line, direction of flow and the location of each catch basin, inlet, manhole, culvert and headwall.
 - (b) The location and extent of any proposed ground water recharge basins, detention basins or other water or soil conservation or drainage devices.
23. The location of existing structures such as water and sewer mains, utility structures, gas transmission lines and high tension power lines on the tract and within 200 feet of its boundaries.
24. Plans of proposed improvements and utility layouts including sewers, storm drains and water lines and feasible connections to gas, telephone and electrical utility systems. If private utilities are proposed, they shall comply fully with all agency regulations. If an existing utility company, in lieu of detailed plans will provide service, a letter from that company stating that service will be available before occupancy will be sufficient. When individual on-site water or sewage disposal is proposed, the plan for those systems shall be approved for each lot by the appropriate agencies and the result of percolation tests and soil log data shall be indicated on the plan.
25. Plans, typical cross-sections and details, centerline profiles and tentative grades of all proposed streets and of existing streets abutting the tract based on U.S.G.S. vertical datum or a more specified datum supplied by the Township Engineer, including curbing, sidewalks, storm drains and drainage structures. Sight triangles, the radius of curblines and street sign locations shall be clearly indicated at the intersections.
26. All proposed street names, which shall be subject to the approval of the Board. No proposed street name shall duplicate or be substantially similar to the name of any existing or approved street in the township or in any municipality served by a post office which also serves the Township of Southampton. Attached form should be completed and memo from the Township 9-1-1 Coordinator shall be provided with this application.
27. Any proposed protective covenants or deed restrictions applying to the land being developed shall be submitted with the application and/or indicated on the submitted plans. All covenants or deed restrictions are subject to approval by the Planning Board.
28. The proposed permanent monuments shall be shown, in accordance with the Map Filing Act (N.J.S.A. 46:23-9.9 et seq.).
29. Concerning site plans only, a written description of the proposed use(s) and operation(s) of the buildings, including emission of noise, glare, vibration, heat, odor, air and water pollution, safety hazards, expected truck and tractor traffic and the proposed number of shifts to be worked, the maximum number of employees on each shift, and the hours of operation.

LAND DEVELOPMENT

30. Identification of any lot or area to be reserved or dedicated to public use, showing all improvements such as landscaping, grading, walkways, bicycle paths and recreational facilities.
31. A boundary survey by a licensed New Jersey Land Surveyor, certified on a date within six months of the date of submission.
32. Concerning site plans only, signed and sealed, scaled elevations by a licensed N.J. architect of the front, side and rear of any structure to be erected or modified, floor plans and expansion plans incorporated into the building design shall be submitted.
33. A Cultural Resource Inventory for all sites within the Pinelands.
34. In the case of any subdivision or site plan submission of a planned development, the applicant shall be required to submit all of the required information for all of the properties comprising the planned development, regardless of whether the applicant is seeking approval of the whole or a section of the planned development, specifically, the applicant shall be required to show the interrelationship of each portion of the project with the whole of the project considering land use, traffic, open space, buffering, drainage and surface water management, sewerage, potable water supply and any other specific planning considerations as may be of particular relevance to a particular planned development.
35. Environmental Impact Statement in accordance with § 12-4.10 of this chapter and the Environmental Impact Worksheet as provided by the Southampton Township Environmental Commission.
36. Traffic Impact Statement.
37. Community Impact Statement.
38. The Board may require additional information before granting preliminary approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and the surrounding area. All proposed manufacturing processes shall be described in the application for development. The Board may require the applicant of a manufacturing use to provide additional reports for review by experts designated by the Township.
39. Pursuant to N.J.S.A. 40:55D-38 which permits Planning Boards to create provisions insuring the consistency of layout or arrangement of a subdivision or land development with the zoning ordinances and at the board's discretion, the applicant shall submit a "build-out" plan for the purposes of: (a) demonstrating the number of units which could be produced on the tract if developed to the full extent which zoning permits; and (b) permitting the board to evaluate the subdivision design in terms of overall consistency of layout.

LAND DEVELOPMENT

Appendix A-3
Final Major Subdivision/Site Plan

SUBMISSION CHECKLIST

REVISED: 10-7-2003

REVISED: 12-8-2004

TOWNSHIP OF SOUTHAMPTON
APPLICATION FOR FINAL MAJOR SUBDIVISION/SITE PLAN

ORIGINAL AND 15 COPIES OF ALL INFORMATION SUBMITTED, MUST BE PROVIDED BY THE APPLICANT.

BLOCK 2203 LOT(S) 14

APPLICANT/OWNER/DEVELOPER'S NAME Southampton DG, LLC

PROPERTY LOCATION ADDRESS: 1823 Route 206

- Required Application, Application Fee and Escrow Deposit, and Escrow Agreement. (See attached Fee and Escrow Ordinance.)
- Certification by the Tax Collector that all taxes on said property are paid to date.
- Final Major Subdivision Plat or Major Site plan drawn to scale of one inch equals 100 inches by professional engineer in accordance with the Township's Land Development Ordinance.
- A. All details stipulated in Chapter 12-10.3.
 - B. All additional details required at time of preliminary approval shall be submitted.
 - C. A section or staging plan, if proposed, indicating the portion of the tract to be considered for final approval as part of the current application and the relationship of the portion of the tract to be remaining land area, including all applicable comparisons such as parking spaces, building coverage, lot coverage, open space areas and number of lots.
 - D. Detailed architectural and engineering data.
 - E. Letters directed to the Chairman of the Board and signed by a responsible official of the lighting agency, water company, sewer utility, cable television company and any other company or government authority or district which provides accessory utility service approving each proposed utility installation design and stating who will construct the facility so that service will be available prior to occupancy. The designing engineer shall certify to the Board that the existing cross-section(s) and profile(s) have been run in the field and the field notes shall be forwarded to the Township Engineer.
 - F. The applicant shall certify in writing to the Board that the applicant has: (a) installed all improvements in accordance with the requirements of this chapter, and/or (b) posted a performance guarantee in accordance with Chapter 12-7.

LAND DEVELOPMENT

- G. A statement from the Township Engineer that all improvements installed prior to application have been inspected as provided in Chapter 12-7, and that the improvements installed prior to application for final approval that do not meet or exceed Township standards shall be factored into the required performance guarantee.
- H. Approved street name(s) and new house numbers.

W Burlington County Planning Board Approval.

W Soil Erosion and Sediment Control Approval.

W Burlington County Board of Health Well and Septic Approvals.

N/A N.J. Department of Environmental Protection approvals or permits.

W Bond quantities for bond calculation.

LAND DEVELOPMENT

12 Attachment 1

Township of Southampton

**Appendix A
Checklists**

**Appendix A-1
Minor Subdivision/Site Plan**

CHECKLIST MINOR

REVISED: 10-6-2003

REVISED: 12-8-2004

**SUBMISSION CHECKLIST, TOWNSHIP OF SOUTHAMPTON
APPLICATION FOR MINOR SUBDIVISION/SITE PLAN**

(FIFTEEN COPIES OF ALL INFORMATION SUBMITTED, MUST BE PROVIDED BY APPLICANT.)

BLOCK 2203, LOT(S) 14

APPLICANT/OWNER/DEVELOPER'S NAME Southampton DG, LLC

PROPERTY LOCATION ADDRESS: 1823 Route 206

- Required Application, Application Fee and Escrow Deposit, and Escrow Agreement. (See attached Fee and Escrow Ordinance.)
- Certification by the Tax Collector that all taxes on said property are paid to date.
- Minor Plat or Minor Plan drawn to scale of one inch equals 100 inches by professional engineer or land surveyor in accordance with the Township's Land Development Ordinance on one of the four of the following standard sheet sizes: 8 1/2" x 13", 15" x 21", 24" x 36", or 30" x 42".
 1. Key map showing entire tract and its relation to the surrounding area at a scale of one inch equals not more than 2,000 feet.
 2. Title Block in accordance with the rules governing title blocks for professional engineers including:
 - a. Name of subdivision or development, township name and county.
 - b. Name, title, address and telephone number of the subdivider or developer.
 - c. Name, title, address, telephone number and license number of the professional(s) that prepared plat or plan.
 - d. Name, title, address and telephone number of the owner or owners of record.
 - e. Scale in inches to feet and bar scale.

SOUTHAMPTON CODE

- f. Date of original preparation and of each subsequent revision and a list of the specific revisions entered on each sheet.
3. Acreage figures and north arrow.
4. Approval signature lines for: Planning or Zoning Board Chairperson, Board Secretary and Township Engineer.
5. Existing block and lot numbers as they appear on the official Tax Map of Southampton Township to be subdivided or developed.
6. Boundary lines (heavy solid line) of subdivision or development.
7. Location of existing and proposed property lines with bearings and distances, streets, buildings with their numerical dimensions and indication as to whether existing buildings will be retained or removed, parking spaces, loading areas, driveways, watercourses, railroads, bridges, culverts, drain pipes, any natural features including wetlands and treed areas, historic features including family burial grounds and buildings more than 60 years old, both within the tract and within 200 feet of its boundary.
8. Location and width of all existing and proposed utility easements.
9. Zoning district affecting the tract, including district names and requirements.
10. Proposed buffer and landscaping areas.
11. Delineation of flood plains, including both floodway and flood fringe areas.
12. Contours as shown on the U.S.G.S. topographic sheets.
13. Marshes, ponds and lands subject to flooding within the tract and within 100 feet of subject tract.
14. The name of all adjacent property owners within 200 feet as they appear on the most recent tax list prepared by the Tax Assessor.
15. Minor subdivisions shall include existing and proposed iron or copper pins and/or monuments.
16. Certification by a professional engineer that the proposed lot(s) can adequately accommodate a septic system and a copy of any written review or report by the County Board of Health and the standards for High Quality Groundwater in Ordinance #2003-2.
17. Minor subdivision or minor site plan involving any street(s) requiring additional right-of-way width shall be shown granted to the Township or other government agency along one side or both sides of the streets.
18. Minor subdivision or site plan of any corner lot shall provide a sight triangle easement.
19. Any deed descriptions including metes and bounds, easements, covenants, restrictions, roadways and sight triangle dedication must be shown.
20. Official Street name(s) and house numbers.

LAND DEVELOPMENT

Appendix A-4
C Variance (Bulk Variance)

CHECKLIST C VARIANCE

Revised 4-13-2004

Revised 12-8-2004

SUBMISSION CHECKLIST
TOWNSHIP OF SOUTHAMPTON, NEW JERSEY
APPLICATION FOR BULK VARIANCES-(C) VARIANCE
ZONING BOARD OF ADJUSTMENT

(ORIGINAL AND 15 COPIES OF ALL INFORMATION SUBMITTED, MUST BE PROVIDED BY APPLICANT.)

BLOCK 2203 LOT(S) 14

APPLICANT/DEVELOPER'S NAME Southampton DG, LLC

PROPERTY LOCATION ADDRESS: 1823 Route 206

DATE OF SUBMISSION: _____

- Required Application.
- Required Application Fee and Escrow Deposit. (See attached Fee and Escrow Ordinance.)
- Certification by the Tax Collector that all taxes on said property are paid to date.
- Current Survey (Within one year of date of application.) showing proposed development.
- Architectural elevations for proposal.
- Escrow Agreement.
- N/A LEISURETOWNE APPLICATIONS ONLY:** Copy of Letter of Approval from the Architectural Review Committee of the Leisuretowne Association.
- Written request for any waiver(s).

This checklist is not a substitute for any specific submission requirement of our Ordinances. See Ordinances for details. For any of the above requirements not submitted, a statement requesting a waiver and reason(s) must be submitted.

All applications received by the Zoning Board will be reviewed for completeness. No application will proceed to the Board until deemed complete by the review staff.

Pursuant to N.J.S.A. 40:55D-70(c) "The Zoning Board of Adjustment shall have the power to: (1) Where: (a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation pursuant to Article 8 of this act

LAND DEVELOPMENT

(40:55D-62 et seq.) would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property, grant, upon an application or an appeal relating to such property, a variance from such strict application of such regulation so as to relieve such difficulties or hardship; (2) where in an application or appeal relating to a specific piece of property the purposes of this act would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment, grant a variance to allow departure from regulations pursuant to Article 8 of this act; provided, however, that the fact that a proposed use is an inherently beneficial use shall not be dispositive of a decision on a variance under this subsection and provided that no variance from those departures enumerated in Subsection d of this section shall be granted under this subsection; and provided further that the proposed development does not require approval by the planning board of a subdivision, site plan or conditional use, in conjunction with which the planning board has power to review a request for a variance pursuant to Subsection a of § 47 of this act (40:55D-60); and. . .”

Answer these questions in your reasons for granting of the relief:

1. Does my property have a unique shape, physical feature, etc.?
2. Is my proposal in character with my neighborhood?
3. Will my proposal affect the character of my neighborhood?
4. Will my proposal be an advancement or detriment to the zoning ordinances, Master Plan and my neighborhood?

Testimony for the requested relief will be presented at the Public Hearing.

Township of Southampton, NJ
Monday, January 14, 2019

Chapter 12. Land Development

12-7.1. Fees.

[Amended by Ord. No. 2011-3]

- a. Every application for development shall be accompanied by a check payable to the Township of Southampton for the application charge and, if applicable, a check made payable to the Township of Southampton for the escrow account, in the total amount required in accordance with the following schedule:

No.	Subject of Application	Application Fee	Escrow Account
1	Reserved		
2	Site Plan — Waiver Request	\$200	\$2,500
3	Site Plan — Minor Site Plan	\$200	\$5,000
4	Site Plan — Preliminary Major Site Plan (nonresidential)	\$500	\$5,000 min. plus \$500 per acre x 11.04 acres = \$10,500.00
5	Site Plan-Preliminary Major Site Plan (residential and cluster development)	\$500	\$5,000 min. plus \$200/dwelling unit for multi-family or cluster development
6	Final Major Site Plan (other than residential)	\$500	\$5000 min. plus \$500 per acre x 11.04 acres = \$10,500.00
7	Final Major Site Plan (residential and cluster development)	\$500	\$5,000 min. plus \$200/dwelling unit for multi-family and/or cluster development
8	Amended Minor, Preliminary Major and/or Final Major Site Plan	\$500	50% of preliminary/final Escrow Account
9	Request for Re-approval or Extension of Time	\$200	\$500
10	Minor Subdivision (by plat or deed) 3 lots and a remainder	\$200	\$1,000 per lot x 3 lots = \$3,000.00
11	Preliminary Major Subdivision	\$500	\$5,000 plus \$200 each lot
12	Final Major Subdivision	\$500	\$5,000 plus \$150 each lot
13	Amended Minor, Preliminary Major and/or Final Major Subdivision	\$500	50% of preliminary/final escrow account

No.	Subject of Application	Application Fee	Escrow Account
14	Conditional Use	\$500	Per site plan/subdivision requirement
15	Appeals (N.J.S.A. 40:55D-70a) (single-family use)	\$100	\$500
16	Appeals (N.J.S.A. 40:55D-70a) (2-family and multifamily)	\$200	\$1,000
17	Appeal (N.J.S.A. 40:55D-70a) (all other uses)	\$200	\$2,000
18	Interpretation of Zoning Regulations or Map (N.J.S.A. 40:55D-70b)	\$100	\$500
19	Bulk Variances (N.J.S.A. 40:55D-70c) existing single-family use	\$100	\$500
20	Bulk Variances (N.J.S.A. 40:55D-70c) existing two-family uses	\$100	\$500
21	Bulk Variances (N.J.S.A. 40:55D-70c) all other uses	\$200	\$1,000
22	Use Variance (N.J.S.A. 40:55D-70d) (single- or 2-family uses)	\$200	\$1,500
23	Use Variance (N.J.S.A. 40:55D-70d) (all other uses)	\$500	\$2,000
24	Building Permit in Conflict with Official Map or for a Lot Not Related to a Street (N.J.S.A. 40:55D-34 and -35)	\$200	\$2,000
25	Sign or Fence not in conformance with ordinance requirements	\$200	\$1,500
26	Preparation of Resolution: Preliminary and/or Final approval or denial	\$500 each Resolution	N/A
27	Preparation of Resolution: All other approvals or denials	\$500 each Resolution	N/A
28	Requested Special Meeting	\$500	\$3,000
29	Certificate of Nonconformity (N.J.S.A. 40:55D-68) Within 1 year of ordinance adoption	\$500	N/A
30	Certificate of Nonconformity (N.J.S.A. 40:55D-68) After 1 year of ordinance adoption	\$500	\$5,000
31	Certified List of Property Owners	\$0.25/name or \$10 whichever is greater	
32	Transcript of Meeting/Hearing	Billed actual cost by transcriber with minimum deposit and must provide copy to Township	
33	Tax Map revisions for minor and major subdivisions	Minimum \$500 for minor; major subdivision is \$80 per lot for 1st 10 lots,	

No.	Subject of Application	Application Fee	Escrow Account
		\$55 per lot for the next 20 lots, \$40 per lot for next 20 lots and \$30 per lot over 50 lots	
34	Grading and Drainage Plan § 12-4.22.6	\$50	Escrow Deposit - \$750
Total:		\$1,400.00	\$25,000.00

b. Application fee and escrow deposits.

1. The application charge is a flat fee to cover administrative expenses.
2. 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.
3. All billings for professional services to be charged back to applicants shall be submitted on the same basis and at the same hourly rate as if the work was being performed directly for the Township.
4. Sums not utilized in the review process shall be returned to the applicant.
5. It shall be the obligation of the applicant to maintain the escrow deposit at the amount specified. The Administrative Officer shall notify the applicant whenever an additional deposit is required. Copies of all billings charged to the escrow account shall be provided to the applicant on request.
6. The Township Administrator may waive the requirement for the additional payment if the Township Administrator determines that the amount in the escrow account will be sufficient to satisfy all additional billings that are reasonably anticipated.
7. If the applicant objects to any payments out of the escrow account, the Township Administrator shall review the objections with the applicant and the professional in an effort to resolve any questions. If the matter is not resolved, a committee consisting of the Administrative Officer, the Township Administrator and the Chairperson of the Board shall review the questions. The determination of the committee shall be final.
8. If the Administrative Officer determines that additional sums are necessary, the applicant shall be notified of the required additional amount and shall add that sum to the escrow account within 15 days.
9. No approvals shall be granted or permits issued where there is a deficiency in the escrow account.

c. Where one application for development includes several approval requests, the sum of the individual required fees shall be paid.

d. Each applicant shall agree to pay all reasonable costs for professional services required by the Township relating to the review of the application and for inspection of the improvements. All costs for review and inspection must be paid before any approved plat, plan or deed is signed or any construction permit is issued and all remaining costs must be paid in full before any occupancy of the premises is permitted or Certificate of Occupancy issued.

- e. If an applicant desires a court reporter, the cost for taking testimony and transcribing it and providing a copy of the transcript to the Township shall be at the expense of the applicant who shall arrange for the reporter's attendance.
- f. Whenever a special meeting of the Township Committee, the Planning Board or the Zoning Board of Adjustment is held for the consideration of one or more applications, all costs related to that special meeting, including administrative costs and professional fees, shall be the responsibility of the applicant or applicants whose applications are considered at the special meeting. If more than one applicant is considered at the special meeting, the costs shall be equally divided among the applicants.

AFFIDAVIT OF OWNERSHIP/CONSENT TO APPLICATION(S)

I, CATHERINE HASS, being duly sworn, hereby depose and say"

1. I am the owner of property known as 1823 US Route 206, Southampton Township, Burlington County, New Jersey, which is known as Block 2203, Lot 14, on the Southampton Township Tax Map (the "Property").

2. I consent to the filing of the land use application(s) as detailed below for the Property by CGP Acquisition & Development, LLC ("Developer"), which consent is made pursuant to a written agreement between myself and Developer (the "Consent").

3. The Consent shall be deemed to include any and all land use applications for the Property to any agency, board, or political subdivision of Southampton Township, Burlington County, or the State of New Jersey, including, but not limited to, the Southampton Township Planning Board and/or Zoning Board of Adjustment, the Burlington County Planning Board, and the State of New Jersey Department of Transportation and/or Department of Environmental Protection, together with all other agencies having jurisdiction over the Property. The Consent shall remain in full force and effect unless revoked by the undersigned, in writing.

CATHERINE HAAS

Catherine M. Haas

Date: 11/21/19

Sworn and subscribed to before me on

11/21, 2019



Notary Public

MICHAEL F MILLER
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES APRIL 29, 2019

2019

TIMOTHY M. PRIME, *Esquire*
DUNCAN M. PRIME, *Esquire*
TYLER T. PRIME, *Esquire*
SARA R. WERNER, *Esquire*

PRIME & TUVEL
ATTORNEYS AT LAW

JASON R. TUVEL, *Esquire*
ALLYSON M. KASETTA, *Esquire*
NANCY A. LOTTINVILLE, *Esquire*
BENJAMIN T.E. WINE, *Esquire*

*ALSO ADMITTED TO THE PENNSYLVANIA BAR
*ALSO ADMITTED TO THE NEW YORK BAR
*ALSO ADMITTED TO THE ILLINOIS BAR

**STATEMENT OF OPERATIONS AND JUSTIFICATIONS
FOR BULK VARIANCE AND DESIGN WAIVER/EXCEPTION RELIEF**

*Southampton DG, LLC (“Applicant”)
Preliminary and Final Major Site Plan Approval,
Together with Bulk Variance Relief (“Application”)
Proposed Dollar General Retail Store
1823 Route 26
Block 2203, Lot 14 (“Property”)
Township of Southampton, County of Burlington, State of New Jersey*

*Prepared by Prime & Tuvel
August 11, 2020*

This Application to the Township of Southampton Planning Board (the “Board”) is for preliminary and final major site plan and minor subdivision approval, together with bulk variance relief, to subdivide the Property into two lots and develop one of the newly formed lots with a Dollar General retail store on the Property, along with related site improvements, including, but not limited to, parking, signage, landscaping and lighting.

For reference, Applicant is the contract purchaser of the property.

I. STATEMENT OF OPERATIONS

Dollar General Corporation (“DG”) is a small-box retailer that according to their mission statement makes “shopping for everyday needs simpler and hassle-free by offering a carefully edited assortment of the most popular brands at low everyday prices in small, convenient locations.” DG is not a dollar store or a 99-cent store. Rather, DG is a neighborhood retail store that carries top-quality brands made by America’s most-trusted manufacturers, such as Procter & Gamble, Kimberly Clark, Unilever, Kellogg’s, General Mills and Nabisco. Again, per DG’s mission statement, DG “stands for convenience, quality brands and low prices. Dollar General’s successful prototype makes shopping a truly hassle-free experience.” The goal of DG is to “design small neighborhood stores with carefully edited merchandise assortments to make shopping

SOUTH JERSEY
MOUNT LAUREL OFFICE

P 856 273 8300
F 856 273 8383

14000 Horizon Way, Suite 325
Mount Laurel, NJ 08054

NORTH JERSEY
HACKENSACK OFFICE

P 201 883 1010
F 856 273 8383

2 University Plaza Drive, Suite 109
Hackensack, NJ 07601

**Statement of Operations and Justifications
for Bulk Variance Relief**

Southampton DG, LLC

simpler.” DG saves their customer’s “time by staying focused on life’s simple necessities: laundry detergent, toilet paper, soap, shampoo, socks and underwear ... maybe a gadget or two that you just can’t live without. The average Dollar General customer completes her shopping trip in less than 10 minutes.”

With respect to operation, DG intends at this time to be open from 7am-10pm seven (7) days a week (hours are subject to change based on customer demands). Further, DG intends to employ between 2 and 4 employees per shift and a total number of employees of approximately 10-15 people, between full time and part time positions. DG intends to receive approximately 1 tractor trailer delivery per week and does so during times that will not conflict with peak usage of the site. Other small box trucks make deliveries daily and park in regular parking spaces on the Property.

II. ZONING ANALYSIS

1. Proposed Primary and Accessory Uses Permitted

The Property is located in the Township of Southampton’s Highway Commercial Zoning District, in which retail stores of the type proposed are a permitted principal use. Ordinance § 12-3.6b. Moreover, the related site improvements proposed, including, but not limited to, parking and signage, are permitted accessory uses. Ordinance § 12-3.6c.

2. Bulk or “c” Variances Requested

Applicant is seeking the following bulk variances in connection with the Application:

Size of Parking Spaces Ordinance § 12-5.10.i. requires a minimum parking space size of 10 feet wide by 20 feet long.	Variance Requested Applicant proposes parking spaces measuring 9 feet wide by 20 feet long.
Location of Parking Spaces Ordinance § 12-5.10.k.2. requires that parking spaces be located at least 20 feet from any building.	Variance Requested Applicant proposes parking spaces located 6 feet from a building.
Location of Parking Spaces Ordinance § 12-5.10.k.3. prohibits the location of parking spaces within any required buffer area.	Variance Requested Applicant proposes parking spaces within a required buffer area.

**Statement of Operations and Justifications
for Bulk Variance Relief**

Southampton DG, LLC

<p>Scenic Setback</p> <p>Ordinance § 12-3.14.c.2.(a) requires a minimum scenic setback of 200 feet, measured from the ultimate right-of-way line of the designated scenic roadway, in which no buildings, structures, parking facilities, or other development shall be allowed, except for certain enumerated items, including, but not limited to, sidewalks and bicycle paths.</p>	<p>Variance Requested</p> <p>Applicant proposes a scenic setback of 68 feet, within which prohibited development is proposed.</p>
<p>Scenic Landscape Buffer</p> <p>Ordinance § 12-3.14.c.2.(b)(1) requires a minimum scenic landscape buffer of 100 feet.</p>	<p>Variance Requested</p> <p>Applicant proposes a scenic landscape buffer of 68 feet.</p>
<p>Commercial Landscaping</p> <p>Ordinance § 12-3.14.c.2.(b)(2) requires an adequate amount of buffer plantings and screenings in accordance with Ordinance § 12-5.2.</p>	<p>Variance Requested</p> <p>Applicant proposes buffer plantings and screenings which differ from what is required.</p>
<p>Buffers and Scenic Corridors</p> <p>Ordinance § 12-5.2.a prohibits structures, activities, storage of materials, drainage basins, or parking of vehicles in buffer areas.</p>	<p>Variance Requested</p> <p>Applicant proposes prohibited development within buffer areas.</p>
<p>Buffer of Parking Areas</p> <p>Ordinance § 12-5.10.e. requires that parking areas of 6 or more vehicles for nonresidential use be buffered from adjoining streets and residential uses and that such parking area meet the standards of Ordinance § 12-5.2.</p>	<p>Variance Requested</p> <p>Applicant proposes a parking area that is not buffered as required.</p>

a. Size and Location of Parking Spaces

The Township's Ordinance requires that parking spaces measure a minimum of 10 feet wide by 20 feet long and be located at least 20 feet from any building and outside of any required buffer area.

**Statement of Operations and Justifications
for Bulk Variance Relief
Southampton DG, LLC**

Applicant proposes parking spaces measuring 9 feet wide by 20 feet long, some of which are located 6 feet from a building and all of which are located within a required buffer area. This variance is justified under N.J.S.A. 40:55D-70c(2) as it would advance the purposes of N.J.S.A. 40:55D-2a, c, g, h, and i by providing appropriate on-site parking for the needs of the development and promoting a desirable visual environment.

There is no substantial detriment to the public good by providing smaller parking spaces than required and in locations other than where expressly permitted. Furthermore, the requested relief will not substantially impair the intent or purpose of the zone plan or ordinance. The Township's Land Development Ordinance intends, among other things, to "provide sufficient space in appropriate locations for ... commercial ... uses," to "encourage the location and design of transportation routes which will promote the free flow of traffic," and to "promote a desirable visual environment through creative development techniques and good civic design and arrangements." By reducing the size of parking spaces and locating them where proposed, this intent is met.

b. Scenic Setback and Scenic Landscape Buffer

The Township's Ordinance requires a minimum scenic setback of 200 feet and further requires that the first 100 feet of such setback be comprised of a landscape buffer.

Applicant proposes a scenic setback and landscape buffer of 68 feet. This variance is justified under N.J.S.A. 40:55D-70c(2) as it would advance the purposes of N.J.S.A. 40:55D-2a, g, and i by providing appropriate setbacks and landscaping for the needs of the development and promoting a desirable visual environment. Specifically, by providing less of a scenic setback and landscape buffer, Applicant is able to locate the proposed building closer to the US Route 206, thus ensuring better visibility for individuals driving by.

There is no substantial detriment to the public good by providing less of a scenic setback and landscape buffer than required. Furthermore, the requested relief will not substantially impair the intent or purpose of the zone plan or ordinance. The Township's Land Development Ordinance intends, among other things, to "provide sufficient space in appropriate locations for ... commercial ... uses," to "encourage the location and design of transportation routes which will promote the free flow of traffic," and to "promote a desirable visual environment through creative development techniques and good civic design and arrangements." By reducing the size of the scenic setback and landscape buffer, this intent is met.

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c. Commercial Landscaping

The Township's Ordinance requires an adequate amount of buffer plantings and screenings in accordance with Ordinance § 12-5.2.

Applicant proposes buffer plantings and screenings which differ from what is required. This variance is justified under N.J.S.A. 40:55D-70c(2) as it would advance the purposes of N.J.S.A. 40:55D-2a, g and i by providing appropriate on-site plantings and screenings for the needs of the development and promoting a desirable visual environment.

There is no substantial detriment to the public good by providing buffer plantings and screenings which differ from what is required. Furthermore, the requested relief will not substantially impair the intent or purpose of the zone plan or ordinance. The Township's Land Development Ordinance intends, among other things, to "provide sufficient space in appropriate locations for ... commercial ... uses" and to "promote a desirable visual environment through creative development techniques and good civic design and arrangements." By permitting buffer plantings and screenings which differ from what is required, this intent is met.

d. Buffers and Scenic Corridors

The Township's Ordinance prohibits structures, activities, storage of materials, drainage basins, or parking of vehicles in buffer areas.

Applicant proposes prohibited development within buffer areas. This variance is justified under N.J.S.A. 40:55D-70c(2) as it would advance the purposes of N.J.S.A. 40:55D-2a, g and i by providing appropriate buffer areas for the needs of the development and promoting a desirable visual environment.

There is no substantial detriment to the public good by providing development within the buffer areas. Furthermore, the requested relief will not substantially impair the intent or purpose of the zone plan or ordinance. The Township's Land Development Ordinance intends, among other things, to "provide sufficient space in appropriate locations for ... commercial ... uses" and to "promote a desirable visual environment through creative development techniques and good civic design and arrangements." By permitting development within the buffer areas, this intent is met.

e. Buffer of Parking Areas

The Township's Ordinance requires that parking areas of 6 or more vehicles for nonresidential use be buffered from adjoining streets and

**Statement of Operations and Justifications
for Bulk Variance Relief
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residential uses and that such parking area meet the standards of Ordinance § 12-5.2.

Applicant proposes a parking area that is not buffered as required. This variance is justified under N.J.S.A. 40:55D-70c(2) as it would advance the purposes of N.J.S.A. 40:55D-2a, g and i by providing appropriate buffering for the needs of the development and promoting a desirable visual environment.

There is no substantial detriment to the public good by providing a parking area that is not buffered as required. Furthermore, the requested relief will not substantially impair the intent or purpose of the zone plan or ordinance. The Township’s Land Development Ordinance intends, among other things, to “provide sufficient space in appropriate locations for ... commercial ... uses,” to “encourage the location and design of transportation routes which will promote the free flow of traffic,” and to “promote a desirable visual environment through creative development techniques and good civic design and arrangements.” By permitting a parking area that is not buffered as required, this intent is met.

3. Design Waivers/Exceptions Requested

Applicant is not seeking any design waivers/exceptions in connection with the Application.

4. Submission Waivers Requested

Applicant is seeking the following submission waivers in connection with the Application:

<p>Final Major Site Plan Submission Checklist</p> <p>The Final Major Site Plan Submission Checklist requires submission of the following applicable approvals: Burlington County Planning Board, Soil Erosion and Sediment Control, Burlington County Board of Health, Well and Septic.</p>	<p>Waiver Requested</p> <p>Applicant seeks a temporary waiver of this requirement, which requirement shall be made a condition of any approval, as its applications to other agencies having jurisdiction remain pending.</p>
<p>Final Major Site Plan Submission Checklist</p> <p>The Final Major Site Plan Submission Checklist requires submission of bond quantities for bond calculation.</p>	<p>Waiver Requested</p> <p>Applicant seeks a temporary waiver of this requirement, which requirement shall be made a condition of any approval, as the bond quantities cannot be calculated until such time that the Application is approved.</p>

**Statement of Operations and Justifications
for Bulk Variance Relief
Southampton DG, LLC**

III. CONCLUSION

Applicant also seeks any additional exceptions, waivers, design waivers, variances, interpretations, de minimis exceptions, modifications of conditions of prior approvals, continuation of any preexisting nonconforming conditions, and other approvals reflected on the filed plans (as same may be further amended or revised from time to time without further notice) as may be determined to be necessary during the review and processing of the Application by the Board and its professional staff. Please note, the foregoing descriptions and justifications may be modified by the Applicant's expert and fact witnesses during the course of the public hearing.

As will be presented further at the public hearing on the Application, the proposed benefits from granting the relief sought far outweigh any potential detriments. Moreover, the proposed development will not harm the overall zone plan or ordinance nor constitute a substantial detriment to the surrounding neighborhood. For the reasons set forth herein, and the reasons to be expressed at the public hearing on the Application, the Board will have more than adequate evidence to grant the requested relief.

Southampton DG, LLC

1823 Route 206

Township of Southampton, County of Burlington, State of New Jersey

Block 2203, Lot 14

Corporate Ownership Disclosure Statement

This Corporate Ownership Disclosure statement is provided in compliance with the requirements of N.J.S.A. 40:55D-48.1 et seq.

Owners holding 10% or more of any class of stock/interest in Southampton DG, LLC:

1. Capital Growth Properties Operating Partners, LLC
361 Summit Boulevard, Suite 110
Birmingham, AL 35243
Phone: (205) 968-9220
 - a. Owners holding 10% or more of any class of stock/interest in Capital Growth Properties Operating Partners, LLC:
 - (i) Robert W. Buchalter
361 Summit Boulevard, Suite 110
Birmingham, AL 35243
Phone: (205) 968-9220
 - (ii) William O. Buchalter
361 Summit Boulevard, Suite 110
Birmingham, AL 35243
Phone: (205) 968-9220

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Southampton DG, LLC

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

Individual/sole proprietor or single-member LLC

C Corporation

S Corporation

Partnership

Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ **P**

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
361 Summit Blvd., Suite 110

6 City, state, and ZIP code
Birmingham, AL 35243

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

			-			-				
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or

Employer identification number

8	5	-	2	0	0	3	4	4	8
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Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶  Date ▶ **8/6/2020**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

Date: 7/23/2020

Ms. Michele Gittinger, Planning Board Secretary
Township of Southampton
5 Retreat Road
Southampton, NJ 08088

Dear Ms. Gittinger:

Pursuant to your request, I have reviewed the Tax Records of Southampton Township and preliminarily note that there are no taxes or assessments for local improvements that are due or delinquent on the property which is the subject matter of the following applicant:

Southampton DG, LLC
(Applicant Name)

1823 Route 206
(Address)

Block 2203, Lot 14


Tax Collector


Township Clerk

NOTE: *The above is not a formal tax search or improvement search performed pursuant to NJSA 54:1 et seq. The information supplied is preliminary in nature, designed to assist the processing of applications before the Planning and Zoning Boards. In the event that the applicant desires to rely upon the information, a formal tax search and Municipal Improvement Search should be applied for and the fees posted for said search in accordance with the prevailing statutes.*