

LAFAYETTE TOWNSHIP LAND USE BOARD

LAND USE APPLICATION

Submission Date: _____ Application No: _____ Taxes Paid: _____
Escrow Paid: _____

1. APPLICANT

2. PROPERTY OWNER

Name: Hamm's Landfill Solar Farm, LLC - Gary Cicero
Address: 331 Newman Srping Rd
Red Bank, New Jersey 07701
Phone: 732-284-4640 Fax: _____
Email: gary_cicero@ceprenewables.com
Interest in Property: _____

Name: Northwest Jersey Development Co, Inc
Address: PO Box 955
Branchville, NJ 07826
Phone: _____ Fax: _____
Email: _____

3 TYPE OF APPLICATION (CHECK ALL THAT APPLY)

- | | |
|---|--|
| <input type="checkbox"/> Minor Subdivision | <input checked="" type="checkbox"/> Use (d) Variance * |
| <input type="checkbox"/> Preliminary Major Subdivision * | <input type="checkbox"/> Bulk (c) Variance * |
| <input type="checkbox"/> Final Major Subdivision | <input type="checkbox"/> Appeal (a) |
| <input type="checkbox"/> Minor Site Plan | <input type="checkbox"/> Interpretation (b) * |
| <input checked="" type="checkbox"/> Preliminary Major Site Plan * | <input type="checkbox"/> Other (informal, Planning Variance,
Extension of Approval) Conceptual Presentation |
| <input checked="" type="checkbox"/> Final Major Site Plan | <input type="checkbox"/> Conditional Use * |

* Legal advertisement and notice is required to all property owners within 200 feet.

4. ATTORNEY (A CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY OR PARTNESHIP MUST BE REPRESENTED BY A NEW JERSEY ATTORNEY)

Name: Mark Bellin Law
Address: 54 Broad Street, Suite 303, Red Bank, NJ 07701
Phone: 732-383-8460 Fax: _____
Email: marksbellin@aol.com

5. APPLICANT'S PROFESSIONALS (ENGINEER, PLANNER, SURVEYOR, ARCHITECT ETC...)

Name: <u>Robert Streker, P.E. / Bohler Engineering NJ, LLC</u> Profession: <u>Engineer</u> Address: <u>30 Independence Blvd, Suite 200</u> <u>Warren, NJ 07059</u> Phone: <u>908-668-8300</u> Fax: _____ Email: <u>RStreker@bohlereng.com</u>	Name: <u>James Sens / Control Point Associates, Inc.</u> Profession: <u>Land Surveyor</u> Address: <u>30 Independence Blvd, Suite 100</u> <u>Warren, NJ 07059</u> Phone: <u>908-668-0099</u> Fax: <u>908-668-9595</u> Email: <u>jsens@cpasurvey.com</u>
Name: _____ Profession: _____ Address: _____ _____ Phone: _____ Fax: _____ Email: _____	Name: _____ Profession: _____ Address: _____ _____ Phone: _____ Fax: _____ Email: _____

6. LOCATION OF PROPERTY

Street Address: 23 & 39 Old Beaver Run Rd Block(s): 14

Tract Area: _____ Lot(s): 33.01

Zone: Residential District (R-2.5 & R-5.0), Public District (P)

Gateway Overlay? Yes No Ridgeline/ Viewshed Protection Area? Yes No

Tax map Sheet # 13 & 18 Nearest Cross Street New Jersey Route 94

7. LAND USE

Existing Land Use: Decommissioned Landfill

Proposed Land Use (be specific): Proposed Solar Panel Field

8. PROPERTY

Number of Existing Lots: 2 Are there existing deed restrictions or easements? Yes

Number of proposed lots: N/A Are there proposed deed restrictions or easements?: N/A

List all existing and proposed non-conforming conditions or uses: Proposed use is a solar panel facility, which is not a permitted use.

9. APPLICATION SUBMISSION MATERIALS

List all plans, reports, photos etc. (use additional sheets if necessary): Preliminary & Final Site Plans

10. PREVIOUS OR PENDING APPLICATIONS

List all previous or pending applications for this parcel (use additional sheets if necessary): N/A

11. ZONING SCHEDULE (COMPLETE ALL THAT APPLY)

	REQUIRED	EXISTING	PROPOSED
Lot Area	Refer to site plans	for bulk zone requirements.	
Lot Depth			
Frontage			
Front Yard			
Secondary Front Yard			
Rear Yard			
Side Yard			
Building Height			
Residential Buffer Strip			
Open Space			
Parking Setbacks			
Parking Spaces			

12. PARKING & LOADING REQUIREMENTS

Number of parking Spaces Required: N/A Number of Loading Spaces Required: N/A

Number of Parking Spaces Provided: N/A Number of Loading Spaces Provided: N/A

13. OWNER'S AUTHORIZATION FOR SITE INSPECTION

I hereby give permission for Lafayette Township Municipal agencies and their agents to come upon and inspect these premises with respect to the land use application for premises known as Block(s): 14 Lot(s): 33.01 in Lafayette Township, New Jersey.

[Signature]
Applicant Signature

10/19/21
Date

14. RELIEF REQUESTED (CHECK ALL THAT APPLY)

Zoning Variances

"A" Administrative Appeal

"D" Use Variance

"B" Interpretation

Planning Variance

"C" Bulk Variance

Other _____

Individual Variance Applications:

Height variance – The maximum allowable height in the zone is _____ feet. The proposed structure will stand _____ feet.

Use Variance – The structure will be designed for use as a proposed solar panel facility a non-permitted use in the R-5.0 and R-2.5 zones.

Planning Variance (N.J.S.A. 40:55D-35 & 36)

Conditional Use variance

Expansion of a non-conforming use.

Other: _____

Substandard Lot Case:

Notice to all applications regarding vacant substandard lots: The Lafayette Township Land use Board strongly recommends the Buy/Sell (see addendum) letter be followed in corresponding with abutting property owners. Applicants are not required to use the exact wording on the form (the wording may be modified for individual applicants is appropriate); the substance of the form must be followed. The Buy/Sell letter must be sent at least twenty (20) days in advance of your scheduled hearing date for completeness by both certified and regular mail. Failure to comply will delay a hearing on this matter. You must be prepared at the hearing date to offer into evidence the Buy/Sell letter and any response. Responses must be in writing. The Buy/Sell letter is in addition to the required statutory notice you must give to all property owners within 200 feet as well as those other entities entitled to notice by law.

Exceptions from Municipal requirements (N.J.S.A. 40:55D-51)

Exceptions from New Jersey Residential Site Improvement Standards (R.S.I.S.) (N.J.A.C. 5:21-3.1)

Waivers from New Jersey Residential Site Improvement Standards (R.S.I.S.) (N.J.A.C. 5:21-3.2) requires application to and approval of the New Jersey Site Improvement Advisory Board.

For any type of the above relief requested, a separate exhibit should be attached stating the factual basis, legal theory, and/or previous granted relief.

17. DISCLOSURE STATEMENT

Pursuant to N.J.S.A. 40:55D-48.1 & 48.2, please answer the following question:

Is this application to subdivide a parcel of land into six (6) or more lots? Yes No

Is this application for a variance to construct a multiple dwelling of twenty-five (25) or more units? Yes No

Is this application for approval of a site (or sites) for non-residential purposes? Yes No

Is the applicant a corporation? Yes No

Is the applicant a limited liability corporation? Yes No

Is the applicant a partnership? Yes No

Pursuant to N.J.S.A 40:55D-48.1 a corporation or partnership applying to a planning board or board of adjustment or to the governing body of a municipality for permission to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes shall list the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class or at least 10% of the interest in the partnership, as the case may be.

List the names and addresses of all stockholders or individual partners owning at least 10% in stock of any class or at least 10% of the interest in partnership (whichever is applicable) on Appendix attached.



10/28/21

Applicant signature

Date

18. SURVEY WAIVER CERTIFICATION

As of the date of this application, I hereby certify that the survey submitted with this application, under the date of _____, 20____ shows and discloses the premises in its entirety, described as Block(s) 14 Lot(s) 33.01; and I further certify that no buildings, fences, or other facilities have been constructed, installed, or otherwise located on the premises after the date of the survey with the exception of the structures shown.

Sworn & Subscribed to before me this



Signature (Applicant)

Date

28 day of October, 20 21 (year)

Gary R. Cicero

Print Name

managing member

 (notary)

Steven P. Gouin
Attorney at Law
State of New Jersey

As Applicant, I understand that monies associated with this application have been deposited in an escrow account in accordance with Lafayette Township's Ordinances. 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 the submitted materials, any communications with the Board's or Township's Professionals as chargeable time. Sums not expended in the review process will be refunded. If additional sums are necessary, I understand that I will be notified of any additional amount and shall replenish the escrow account within 20 days of notification. Additionally, until such funds are fully replenished, no further consideration, review, processing of any pending application shall be permitted by the Land Use Board, nor shall any further inspections be performed by or on behalf of the Township until such additional escrow has been deposited. Failure to post sufficient escrow funds to cover costs incurred or anticipated shall toll the period for action by the approving authority, as required by N.J.S.A 40:55D.1 et. seq. and particularly N.J.S.A.40:55D.51 and N.J.S.A. 40:55D.73 thereby barring an applicant from seeking a default approval under N.J.S.A. 40:55D-10.4.

The written notice referred to in this paragraph shall be sent to:

Name: Mark S. Bellin, Esq.

Address: 54 Broad Street, Suite 303, Red Bank, NJ 07701

Unless otherwise shown, receipt shall be presumed to have occurred three (3) days after mailing. The notice required under this paragraph shall be in the form of a letter requesting the additional sums.

After a period of forty-five (45) days from the notice from the Township, the applicant's failure to deposit the additional funds shall be grounds for denial of the application or for the dismissal of the application without prejudice. In the event the Board approves the application, the obligation to pay for professional plan reviews by depositing the funds in escrow shall be a condition of the approval granted by the Board. If the escrow funds are depleted, after the application is filed or granted, the applicant, shall pay additional funds upon demand within the aforementioned (20) day period. The failure to pay, the demanded funds may also result in a voiding of any prior approvals upon due notice to the applicant by the Board. In addition to the foregoing, the applicant hereby agrees that in the event the reasonable and necessary amounts charged by the professionals for review of the application are not paid, the outstanding fees shall be placed as an added assessment against the property at issue, to be collected by the Township Tax Collector's office.

Sworn & Subscribed to before me this

[Signature] 10/28/21
Signature (Applicant) Date

28 day of October, 2021 (year)

Gary H. Cicero
Print Name

[Signature] (notary)

Managing member

Steven P. Gouin
Attorney at Law
State of New Jersey

Name of Corporation, Partnership, LLC or LLP: Hamm's Landfill Solar Farm, LLC

Listed below are the names and addresses of all owner of 10% or more of the stock/interest* in the above referenced corporation, partnership, limited liability corporation (LLC) or limited liability partnership (LLP):

	NAME	ADDRESS
1	Gary M. Cicero 100%	c/o Steven P. Gouin, Esq.
2		Giordano, Heffleron & Crista PC
3		125 Half Mile Road, Suite 300
4		Bed Bank, NJ 07701
5		
6		
7		
8		
9		
10		

*If a corporation or a partnership owns 10% or more of the stock of a corporation, or 10% or greater interest in a partnership, that corporation or partnership shall list the names and addresses of its stockholders holding 10% or more of its stock or of 10% or greater interest in the partnership, and this requirement shall be followed until the names and addresses of the non-corporate stockholders and individual partners, exceeding the 10% ownership criterion established have been listed.

Sworn & Subscribed to before me this

[Signature] 10-28-21
 Signature (Applicant) Date

28 day of October, 2021 (year)

Gary M. Cicero
 Print Name

[Signature] (notary)

Managing member

Steven P. Gouin
 Attorney at Law
 State of New Jersey

STATE OF NEW JERSEY

SS

COUNTY OF SUSSEX

_____ of full age, being duly sworn according to law on oath
deposes and says, that the deponent resides at _____, in the municipality
of _____, in the County of
_____ and the State of _____; that
_____ is the owner in fee of all that certain lot, piece of land
situated, lying, and being in the municipality aforesaid, and known and designated as
number _____.

Andrew Bauman

Owner Signature

Sworn & Subscribed to before me this

[Signature] 10-28-21

Signature (Applicant)

Date

19th day of October, 2021 (year)

Gay H. Cicero

Print Name

Managing Member

Mark S. Bellin (notary)

Mark S. Bellin Esq.
Attorney at Law of the State of
New Jersey

Authorization

(If anyone other than above owner is making this application, the following authorization must be executed)

To The Land Use Board:

Hawthorn Court II Solar Farm, LLC is hereby authorized to make the within application.

Andrew Bauman

Owner's Signature

10/19/21

Date

15. SIGNATURE OF 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 authorized to sign the application for the Corporation, or a general partner of the partnership application.

[Signature] 10-28-21
Signature (Applicant) Date

Ambrose Hamm
Print Name
Managing Member

Sworn & Subscribed to before me this
28 day of October, 2021 (year)

[Signature] (notary)
Steven P. Gouin
Attorney at Law
State of New Jersey

16. CONSENT OF OWNER

I certify that I am the Owner of the property which is the subject of this application, herby consent to the making of this application and the approval of the plans submitted here within. I further consent to the inspection of this property in connection with this application as deemed necessary by the Land Use Board and its professionals. I further consent that all fees must be paid in accordance the Land Use Board application, and in the event the applicant does not pay all appropriate fees, including application and escrow fees, the landowner consents to have any unpaid balance placed as an added assessment against the property at issue, to be collected by the Township Tax Collector's Office.

[Signature] 10/19/21
Signature (Applicant) Date

Ambrose Hamm
Print Name

Sworn & Subscribed to before me this
19th day of October, 2021 (year)

[Signature] (notary)
MARK S. Bellin
Attorney at Law of
The State of New Jersey