

THE LAW OFFICES OF
KRISTOPHER J. FACENDA, LLC

Counselor at Law
2408 New Road, Suite 2
Northfield, New Jersey 08225
(609) 385-8791
kris@facendalaw.com

December 13, 2021

(Via Hand Delivery and Email – [sstewart@pleasantvillenj.us](mailto:ssstewart@pleasantvillenj.us))

City of Pleasantville
Zoning Board of Adjustment
Attn: Shurlana Stewart, Zoning Board Secretary
132 W. Washington Street
Pleasantville, NJ 08232

RE: Application of GG&P Properties, LLC
Block 200, Lot 46
1125 N. New Road
Use Variance

Dear Ms. Stewart,

Please recall that I represent GG&P Properties, LLC in connection with the above referenced use variance application. In that regard, per our communications, enclosed herewith please find 15 additional packets including the following:

1. Application for Land Use Approval (Forms 4, 5, 6, 7, 8 and 10);
2. Checklist A – General Requirement and Instructions;
3. Checklist D – Minor Site Plans and Minor Subdivision Plats;
4. Checklist H – “c” Variances;
5. Checklist I – “d” Variances;
6. Color Floor Plan;
7. Overhead Parking Photo;
8. Aerial Map of Property;
9. General Location Map of Property;
10. Agreement of Sale;
11. Variance Justification Report by Kristopher J. Facenda dated October 1, 2021;
12. 200’ List; and
13. Proof of Paid Taxes (Form 9) (3rd Quarter, 4th Quarter Taxes to be supplied).

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December 13, 2021

Page 2

Also included for you but not included in the Board member packets are the following:

1. W-9 Form;
2. Application Fee of \$890.00; and
3. Escrow Fee of \$1,600.00.

It is my understanding that this matter is scheduled for a public hearing on December 27, 2021 at 7:00pm.

With respect to notice, we will of course notice the application in accordance with the MLUL requirements 10 days prior to the Hearing. Once the notices to the property owners and Press of Atlantic City are sent, we will immediately forward the proof package to you.

I have copied Ms. Davinna P. King-Ali, City Clerk, on this submission so that she can post the enclosed application on the City's website.

Thank you very much for your attention to this matter. In the event you should have any questions, comments or concerns, please do not hesitate to contact me.

Very truly yours,

THE LAW OFFICES OF KRISTOPHER J. FACENDA, LLC

By: Kristopher J. Facenda

KRISTOPHER J. FACENDA

kris@facendalaw.com

KJF/ml

Enclosures

Cc: GG&P Properties, LLC *(via email)*

Joseph Maffei, P.E. *(via email)*

Davinna P. King-Ali, City Clerk *(via email)*

Debra Wahl, P.E., P.P., Zoning Board Engineer *(via email)*

Ryan McGowan *(via email)*

Kevin Cain, Zoning Officer *(via email)*

G:\Clients\Murphy, John\Mat 1 - Real Estate Matters\City of Pleasantville re Application for Board 12 9 21.doc



APPLICATION PACKAGE
for
LAND USE APPROVAL
City of Pleasantville

FORM 4: APPLICATION FOR LAND USE APPROVAL

TO BE COMPLETED BY MUNICIPAL STAFF

Application Filed: ___/___/___ Application No.: _____
Received By: _____ Application Fees: _____
Application Found Complete: ___/___/___ Escrow Number: _____
Application Found Incomplete: ___/___/___ Escrow Deposit: _____

TO BE COMPLETED BY THE APPLICANT

Applicant

Applicant's Name: GG&P Properties, LLC
Address: c/o Kristopher J. Facenda, Esq.
2408 New Road Suite 2, Northfield, NJ 08225
Phone No.: c/o 609-385-8791 Fax No.: _____

Agent for Applicant (if applicable)

Agent's Name: Kristopher J. Facenda, Esq., Attorney for Applicant
Address: 2408 New Road Suite 2, Northfield, NJ 08225
Phone No.: 609-385-8791 Fax No.: email: Kris@facendalaw.com

Subject Property

Street Address: 1125 N. New Road, Pleasantville, NJ 08225
Block(s): 200 Lot(s): 46
Zoning Districts: Light Industrial (L-I)

Application is being made to:

() Zoning Officer (X) Zoning Board of Adjustment () Planning Board

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.

[Signature]
Signature of Applicant

10/05/2021
Date



APPLICATION PACKAGE
for
LAND USE APPROVAL
City of Pleasantville


APPLICATION IS BEING MADE FOR:

- ☐ Zoning Permit under N.J.S.A. 40:55D-18
- ☐ Preapplication Conference under N.J.S.A. 40:55D-10.1
- ☐ Minor Site Plan Approval under N.J.S.A. 40:55D-46.1
- ☐ Preliminary Major Site Plan Approval under N.J.S.A. 40:55D-46
- ☐ Final Major Site Plan Approval under N.J.S.A. 40:55D-50
- ☒ Waiver of ^{*}(under N.J.S.A. 40:55D-10.3): ☐ Preliminary or
*Site Plan Approval ☐ Final Major Site Plan Approval, or
☐ Both
- ☐ Minor Subdivision Approval under N.J.S.A. 40:55D-47
- ☐ Major Subdivision Approval under N.J.S.A. 40:55D-48
- ☐ Variance Relief under N.J.S.A. 40:55D-70(c)
- ☐ Amendment or Revision to Existing Approval
- ☐ Extension of Prior Approval under N.J.S.A. 40:55D-52
- ☐ Certificate of Redevelopment Plan Conformance under N.J.S.A. 40A:12A-1 et seq.

[As relates solely to the jurisdiction of the Zoning Board of Adjustment]

- ☐ Directing the issuance of a building permit for construction ☐ in the bed of mapped street, public drainage-way, flood control basin or public area under N.J.S.A. 40:55D-60(b) or ☐ on a lot not abutting an approved public street under N.J.S.A. 40:55D-60(c)
- ☐ Appeal from action of the Administrative Officer under N.J.S.A. 40:55D-70(a)
- ☐ Map or other Interpretation or Special Question under N.J.S.A. 40:55D-70(b)
- ☒ Variance relief under N.J.S.A. 40:55D-70(d)
- ☐ Certificate of Nonconformity under N.J.S.A. 40:55D-70(d)
- ☐ Any of the foregoing where Application for Site Plan approval is to follow.

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.



Signature of Applicant

11/12/2021

Date

(insert revision date)



APPLICATION PACKAGE
for
LAND USE APPROVAL
City of Pleasantville

FORM 5: OWNERSHIP INFORMATION & CORPORATE DISCLOSURE
(To be completed by the Owner of Record of the Subject Property)

Owner's Name: Alpha Realities, LLC
Address: 1125-1131 N. New Road, Pleasantville, NJ 08232
Phone No.: _____ Fax No.: _____
Email Address: _____

Date Owner purchased the Subject Property: 04 / 11 / 2014

Was Subject Property purchased from the City of Pleasantville: ☐ Yes
☒ No

If not the Owner, Applicant's standing to bring Application:
☐ Lessee ☒ Contract Purchaser ☐ Other

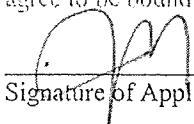
Attach Lease, Contract to Purchase or other proof of relationship as applicable.

Applicant is a(n) (check one):
☐ Individual ☐ Corporation ☐ Partnership
☒ Limited Liability Corporation (LLC) ☐ Limited Liability Partnership (LLP)

If Applicant is not an individual,

Name of Corporation, Partnership, LLC or LLP: GG&P Properties, LLC
Official empowered to complete this Disclosure on behalf of the Corporation, Partnership, LLC or LLP: John Murphy
Address: c/o Kristopher J. Facenda, Esq., 2408 New Road, Suite 2, Northfield, NJ 08225
Phone No.: c/o 609-385-8791 Fax No.: _____
Email Address: c/o kris@facendalaw.com

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.



Signature of Applicant

10/05/2021

Date

(insert revision date)



APPLICATION PACKAGE
for
LAND USE APPROVAL
City of Pleasantville

Pursuant to N.J.S.A. 40:55D-48.1, Applicants must disclose the names and addresses of all persons owning 10% or more of the stock in a corporate applicant or 10% or more interest in a partnership applicant. N.J.S.A. 40:55D-48.2 provides that such disclosure applies to any corporation or partnership which owns 10% or more interest in any entity subject to disclosure under N.J.S.A. 40:55D-48.1.

Where a corporation / partnership owns 10% or more of the stock / interest in the Applicant or in another corporation / partnership so reported, this requirement shall apply to all non-corporate stockholders / individuals / partners qualifying under the 10% ownership criterion.

NAME & ADDRESS OF QUALIFYING INDIVIDUAL / ENTITY	DATE OF BIRTH (as applicable)	TAX ID NUMBER (tin)	POSITION	% INTEREST
N/A	/ /			
	/ /			
	/ /			
	/ /			
	/ /			
	/ /			
	/ /			

(use additional sheets if necessary)

Signature of official empowered to complete the following Disclosure on behalf of the Corporation, Partnership, LLC or LLP (if additional sheets are necessary, such signature shall appear on each sheet):

Signature

Date

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.

Signature of Applicant

10/05/2021

Date

(insert revision date)



APPLICATION PACKAGE
for
LAND USE APPROVAL
City of Pleasantville

FORM 6: PROJECT INFORMATION

Project Name: Mainland Bingo Hall

Present Use of the Subject Property: Office

Proposed Use of the Subject Property:

- ☐ Sale of Lot(s) (no construction proposed)
☐ Construction of owner-occupied residential dwelling
☐ Construction of () rental or () for-sale residential dwellings
☐ Construction of owner-occupied commercial or other use.

Specify: _____

- ☐ Construction of rental or for-sale commercial or other use.

Specify: _____

- ☒ Other. Specify: Partial change of use to combination Bingo Hall and commercial
office use with minor interior (only) renovations

For each category (as applicable), provide number and type of units. For residential projects, include number of bedrooms per unit. For commercial projects, include the s.f. per unit:

N/A

_____	_____
_____	_____
_____	_____

For residential projects, number of units to be deed restricted as "Affordable" under regulations established by the New Jersey Council on Affordable Housing (COAH): N/A

Estimated cost of construction of Proposed Project: \$ N/A

Have any of the lands within the Subject Property been classified by any State or Federal Agency as Environmentally Sensitive, Wetlands, Riparian Lands, Brownfield, Greyfields or other applicable designation? () Yes (X) No

If Yes, explain: _____

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.

[Signature]
Signature of Applicant

10/05/2021
Date



APPLICATION PACKAGE
for
LAND USE APPROVAL
City of Pleasantville

If No, is there any indication that the Subject Property might contain subsurface or groundwater contamination? () Yes (X) No

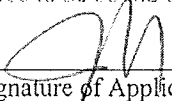
If Yes, explain: _____

Other than what is required by the City of Pleasantville, are any other approvals required for the Proposed Project? (X) Yes () No

If yes, specify (as applicable)

GOVERNMENTAL AGENCY OR PRIVATE ENTITY	YES	NO	DATE SUBMITTED	STATUS OF APPROVAL
City of Pleasantville Storm / Wastewater Division		X	___/___/___	
Atlantic County Board of Health	X		___/___/___	To be obtained if needed for location change
Atlantic County Health Department		X	___/___/___	
Atlantic County Planning Board		X	___/___/___	
Cape Atlantic Soil Conservation District		X	___/___/___	
NJ Department of Environmental Protection		X	___/___/___	
NJ Department of Transportation		X	___/___/___	
NJ Council on Affordable Housing		X	___/___/___	
Other	X		___/___/___	Games of Chance for location change
Other			___/___/___	
Other			___/___/___	

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.



 Signature of Applicant

10/05/2021

 Date

(insert revision date)



APPLICATION PACKAGE
for
LAND USE APPROVAL
City of Pleasantville

FORM 7: ZONING CONFORMANCE
(if multiple Principal buildings, provide information for all buildings)

Zoning District in which Subject Property is located:

Residential Zoning Districts

- () Single-Family Residential 50 (SFR-50)
- () Single-Family Residential 60 (SFR-60)
- () Single-Family Residential 75 (SFR-75)
- () Residential Duplex (R-D)
- () Multi-Family (MF)

Commercial Zoning Districts

- () Central Business District (CBD)
- () Neighborhood Commercial (NC)
- () General Commercial (GC)
- () Regional Commercial (RC)
- () Regional Shopping Center (RSC)
- (X) Light Industrial (LI)

Specialty Zoning Districts

- () Bayside Mixed-Use (BMU)
- () Cemetery (CEM)
- () Conservation (CONSERV)
- () Waterfront Residential (WR)

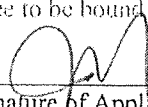
Overlay Zoning Districts

- () Bayside Mixed Use Overlay Zone
- () City Center Support Overlay
- () Franklin Boulevard Professional Office Overlay
- () Main Street Neighborhood Commercial Overlay
- () New Road Professional Office Overlay

Redevelopment Plans

- () Block 189 Rehabilitation Area
- () California Avenue Rehabilitation Area
- () CARA Cambria Avenue Redevelopment Area
- () CCRA Center City Redevelopment Area
- () LBRA Lakes Bay Waterfront Redevelopment Area
- () NARA Narcissus Avenue Rehabilitation Area
- () WTRA Woodland Terrace Rehabilitation Area

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.


Signature of Applicant

10/05/2021

Date

(insert revision date)



APPLICATION PACKAGE
for
LAND USE APPROVAL
City of Pleasantville

Lot Regulations for Zoning District in which Subject Property is located:

	<u>Existing</u>	<u>Required</u>	<u>Proposed</u>
Lot Width (ft)	<u>216'</u>	<u>100'</u>	<u>No change</u>
Lot Depth (ft)	<u>275 +/-'</u>	<u>100'</u>	<u>No change</u>
Lot Size (s.f.)	<u>1.173 acres</u>	<u>1 acre</u>	<u>No change</u>

Building Regulations for Zoning District in which Subject Property is located:

	<u>Existing</u>	<u>Required</u>	<u>Proposed</u>
Front Yard Setback (ft)	<u>> 45'</u>	<u>45'</u>	<u>No change</u>
Side Yard Setback [L / R] (ft)	<u>>30' / >30'</u>	<u>30' / 30'</u>	<u>No change</u>
Rear Yard Setback (ft)	<u>>45'</u>	<u>45'</u>	<u>No change</u>
Impervious Coverage (%)	<u>>80%</u>	<u>80%</u>	<u>No change</u>

Height and number of stories for Principal Building (if multiple Principal buildings, provide information for tallest building): _____ feet 1 stories


Does the Subject Project conform with all applicable requirements for the specific Zoning District in which the Subject Property is located as specified by the Pleasantville Land Management Code (Chapter 300)? ☒ Yes () No

If No, explain nonconformities: _____

Have any variances, waivers of zoning interpretations been obtained as relates to the existing or proposed use of the Subject Property? () Yes ☒ No

If Yes, explain: unknown

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.



Signature of Applicant

10/05/2021

Date

(insert revision date)



APPLICATION PACKAGE
for
LAND USE APPROVAL
City of Pleasantville

FORM 8: PROJECT PROFESSIONALS

(use additional sheets if necessary)

Project Attorney: Kristopher J. Facenda, Esq.
Address: 2408 New Road Suite 2, Northfield, NJ 08225
Phone No.: 609-385-8791 Fax No.: _____
Email Address: kris@facendalaw.com

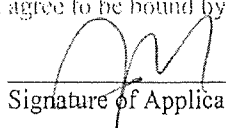
Project Engineer: Joseph H. Maffei P.E.
Address: Engineering Design Associates
5 Cambridge Drive, Ocean View, NJ 08230
Phone No.: (609) 390-0332 Fax No.: _____
Email Address: jmaffei@engineeringdesign.com

Project Planner: _____
Address: _____
Phone No.: _____ Fax No.: _____
Email Address: _____

Project Architect: _____
Address: _____
Phone No.: _____ Fax No.: _____
Email Address: _____

Project Surveyor: _____
Address: _____
Phone No.: _____ Fax No.: _____
Email Address: _____

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.


Signature of Applicant

10/05/2021

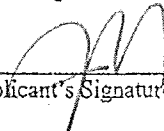
Date



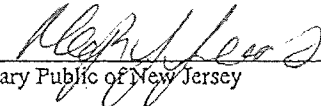
APPLICATION PACKAGE
for
LAND USE APPROVAL
City of Pleasantville

FORM 10: CERTIFICATIONS

APPLICANT: I certify that the foregoing statements and the materials submitted are true. I further certify that I am that the individual Applicant or that I am an Officer of the Corporation who is the Applicant, and that I am authorized to sign the application for the Corporation, or that I am general partner of the partnership Applicant. If the Applicant is a Corporation, an authorized Corporate Officer must sign this Certification. If the Applicant is a Partnership, a General Partner must sign this Certification. If the Applicant is an LLC, the Managing Member must sign this Certification.

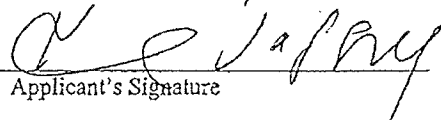

Applicant's Signature

Sworn to and subscribed before me this
5th Day of October, 2021.

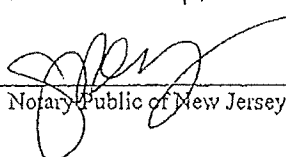

Notary Public of New Jersey

MEGHAN L LEEDS
Notary Public - State of New Jersey
My Commission Expires May 22, 2024

PROPERTY OWNER WHERE NOT APPLICANT: 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 by the Applicant and the decision of the Board in the same manner as if I were the Applicant. If the owner is a Corporation, an authorized Corporate Officer must sign this Certification. If the owner is a Partnership, the General Partner must sign this Certification. If the owner is an LLC, the Managing Member must sign this Certification.


Applicant's Signature

Sworn to and subscribed before me this
4th Day of October, 2021.


Notary Public of New Jersey

SHANNON L. PENDLEBURY COHEN
Notary Public, State of New Jersey
My Commission Expires
January 02, 2025



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST A.

General Requirements & Instructions

See §300-26 and 27 for further details regarding submission requirements and procedures.

Each page of this Checklist must be signed and dated by the Applicant.

The following series of Checklists were crafted to provide the City and its professionals with detailed information pertinent to each of the specific types of approvals or relief available to applicants. Applicants shall complete this Checklist A. for all applications except Applications for Zoning Permits, and shall complete Checklists C. through L. as applicable. Applicants requesting multiple approvals shall complete the appropriate Checklist for each approval requested.

Applications for Zoning Permits need only complete Checklist B.

Site Plans which include design of drainage, pavement, curbing, walkways, embankments, horizontal and vertical geometrics, utilities and other pertinent structures shall be prepared, signed and sealed by a New Jersey licensed Professional Engineer. A New Jersey Registered Architect may prepare a Site Plan if limited to general locations.

Topographical and Boundary Survey information, including all subdivisions, shall be provided by or attributed to a New Jersey licensed Professional Land Surveyor.

- ☒ 1. One (1) original and fourteen (14) copies of:
- ☒ A. the completed Application Forms, all certifications and other components;
 - ☒ B. all required checklist(s) in completed form; and
 - ☒ C. all documents, reports, plats, plans, drawings and photographs relating to the Application.

- N/A 2. All plats, plans and drawings shall contain a Title Block, including:
- ☐ A. The name and title of the Application / Project, City of Pleasantville, Atlantic County;
 - ☐ B. The name, title, address, telephone and fax number of the Applicant;
 - ☐ C. The name, title, address, telephone and fax number of the person who prepared the plat, plan or drawing, including the New Jersey License number and original embossed seal with signature if the preparer is a New Jersey Licensed Land Surveyor, Professional Engineer, Professional Planner or Architect;
 - ☐ D. The name, address, telephone and fax number of the owner(s) of record of the Subject Property;

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.



Signature of Applicant

11/12/2021

Date

(Insert revision date)



PLEASANTVILLE LAND MANAGEMENT CODE

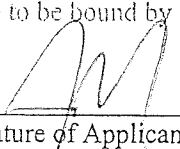
CHECKLIST A.
General Requirements & Instructions

See §300-26 and 27 for further details regarding submission requirements and procedures.

Each page of this Checklist must be signed and dated by the Applicant.

- ___ E. Written and graphic (bar) scale in inches to feet;
- ___ F. North Arrow
- ___ G. The original date that the plans were prepared, the date of each subsequent revision thereof and a list of specific revisions entered on each sheet.
- N/A 3. Unless otherwise specified in Checklists C. through L., no plat, plan or drawings shall be accepted unless:
- ___ A. drawn to a scale of 1"=10', 1"=20', 1"=30', 1"=40', 1"=50' or 1"=60' for engineering drawings or 1/8"=1', 3/8"=1', 1/4"=1', 1/2"=1', 3/4"=1' or 1"=1' for architectural drawings, as per standard scales commercially available at any office supply store. **Items drawn to such scales but subsequently reduced or enlarged shall be summarily rejected.**
- ___ B. submitted on 24"x36" or larger sheet sizes, folded into eighths, with title block revealed. If one sheet is not sufficient to depict the entire tract, the plat, plan or drawing may be divided into sections and shown on separate sheets of equal size, with reference on each sheet as to the location of all adjoining sheets.
- ___ C. fully dimensioned to confirm conformity with all requirements.
- ___ D. dimensions are expressed to the nearest tenth of an acre when describing acreage or 2 decimal places when describing square feet of area or linear feet of distance. Bearings shall be given to the nearest 10 seconds and the error of closure shall not exceed 1 to 10,000.
- ✓ 4. A Key Map showing the entire parcel to be developed, the proposed development and the proposed street pattern, if any, within it, and the relationship of the tract to the surrounding area, with the proposed development shown in place, including all intersections and waterways within 300', at a scale not less than 1"=100', based on the City's official tax map. Where the scale of the map results in a street name not appearing, the Applicant shall legibly hand-print the missing street name.
- N/A 5 Existing tax sheet with existing block and lot number(s) of the Subject Property(ies) as they appear on the current City Tax Map as well as all properties within 200' of the subject. Existing Street names of all streets bounding the subject property shall be clearly visible. Where the scale of the map results in a street name not appearing, the Applicant shall legibly hand-print the missing street name.

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.


Signature of Applicant

11/12/2021
Date

(insert revision date)



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST A.
General Requirements & Instructions

See §300-26 and 27 for further details regarding submission requirements and procedures.

Each page of this Checklist must be signed and dated by the Applicant.

N/A

6. Existing Zoning Map with existing block and lot number(s) of the Subject Property(ies) as they appear on the current City Tax Map as well as all properties within 200' of the subject. Existing Street names of all streets bounding the subject property shall be clearly visible. Where the scale of the map results in a street name not appearing, the Applicant shall legibly hand-print the missing street name.

Matrix containing the requirements of the Zoning District(s) in which the Subject Property(ies) are located, including the use(s) proposed, the bulk requirements of such District(s), and whether or not the proposed project conform(s) to such regulations. Such information shall be indicated on the plot or plan as well as a separate table.

✓

7. Recent Aerial photograph depicting the Subject Property and one (1) block in each direction from the Subject Property, dated and showing the location and size of structures and from other land uses as well as all access points to such uses.

2007 aerial photography is available at no charge from the NJGIN Information Warehouse (https://njgin.state.nj.us/NJ_NJGINExplorer/IW.jsp?DLayer=NJ%202007%20Orthophotography). Should an applicant not be able to download such information, aerial photography from Google Earth, Microsoft Virtual Earth, Bing or other commercially available sources is acceptable.

✓

8. Neighborhood characteristic photographs depicting the Subject Property from the opposite side of the street as well as all properties fronting both sides of the street of the block on which the Subject Property is located.

Such photography shall be dated and keyed to a reproduction of the City's official tax map, at a scale of not less than 1"=60', with the Subject Property and all photographed properties indicated.

✓


9. A certified list of all property owners whose property is located within 200' of the extreme limits of the Subject Property, as they appear on the most recent tax list prepared by the Tax Assessor. Such list must be certified as current within three (3) months prior to the date of submission of the Subject Application. Such list shall include Owner's Name and Mailing Address as well as the Block number, Lot number and Property Address of the property within 200' of the Subject.

In addition to the Tax Assessor's (8½"x11") printout, such list shall be depicted on the plans.

N/A

10. Certification that there are no outstanding uncollected fees or escrows resulting from past applications or prior submissions by the Applicant, or any entity now or previously related to the applicant, involving this property or any other properties connected with the Applicant within the City of Pleasantville. No applications will be processed if the applicant owes the City or its professionals monies from previous applications.

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.



Signature of Applicant

11/12/2021

Date



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST A. General Requirements & Instructions

See §300-26 and 27 for further details regarding submission requirements and procedures.

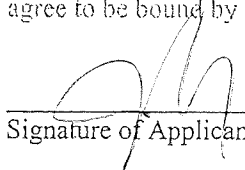
Each page of this Checklist must be signed and dated by the Applicant.

- N/A 11. Certification from the Zoning Officer and/or City Engineer that any conditions required as a result of any prior approval granted for the Subject Property have been fulfilled.
- ✓ 12. Certification from the City Tax Collector that all taxes and assessments are paid and current as of the date the Application is submitted, or that adequate provision for payments has been made in a matter satisfactory to the City.
- N/A 13. Statement regarding any prior Planning Board or Zoning Board of Adjustment appeal, approval or denial related to the Subject Property.
- N/A 14. Copies of protective covenants or deed restrictions affecting any portion of the Subject Property or any adjacent property (if obtainable).
- ✓ 15. The location, width, legal (metes and bounds) description, use(s) for which they are intended, any limitations thereof and the manner of control or maintenance for all existing or proposed utility easements, right-of-way dedications and/or sight triangle dedication(s) affecting the Subject Property.

Items 14. and 15. are intended to address, but are not limited to, existing or proposed easements to telephone, electric, gas, water and sewer utilities; deed restrictions and covenants, master deeds and proposed by-laws of any homeowner's or community associations; proposed deeds to dedicate any portion of the affected property for public use or for ownership by any public body.

- ✓* 16. Detailed narrative describing the existing use and condition of and the development proposed for the Subject property, addressing the individual lands and buildings therein, including a statement of the applicant's intent with respect to the ownership, sale and leasing of the project or the various components thereof.
*See Variance Justification Report
- N/A 17. Detailed narrative justification for any requested waivers from any Checklist requirement. Items which are not applicable shall be addressed as N/A.
- N/A 18. Detailed narrative justification for any requested waiver(s) from any development standard and/or regulation where a variance is not required.
- ✓ 19. Evidence that the Applicant has sufficient control over the Subject Property to effectuate the proposed development. Including, as appropriate:
- ✓ A. Property Owner's authorization to file the application when the Owner is not the Applicant.

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.


Signature of Applicant

11/12/2021

Date

(insert revision date)



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST A.

General Requirements & Instructions

See §300-26 and 27 for further details regarding submission requirements and procedures.

Each page of this Checklist must be signed and dated by the Applicant.

✓ B. Notarized signature of the Applicant or Agent for the Applicant.

- ✓ 20. All Application Fee(s) and Escrow Deposit(s), including Tax Map Update Fees for subdivisions or lot consolidations. No application will be processed which does not include the appropriate Fees and Escrows.

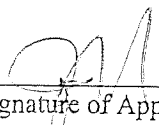
The Applicant shall be responsible to insure that Fees and Escrow Deposits are sufficient to address all approvals required, consistent with the Fee Schedule under §300-9. The City reserves the right to require additional Application Fees and Escrow Deposits should the review of the Application find that additional approvals are required.

Once such additional approvals have been identified, the City, and or its professionals shall immediately cease review of the subject application and issue a letter to the Board Secretary informing the Secretary of the situation. The Board Secretary shall immediately inform the Applicant of the necessity for additional funds. The review of the application shall not resume until the appropriate funds have been submitted.

- ✓ 21. The Zoning Officer, Planning & Redevelopment Advisory Committee, Planning Board or Zoning Board of Adjustment, through their respective professionals, reserves the right to require such additional information as may be deemed necessary and appropriate for a full consideration of the entirety of the Subject Application.

While no application shall be deemed Incomplete for the lack of such information, the entities so indicated reserve the right to delay the granting of approvals until such information has been submitted and appropriately reviewed.

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.



Signature of Applicant

11/12/2021

Date



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST D.

Minor Site Plans and Minor Subdivision Plats

See §300-26, 27 & 36 E. for further details regarding submission requirements and procedures.

Each page of this Checklist must be signed and dated by the Applicant.

N/A 1. All General Checklist Requirements in such number as indicated in Checklist A.

N/A
No Variances Requested (NVR)
No Site Changes (NSC)

2. Plats or plans of the proposed project at a scale and paper size specified under Checklist A., item 2. B.

N/A
NVR
NSC

3. Existing Conditions and Topographical Outbound Survey of the Subject Property, at a scale of not less than 1"=50', prepared by a New Jersey Licensed Land Surveyor, showing the property boundary lines and dimensions, structures, available utilities and easements, roadways, rail lines and public rights-of-way crossing and adjacent to the subject property.

Survey shall include the distances between the proposed building(s) and any other buildings on adjacent lots (on both sides and the rear of the Subject Property).

If Survey is dated more than 2 years prior to the date of submission of the Subject Application, an Affidavit of No Change, prepared by a New Jersey Licensed Land Surveyor, certifying that the submitted survey depicts the true existing conditions on the subject property.

N/A
NVR
NSC

4. Lot area expressed both in acreage (to the nearest tenth of an acre) and square feet (to 2 decimal places), both with and without any area(s) located within any existing or proposed public rights-of-way.

N/A
NVR
NSC

5. Computation of the area of the tract to be disturbed in square feet, the number of lots proposed and the area and dimensions of each proposed lot.

N/A
NVR
NSC

6. Existing contours referenced to United States Geological Survey datum, with project site and proposed contours at 1' intervals plotted thereon, except in areas where the slope exceeds 5%, where intervals may be 5'. Any proposed regrading shall be shown.

N/A
NVR
NSC

7. Existing and proposed spot elevations at all corners of the buildings and along the curbline.

N/A
NVR
NSC

8. A soils map with project site plotted thereon.

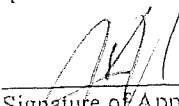
N/A
NVR
NSC

9. Existing tax sheet and existing block and lot number(s) of the lots to be subdivided or developed, as they appear on the current City Tax Map, with proposed block and lot numbers as provided by the City Tax Assessor.

N/A
NVR
NSC

10. Subdivision or development boundary lines (heavy solid line), lot lines to be removed (faded) and new lots to be created.

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.



Signature of Applicant

11/12/2021

Date

(insert revision date)



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST D.


Minor Site Plans and Minor Subdivision Plats

See §300-26, 27 & 36 E. for further details regarding submission requirements and procedures.

Each page of this Checklist must be signed and dated by the Applicant.

- | | |
|-------------------|---|
| N/A
NVR
NSC | 11. The location of existing and proposed property lines (with bearings and distances), streets, structures, walls, fences, signs, culverts and bridges (with numerical dimensions, including height, to the nearest tenth of a foot). |
| N/A
NVR
NSC | 12. Parking spaces, loading areas, driveways, watercourses, railroads, bridges, culverts, drain pipes, any natural features such as wetlands and vegetated areas both within the tract and within 100' of its boundary. |
| N/A
NVR
NSC | 13. The location and width of all existing proposed utility easements, the use(s) for which they are intended and the manner in which they will be controlled. |
| N/A
NVR
NSC | 14. Delineation of flood plains, including floodway, flood fringe areas and lands subject to flooding, and the location of all natural features, including wetlands, water courses, vegetated areas and buffers both within the tract and within 100' of the boundaries thereof. |
| N/A
NVR
NSC | 15. The location and material of all existing and proposed monuments, including iron and copper pins. |
| N/A
NVR
NSC | 16. Right-of-way dedication(s) and improvement(s), as applicable. |
| N/A
NVR
NSC | 17. Sight triangle easements with dimensions, bearings and distances, as applicable. |
| N/A
NVR
NSC | 18. Plans of proposed site improvements and/or utility layouts as required by ordinance. Plans must show proposed connections to existing water supply and sanitary sewerage systems. |
| N/A
NVR
NSC | 19. Detailed site drawings, drawn to scale and fully dimensioned, depicting the size and location of all existing and proposed structures, signs and lighting, with height noted, and indicating if existing structures and uses will be retained or removed. All existing and proposed setbacks must be delineated on the plans. |
| N/A
NVR
NSC | 20. Detailed architectural and elevation drawings, drawn to scale and fully dimensioned, depicting all four (4) building elevations (labeled north, south, east and west, with street names as applicable), with colors and materials indicated on the plans. All proposed setbacks for structures must be delineated on the plans. |
| N/A
NVR
NSC | 21. Certification from appropriate state and county agencies and private providers as applicable, granting approval for the extension of utility service(s). |
| N/A
NVR
NSC | 22. Soil Erosion and Sediment Control Plan as required by <u>N.J.S.A. 4:24-39 et seq.</u> , as applicable. |

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.



Signature of Applicant

11/12/2021

Date



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST D.

Minor Site Plans and Minor Subdivision Plats

See §300-26, 27 & 36 E. for further details regarding submission requirements and procedures.

Each page of this Checklist must be signed and dated by the Applicant.

N/A
NVR
NSC

23. Statement regarding details of any impact the proposed development may have on the City's Stormwater Management System.

N/A
NVR
NSC

24. Plans and computations for any storm drainage systems required.

N/A
NVR
NSC

25. A Landscape Plan, depicting existing and proposed screening, buffering and landscape areas in conformance with §300-67.

The location of all proposed plantings shall be indicated on the Landscape Plan, which shall be keyed to a Plant Schedule listing the botanical and common names, the sizes of plant material at time of planting and the total quantity of each plant.

N/A
NVR
NSC

25. A Lightning Plan, addressing the proposed location, direction of illumination, power and type of proposed outdoor lighting, including details regarding light standards and fixtures, lumen pattern and foot-candles.

N/A
NVR
NSC

27. Tax Map Update Fees, to be submitted on a separate check calculated at \$65 per affected lot.

N/A
NVR
NSC

28. Trash/refuse and recycling storage plans, if applicable.

N/A
NVR
NSC

29. Signage Plan, with details addressing location, dimensions, area, height, illumination and materials for all signage.

N/A
NVR
NSC

30. Approval signature lines for the Board Chair, Board Secretary and City Engineer.

N/A
NVR
NSC

31. Indication that Subdivision is to be filed by Deed or Plat.

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.



Signature of Applicant

11/12/2021

Date

(insert revision date)



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST H.

'c' Variances

Pursuant to N.J.S.A. 40:55d-70c

See §300-26, 27 & 37 C. for further details regarding submission requirements and procedures.

Each page of this Checklist must be signed and dated by the Applicant.

PLEASE READ THE FOLLOWING CAREFULLY BEFORE COMPLETING THE VARIANCE JUSTIFICATION NARRATIVE

Under N.J.S.A. 40:55D-70(c), 'c' variance relief is required to permit the deviation from the strict application of land use regulations (generally) governing the physical development of a piece of property.

In order for a Planning Board or Zoning Board of Adjustment, as the case may be, to grant a 'c' variance request, an Applicant must demonstrate, to the Board's satisfaction, that special reasons (broadly defined as relieving an undue hardship on the Applicant [commonly referred to as a 'c-1' variance] OR advancing the purposes of the Municipal Land Use Law [commonly referred to as a 'c-2' variance]) exist. This is known as the Positive Criteria. Additionally, no variance may be granted which will be detrimental to the public good or the City's Zone Plan or Zoning Ordinance.

The grant of a 'c' variance requires an affirmative vote by a simple majority of the Board members present.


In order to satisfy the Positive Criteria for 'c-1' variances, the applicant must prove that:

(a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or (c) by reason 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...would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property..."

In order to satisfy the Positive Criteria for 'c-2' variances, the applicant must prove that the proposed development will achieve at least one (1) of the following Purposes of the Municipal Land Use Law:

- a. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.



Signature of Applicant

11/12/2021

Date



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST H.

'c' Variances

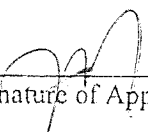
Pursuant to N.J.S.A. 40:55d-70c

See §300-26, 27 & 37 C. for further details regarding submission requirements and procedures.

Each page of this Checklist must be signed and dated by the Applicant.

- b. To secure safety from fire, flood, panic and other natural and man-made disasters;
- c. To provide adequate light, air and open space;
- d. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
- e. To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;
- f. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;
- g. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey's citizens;
- h. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;
- i. To promote a desirable visual environment through creative development techniques and good civic design and arrangement;
- j. To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land;
- k. To encourage planned unit developments which incorporate the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development to the particular site;

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.



Signature of Applicant

11/12/2021

Date



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST H.

'c' Variances

Pursuant to N.J.S.A. 40:55d-70c

See §300-26, 27 & 37 C. for further details regarding submission requirements and procedures.


Each page of this Checklist must be signed and dated by the Applicant.

- l. To encourage senior citizen community housing construction;
- m. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
- n. To promote utilization of renewable energy resources;
- o. To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.

Applicants requesting 'c' variance relief must complete the following Checklist G., along with the accompanying Schedule of Requested 'c' Variance(s) and 'c' Variance Justification Narrative setting forth and describing the specific requirements of the Pleasantville Land Management Code from which relief is being sought. Applicants must also address the reasons why such relief is justified.

Applicants **MUST** submit variance justifications for all requested variances as part of this application process. Applications not containing the aforementioned detailed written narrative, addressing both the Positive Criteria required for 'c' variance relief and any impact the granting of the requested variance will have on the public good and the City's Zone Plan and Zoning Ordinance, shall be deemed **INCOMPLETE**.

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.



Signature of Applicant

11/12/2021

Date



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST H.

'c' Variances

Pursuant to N.J.S.A. 40:55d-70c

See §300-26, 27 & 37 C. for further details regarding submission requirements and procedures.

Each page of this Checklist must be signed and dated by the Applicant.

N/A

1. All General Checklist Requirements in such number as indicated in Checklist A.

N/A
No Variances Requested (NVR)
No Site Changes (NSC)

2. Plats, plans drawings of the proposed project at a scale specified under Checklist A., item 3. A. Plats, plans or drawings prepared by a New Jersey Licensed Land Surveyor, Professional Engineer, Professional Planner or Architect shall be submitted on a paper size specified under Checklist A., item 3. B. Plats or plans prepared by the Applicant may be submitted on a sheet no smaller than 11"x17".

N/A
NVR
NSC

3. Topographical Outbound Survey of the Subject Property, at a scale of not less than 1"=50', prepared by a New Jersey Licensed Land Surveyor. If Survey is dated more than 2 years prior to the date of submission of the Subject Application, an Affidavit of No Change, prepared by a New Jersey Licensed Land Surveyor, certifying that the submitted survey depicts the true existing conditions on the subject property, shall also be required. The Survey shall include the distances between the proposed building(s) and any other buildings on adjacent lots (on both sides and the rear of the Subject Property).

N/A
NVR
NSC

4. Lot area expressed both in acreage and square feet, to the nearest tenth of an acre, both with and without any area(s) located within any existing or proposed public rights-of-way.

N/A
NVR
NSC

5. Development boundary lines (heavy solid line).

N/A
NVR
NSC

6. Detailed site drawings, drawn to scale and fully dimensioned, depicting the size and location of all existing and proposed structures, signs and lighting, with height noted, and indicating if existing structures and uses will be retained or removed. All existing and proposed setbacks for structures must be delineated on the plans.

N/A
NVR
NSC

7. Detailed architectural and elevation drawings, drawn to scale and fully dimensioned, depicting all four (4) building elevations (labeled north, south, east and west, with street names as applicable), with colors and materials indicated on the plans. All proposed setbacks for structures must be delineated on the plans.

N/A
NVR
NSC

8. Completed Schedule of Requested 'c' Variances attached to this Checklist.

N/A
NVR
NSC

9. Detailed justification for the relief requested, including statement addressing the Positive Criteria required for 'c' Variance relief, and specifically addressing any detrimental impact the grant of such variance might have to the public good or the City's Zone Plan or Zoning Ordinance.

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.


Signature of Applicant

11/12/2021

Date



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST II.

'c' Variances

Pursuant to N.J.S.A. 40:55d-70c

See §300-26, 27 & 37 C. for further details regarding submission requirements and procedures.

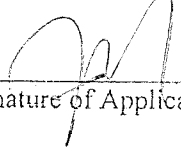
Each page of this Checklist must be signed and dated by the Applicant.

APPLICANTS MAY UTILIZE THIS FORM OR MAY CREATE THEIR OWN SCHEDULE AS LONG AS THE REQUIRED INFORMATION IS INCLUDED.

SCHEDULE OF REQUESTED 'c' VARIANCES			
Variance Number	Ordinance Reference (§300-)	Regulation / Requirement	Existing / Proposed Condition
1.	N/A		
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

(use additional pages if necessary)

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.


Signature of Applicant

11/12/2021

Date

5



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST II.

'c' Variances

Pursuant to N.J.S.A. 40:55d-70c

See §300-26, 27 & 37 C. for further details regarding submission requirements and procedures.

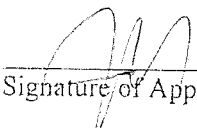
Each page of this Checklist must be signed and dated by the Applicant.

APPLICANTS MAY UTILIZE THIS FORM OR MAY CREATE THEIR OWN SCHEDULE AS LONG AS THE REQUIRED INFORMATION IS INCLUDED.

'c' VARIANCE JUSTIFICATION NARRATIVE	
Variance Number (from Schedule of Requested 'c' Variances)	Detailed Justification for Variance Request
1.	N/A
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

(use additional pages if necessary)

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.



Signature of Applicant

11/12/2021

Date



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST I.

'd' Variances

Pursuant to N.J.S.A. 40:55d-70d

See §300-26, 27 & 37 D. for further details regarding submission requirements and procedures.

Each page of this Checklist must be signed and dated by the Applicant.

PLEASE READ THE FOLLOWING CAREFULLY BEFORE
COMPLETING THE VARIANCE JUSTIFICATION NARRATIVE

Under N.J.S.A. 40:55D-70 (d), 'd' variance relief is required to permit (1) the use of lands or buildings in areas of the City (Zoning Districts) where such use is not permitted, (2) to expand an existing non-permitted use, (3) to deviate from a conditional use standard as defined in the City's Land Management Code, (4) to develop beyond the floor area ratio permitted in a Zoning District, (5) to develop beyond the density permitted in a Zoning District, and (6) to develop at a building height 10' or 10% beyond that which is permitted in a Zoning District.

Generally, in order for the Zoning Board of Adjustment⁶⁵ to grant a 'd' variance request, an Applicant must demonstrate, to the Board's satisfaction, that special reasons (broadly defined as relieving an undue hardship on the Applicant OR advancing the purposes of the Municipal Land Use Law) exist. This is known as the Positive Criteria. The Applicant must also demonstrate that granting such relief will not substantially impair the purpose and intent of the City's Zone Plan or Zoning Ordinance, and that the relief requested will not be a substantial detriment to the public good. This is known as the Negative Criteria.

Both the Positive Criteria and the Negative Criteria must be satisfied in order for the Board to grant a 'd' variance request.

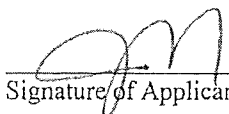
The grant of a 'd' variance requires an affirmative vote by five (5) Board members, regardless of how many members may be attending the meeting.

In order to satisfy the Positive Criteria for 'd' variances, the applicant must prove that:

- (a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or (c) by reason of an extraordinary and

⁶⁵ Only a Zoning Board may grant 'd' variance relief

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.



Signature of Applicant

10/05/2021

Date



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST I.

'd' Variances

Pursuant to N.J.S.A. 40:55d-70d

See §300-26, 27 & 37 D. for further details regarding submission requirements and procedures.

Each page of this Checklist must be signed and dated by the Applicant.

exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation...would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property..."

OR, the applicant must prove that the proposed development will achieve at least one (1) of the following Purposes of the Municipal Land Use Law:

- a. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;
- b. To secure safety from fire, flood, panic and other natural and man-made disasters;
- c. To provide adequate light, air and open space;
- d. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
- e. To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;
- f. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;
- g. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey's citizens;
- h. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.



Signature of Applicant

10/05/2021

Date

(Insert revision date)



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST I.

'd' Variances

Pursuant to N.J.S.A. 40:55d-70d

See §300-26, 27 & 37 D. for further details regarding submission requirements and procedures.

Each page of this Checklist must be signed and dated by the Applicant.

- i. To promote a desirable visual environment through creative development techniques and good civic design and arrangement;
- j. To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land;
- k. To encourage planned unit developments which incorporate the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development to the particular site;
- l. To encourage senior citizen community housing construction;
- m. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
- n. To promote utilization of renewable energy resources;
- o. To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.

Applicants requesting 'd' variance relief must complete the following Checklist H., along with the accompanying Schedule of Requested 'd' Variance(s) and 'd' Variance Justification Narrative setting forth and describing the specific requirements of the Pleasantville Land Management Code from which relief is being sought. Applicants must also address the reasons why such relief is justified.

Applicants **MUST** submit variance justifications for all requested variances as part of this application process. Applications not containing the aforementioned detailed written narrative, addressing both the Positive Criteria and Negative Criteria required for 'd' variance relief, shall be deemed **INCOMPLETE**.

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.



Signature of Applicant

10/05/2021

Date



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST I.

'd' Variances

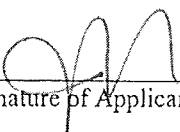
Pursuant to N.J.S.A. 40:55d-70d

See §300-26, 27 & 37 D. for further details regarding submission requirements and procedures.

Each page of this Checklist must be signed and dated by the Applicant.

- ☒ 1. All General Checklist Requirements in such number as indicated in Checklist A.
- N/A 2. Plats, plans drawings of the proposed project at a scale specified under Checklist A., item 3.
A. Plats, plans or drawings prepared by a New Jersey Licensed Land Surveyor, Professional Engineer, Professional Planner or Architect shall be submitted on a paper size specified under Checklist A., item 3. B. Plats or plans prepared by the Applicant may be submitted on a sheet no smaller than 11"x17".
- N/A 3. Topographical Outbound Survey of the Subject Property, at a scale of not less than 1"=50', prepared by a New Jersey Licensed Land Surveyor. If Survey is dated more than 2 years prior to the date of submission of the Subject Application, an Affidavit of No Change, prepared by a New Jersey Licensed Land Surveyor, certifying that the submitted survey depicts the true existing conditions on the subject property, shall also be required. The Survey shall include the distances between the proposed building(s) and any other buildings on adjacent lots (on both sides and the rear of the Subject Property).
- ☒ 4. Lot area expressed both in acreage and square feet, to the nearest tenth of an acre, both with and without any area(s) located within any existing or proposed public rights-of-way.
- N/A 5. Development boundary lines (heavy solid line).
- N/A 6. Variance requests under N.J.S.A. 40:55d-70d(3), (4) & (6) only:
- ___ A. detailed site drawings, drawn to scale and fully dimensioned, depicting the size and location of all existing and proposed structures, signs and lighting, with height noted, and indicating if existing structures and uses will be retained or removed.
- ___ B. detailed architectural and elevation drawings, drawn to scale and fully dimensioned, depicting all four (4) building elevations (labeled north, south, east and west, with street names as applicable), with colors and materials indicated on the plans.
- ☒ 7. Completed Schedule of Requested 'd' Variances attached to this Checklist.
- ☒ 8. Detailed justification for the relief requested, including statement addressing the Positive Criteria and Negative Criteria required for 'd' Variance relief.

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.



Signature of Applicant

10/05/2021

Date

(insert revision date)



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST I.

'd' Variances

Pursuant to N.J.S.A. 40:55d-70d

See §300-26, 27 & 37 D. for further details regarding submission requirements and procedures.

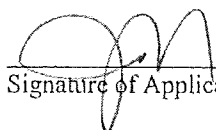
Each page of this Checklist must be signed and dated by the Applicant.

APPLICANTS MAY UTILIZE THIS FORM OR MAY CREATE THEIR OWN SCHEDULE AS LONG AS THE REQUIRED INFORMATION IS INCLUDED.

SCHEDULE OF REQUESTED 'd' VARIANCES			
Variance Number	Ordinance Reference (§300-)	Regulation / Requirement	Existing / Proposed Condition
1.	300-23	Enumerated uses	Bingo Hall and office uses
2.	300-23	Single permit use	Multiple principal uses
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

(use additional pages if necessary)

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.


Signature of Applicant

10/05/2021

Date

(insert revision date)



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST I.

'd' Variances

Pursuant to N.J.S.A. 40:55d-70d

See §300-26, 27 & 37 D. for further details regarding submission requirements and procedures.

Each page of this Checklist must be signed and dated by the Applicant.

APPLICANTS MAY UTILIZE THIS FORM OR MAY CREATE THEIR OWN SCHEDULE AS LONG AS THE REQUIRED INFORMATION IS INCLUDED.

'd' VARIANCE JUSTIFICATION NARRATIVE	
Variance Number (from Schedule of Requested 'c' Variances)	Detailed Justification for Variance Request
1.	See attached Variance Justification Report
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

(use additional pages if necessary)

I, as applicant for the subject Application, acknowledge that I have read and am familiar with the procedures set forth herein for submitting and acting upon applications for Land Use Approval in the City of Pleasantville and agree to be bound by same.

(insert revision date)

Signature of Applicant

10/05/2021

Date

1125 N. New Road, Pleasantville

Tables & Chairs for Bingo Games
(Interior renovations only required)

Bingo Restrooms
(NO renovations required)

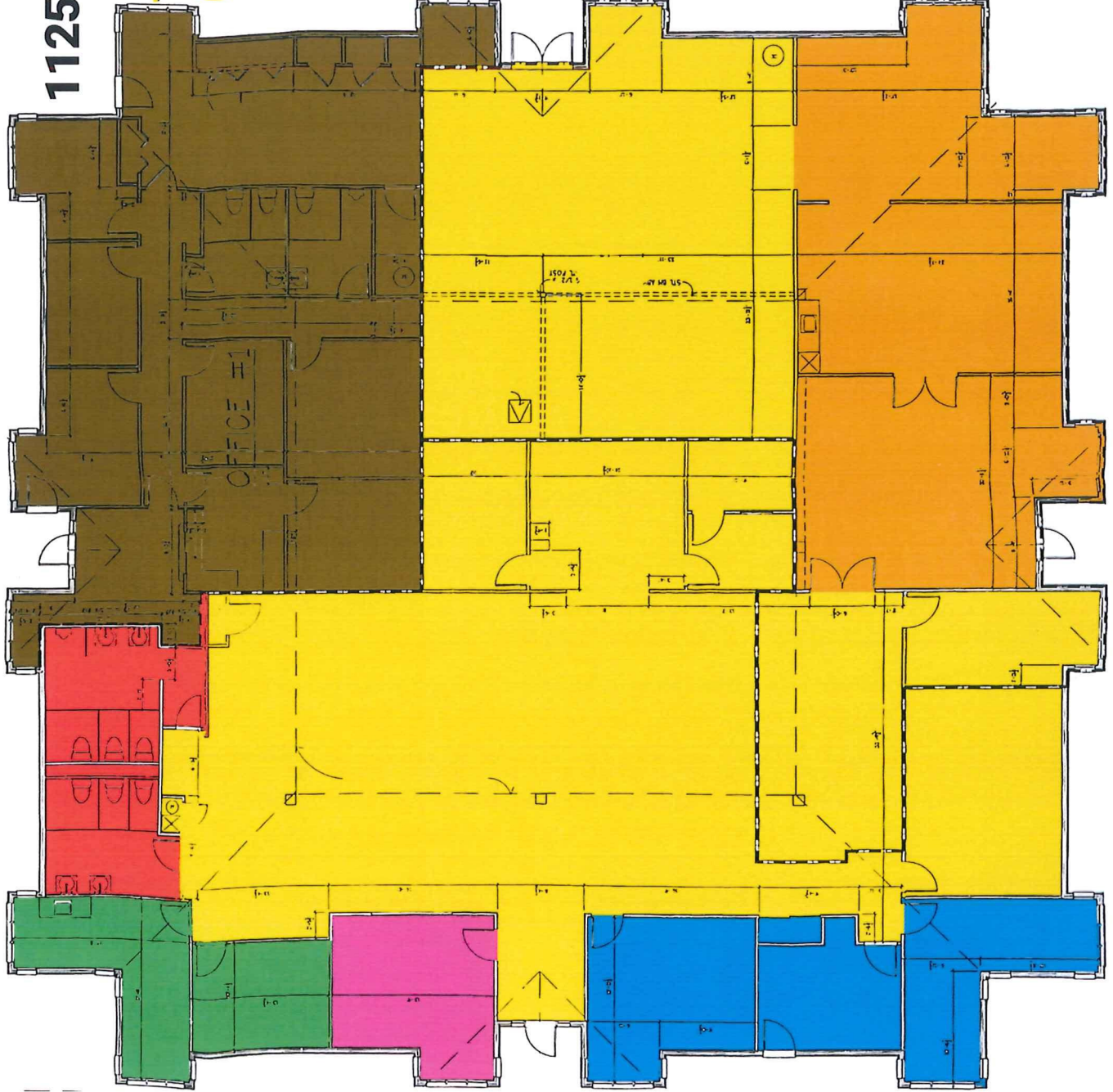
Bingo Kitchen/Snack Bar
(NO renovations required)

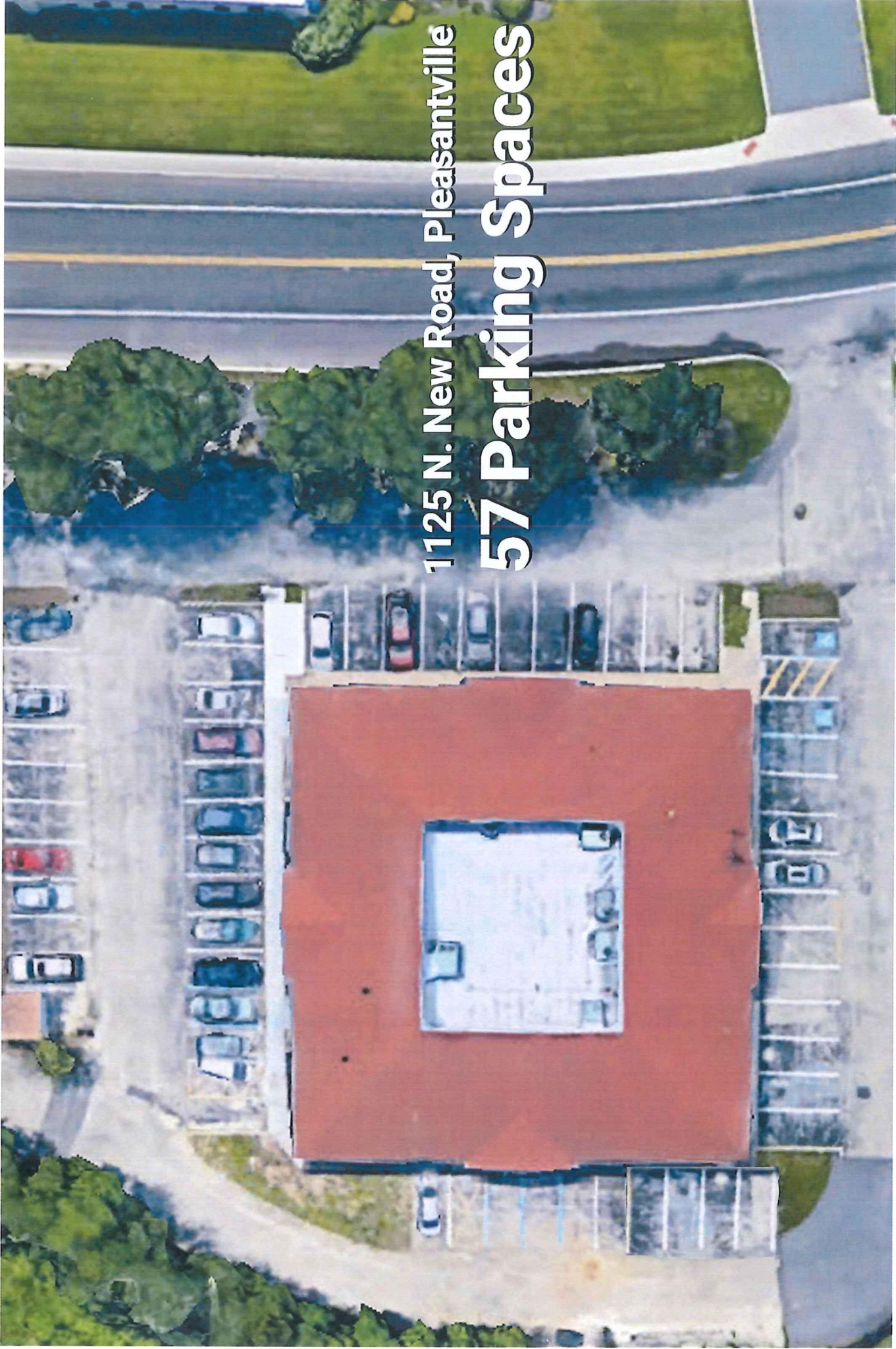
Bingo Admissions/Reception
(NO renovations required)

Bingo Organizations Office Space
(NO renovations required)

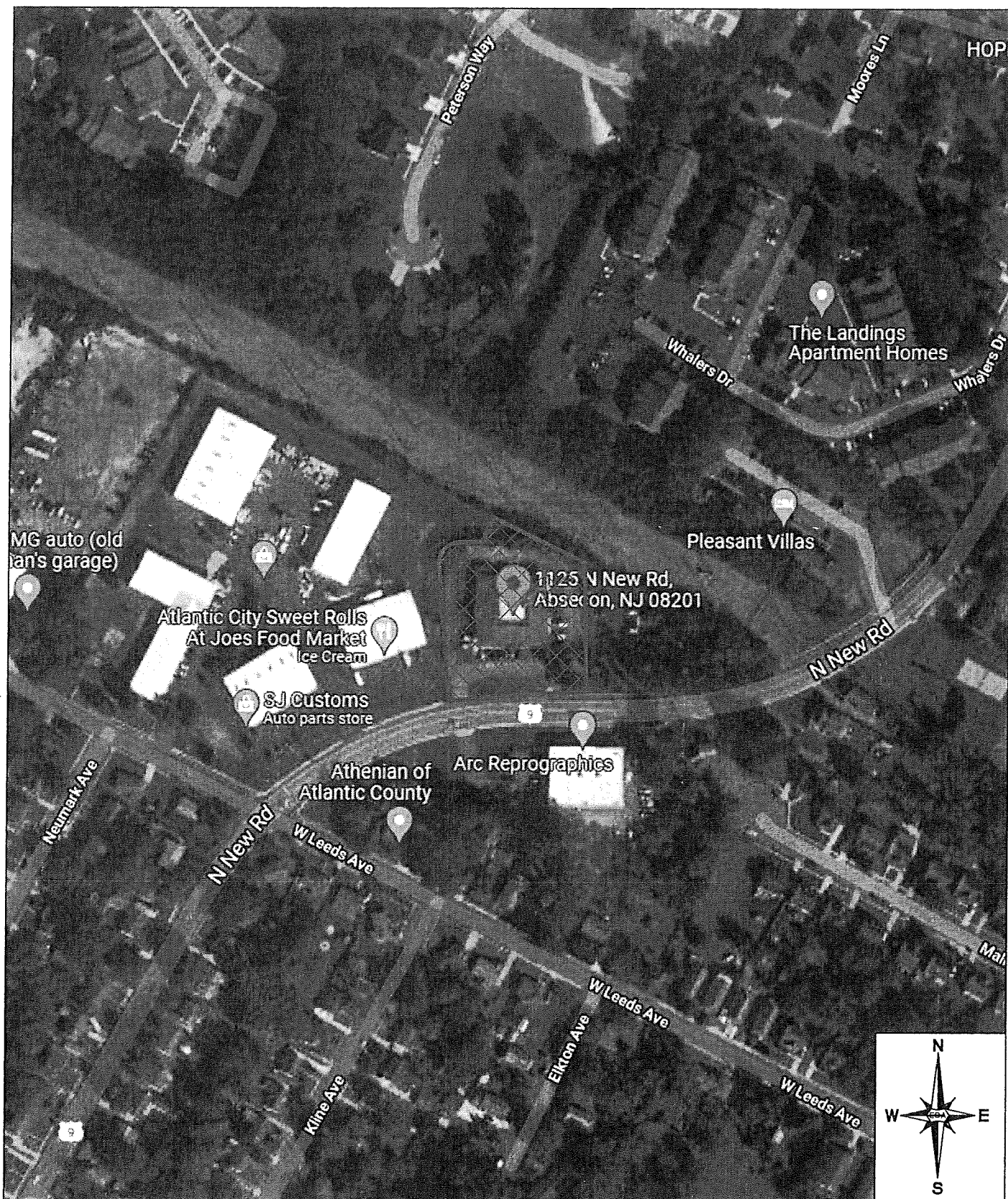
Potential Future Bingo Expansion
(NO renovations required)

Commercial Office Space
(NO renovations required)

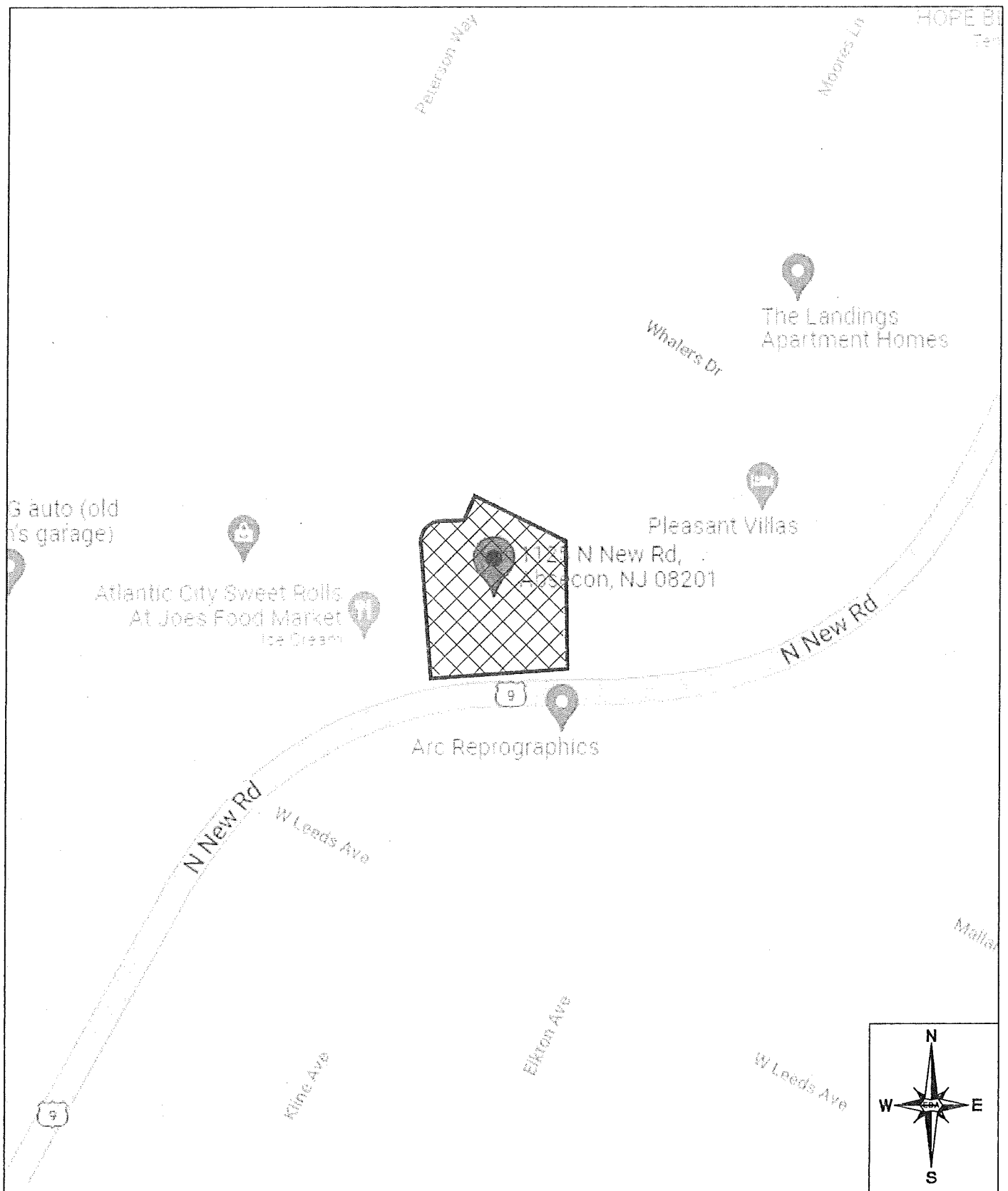




1125 N. New Road, Pleasantville
57 Parking Spaces



BLOCK 200 LOT 46	AERIAL MAP	
CITY OF PLEASANTVILLE	SCALE 1" = 200'	
ATLANTIC COUNTY, NEW JERSEY	DATE: 11/12/2021	



BLOCK 200 LOT 46	GENERAL LOCATION MAP	
CITY OF PLEASANTVILLE	SCALE 1" = 200'	
ATLANTIC COUNTY, NEW JERSEY	DATE: 11/12/2021	

THIS IS AN ATTORNEY PREPARED AGREEMENT AND IS NOT SUBJECT TO ANY ATTORNEY REVIEW PERIOD. UPON EXECUTION OF THIS AGREEMENT BY BOTH BUYER AND SELLER, IT SHALL BE LEGALLY BINDING UPON BOTH BUYER AND SELLER.

AGREEMENT TO SELL AND TO BUY REAL ESTATE

Seller and Buyer, relying on each other's promises and assurances in this Agreement, agree as follows:

1. PROPERTY.

By this Agreement, there is being sold and bought all of the real estate at: 1125 - 1131 North New Road, Block 200, Lot 46, Pleasantville, New Jersey 08232 (the "Property"). The term "Property" means the land and any structure which is on the land and any fixtures which are permanently attached and all of Seller's rights relating to the land.

2. SELLER.

The Seller is Alpha Realities, LLC with an address in c/o 1125 - 1131 North New Rd
The above Seller is the owner of the Property and represents and assures the Buyer that there are no other owners, and that no other person, firm or agency has any interest in the Property which would require them to sign this Agreement and the Deed. Pleasantville
NJ
08232

3. BUYER.

The Buyer is GG & P Properties LLC with an address in c/o Kristopher J. Facenda, Esq., 2408 New Road, Suite 2, Northfield, New Jersey 08225. Buyer represents and assures Seller that Buyer has the ability, financial and otherwise, to properly perform all terms and requirements of this Agreement.

4. PURCHASE PRICE AND MANNER OF PAYMENT.

The total Purchase Price, to be paid as set forth below, is [REDACTED]

[REDACTED]	Deposit to be paid by Buyer upon signing this Agreement.
[REDACTED]	Additional Deposit to be paid by Buyer on the first business day following the conclusion of the Due Diligence Period (as defined below).
[REDACTED]	By Buyer obtaining a Mortgage loan in this amount.
[REDACTED]	At Closing, in Cash or by Certified or Cashier's Check.
[REDACTED]	TOTAL PURCHASE PRICE

All deposit monies (collectively the "Deposit") are to be held in Escrow until Closing by Surety Title (Northfield Office)(Escrow Agent). The Deposit is to be held in a non-interest bearing account. The Deposit is to be held in an interest bearing account. Interest is to accrue to

the benefit of the Buyer (EIN to be provided) unless the Buyer defaults and the Deposit is delivered to the Seller, in which case the seller shall receive the interest. The Escrow Agent shall not be required to resolve any dispute which may arise between Buyer and Seller concerning the deposit monies; shall be responsible only to safeguard the deposit monies and to follow the mutually agreed upon written instructions of the parties; shall be entitled to pay the money into Court or to a mutually agreed upon substitute escrow agent in the event of a dispute; shall be indemnified by the parties as to any expense associated therewith; and shall not be precluded from representing the Seller as a result thereof.

5. CONTINGENCIES.

5.1 Buyer's obligation under this Agreement is contingent upon Buyer obtaining, at Buyer's sole cost and expense, a first purchase money mortgage loan in an amount of not less than ~~_____~~ at prevailing rates and terms (the "Mortgage"). Forthwith upon the execution of this agreement Buyer shall make application for the Mortgage. If Buyer is unable to obtain a commitment for such a Mortgage within 45 days from the Effective Date of this Agreement then Buyer shall have the right to terminate this agreement by written notice in which event this agreement shall be null and void, the Deposit shall be returned to the Buyer, with interest if any, and the parties shall have no further rights or obligations to one another. Seller shall not be obligated to pay any points or other charges with respect to the Mortgage.

5.2 Buyer intends to apply for governmental permits and approvals in order to use the Property for a Bingo Hall (the "Project"). Anything in this Agreement to the contrary notwithstanding, Buyer's obligation to close under this Agreement is contingent upon Buyer obtaining, at Buyer's sole cost and expense, the final, unappealable, valid and irrevocable grant, on terms and conditions satisfactory to Buyer, in Buyer's sole and absolute discretion, of those permits, licenses, variances, rights-of-way, and approvals that are necessary and/or required to permit Buyer to obtain building permits for, and to construct, establish and/or maintain the Project in a size and design satisfactory to Buyer (collectively the "Approvals"). The Approvals shall include without limitation, site plan and or zoning approval from the City of Pleasantville and County of Atlantic, approval of the requisite agencies of the State of New Jersey, approvals from the federal government if necessary, and any other permits or approvals relating to the zoning, building, grading, occupancy, curb cuts, drive ways, environmental controls, and other permits, licenses, variances, agreements, rights-of-way, approvals, contracts with utility providers as Buyer determines are necessary or appropriate. While Buyer is applying for the Approvals Seller shall maintain the real estate taxes on the property in a "current" status and shall not allow same to become delinquent. Seller agrees to cooperate with Buyer with respect to making applications for Approvals provided that Seller is not obligated to incur any cost or expense with respect to same. All applications shall be at the sole cost and expense of the Buyer. Seller agrees to execute any applications, documents or instruments necessary or required with respect to obtaining any Approvals. In the event Buyer is unable to obtain the Approvals, then Buyer shall have the right to terminate this agreement by written notice in which event this agreement shall be null and void, the Deposit shall be returned to the Buyer, with interest if any, and the parties shall have no further rights or obligations to one another.

Buyer shall use Buyer's Best Effort to have Buyer's
use variance application file with city of Pleasantville
ZONING BOARD ON before 10/4/21. 9/16/2021
JM 9/23/21
CM 9/23/21
9/22/21

Buyer shall make commercially reasonable efforts to have the initial application for Approvals filed with the City of Pleasantville for hearing in October of 2021 if possible.

6. CLOSING PLACE, DATE AND TIME.

Closing shall take place at Surety Title (Northfield Office) on or before the 15th calendar day following Buyer's receipt of all Approvals (as defined below) at the hours of TBD and unless the date for Closing is extended in writing by Seller and Buyer, the failure of either to make Closing according to the terms of this Agreement, may, at the option of the other, be regarded as a breach and default of this Agreement. The type of deed to be delivered to Buyer at Closing will be a bargain and sale deed with covenants against grantor's acts.

7. TITLE.

The title shall be good, marketable and insurable at regular rates, by any reputable title insurance company, to be selected by Buyer; and shall be free and clear of encumbrances, including municipal liens and assessments and liabilities for assessments for improvements now constructed. The title is to be subject to all existing restrictions of record. Seller has no knowledge of any restriction or condition in any permit or approval relating to the property which limits, defines or otherwise effects the use of the property or the extent of improvements which can be constructed on the Property. If there are any restrictions of record affecting the Property which prohibit or materially interfere with Buyer's proposed use of the Property, then Buyer shall have the right to terminate this Agreement by notice delivered to Seller no later than thirty (30) days from the Effective Date; in which event the Deposit shall be returned to the Buyer (with interest if any has been earned), this Agreement shall be null and void and the parties shall have no further rights or obligations to each other.

8. SELLER'S RIGHT TO PAY CLAIMS SHOWN ON TITLE REPORT.

Seller may satisfy any claim, judgment, lien or encumbrance shown on the title report, from the proceeds of the sale, at time of Closing.

9. ITEMS INCLUDED IN SALE.

This sale includes all fixtures permanently attached to the building(s) and specifically includes the following items: NONE.

10. CONDITION OF PROPERTY.

10.1 The Property shall be conveyed "as is" and "where is" subject to reasonable wear and tear between the date of this Agreement and the date of Closing. The Property shall be delivered at Closing free from any and all debris and trash.

10.2 In addition to the time period allowed for the Approvals, Buyer shall have thirty (30) days from the Effective Date (the "Due Diligence Period") to ascertain if the Property can

feasibly be utilized for Buyer's proposed use. During the Due Diligence Period, Buyer shall have the right to undertake its investigatory activities with respect to the Property which shall include but not be limited to investigating the physical condition of the Property including all structures and mechanical conditions, obtaining a zoning, land use and permit analysis, environmental audits (Phase I, and if necessary, Phase II). At any time prior to the expiration of the Due Diligence Period Buyer may terminate this Agreement. Such right of termination shall be in the sole discretion, judgment and opinion of the Buyer, for any reason including without limitation, Buyer's determination that the Project is not feasible from an economic or regulatory perspective or that physical or environmental conditions exist which would interfere with the development or use of the property. In order to terminate Buyer must deliver written notice to Seller, pursuant to the notice provisions of this Agreement, on or before the expiration of the Due Diligence Period. In the event of such termination the Deposit shall be returned to the Buyer with interest, this Agreement shall be null and void and neither Seller nor Buyer shall have any further liability or obligation to the other.

10.3 Within three (3) days of the Effective Date, if any, Seller shall provide Buyer's counsel at kris@facendalaw.com with copies of all leases, Property surveys, site plans, environmental documents including but not limited to Phase I and II studies, letters of No Further Action, tank leakage and removal documents, soil and groundwater sample test results.

10.4 Seller represents and warrants that there are not any underground tanks on the Property. Seller represents and warrants that the Property is not contaminated by any hazardous substance which requires remediation under State or Federal Law. If environmental contamination is discovered between the date of this Agreement and the date of Closing, Buyer shall have the right to terminate this Agreement unless Seller is willing to remediate the environmental contamination in compliance with all applicable law.

11. TERMITE CLAUSE.

Buyer is permitted, at Buyer's sole cost and expense, no later than thirty (30) days after the Effective Date, to have the Property inspected by a Licensed Exterminator to confirm that the Property is free from infestation and damage from Termites and other wood boring insects. If the inspection reveals infestation or damage, Seller shall repair and/or exterminate same up to a maximum expense of \$2,500. If the cost exceeds such maximum then Buyer shall have the right to either accept the Property with a credit against the Purchase Price equal to such maximum or to terminate this Agreement in which case the Deposit returned to the Buyer, with interest, if any, and the parties shall have no further rights or obligations to one another.

12. PRE-CLOSING INSPECTION AND ACCESS.

Seller agrees to permit Buyer and Buyer's agents and professionals to inspect and access the Property at reasonable times before Closing.

13. ADJUSTMENTS AT CLOSING.

All continuing income and expenses will be adjusted as of the date of Closing, including, but not limited to, real estate taxes, water and sewer charges.

14. BUYER'S FAILURE TO PERFORM.

If Buyer does not make Closing as required, Seller may avail himself of such remedies as are provided by law.

15. SELLER'S FAILURE TO PERFORM.

If Seller cannot give the kind of title required by this Agreement, and if that inability is because there is a defect which Seller cannot reasonably cure and remove, the Deposit shall be returned to Buyer, together with reasonable expenses of title search, title report and survey, if any. If the defect is such as can reasonably be removed, and Seller fails to do so, Buyer may avail himself of such remedies as are provided by law, including, without limitation, specific performance.

16. POSSESSION AND TENANCIES.

Full possession, free of any commercial tenancies, will be turned over to Buyer on the day of Closing.

17. RISK OF LOSS.

The risk of loss or damage to the Property by fire or otherwise, excepting ordinary wear and tear, is the responsibility of Seller until Closing.

18. NO RELIANCE ON OTHERS.

This Agreement is entered into by the Buyer and Seller based on their knowledge of the value of the Property and their full understanding of the meaning and significance of all the provisions of this Agreement and not on any representations made by either of them to the other, or by any other person.

19. ASSIGNMENT.

Buyer may assign this Agreement to any other person or entity without the prior written consent of the Seller.

20. ENTIRE AGREEMENT.

This Agreement contains all the understandings of the parties. Any representations not contained in this Agreement are of no effect.

21. MISCELLANEOUS

A. The words "Seller" and "Buyer" and pronouns referring to them, as used in this Agreement, shall be regarded as being in the singular or plural, depending on whether there are one or more Sellers and one or more Buyers in this Agreement.

B. This Agreement may be signed in one or more counterparts and/or by email or facsimile. The "Effective Date" of this Agreement shall be the date that upon which a fully executed counterpart (email or facsimile signatures shall be acceptable) of this Agreement has been received by both the Seller and the Buyer.

C. All notices referred to in this Agreement must be in writing and delivered by personal service, certified mail, overnight delivery service or if fax numbers are indicated in Articles 2 and 3, by fax.

22. CLOSING EXPENSES.

The Seller shall pay for the drawing of the deed and that portion of the closing fee charged by the title company to the Seller, but all searches, title insurance and other conveyancing expenses are to be paid for by the Buyer. Seller shall also pay that portion of the New Jersey Realty Transfer Fee which by statute is indicated as the responsibility of the Seller. To the extent that N.J.S.A. 46:15-7.2 (Additional Fee on Certain Transfers over \$1,000,000) applies; the Buyer shall pay all fees imposed under that statute.

23. COMMISSIONS.

At Closing, Seller shall pay a real estate brokerage commission in accordance with Seller's Listing Agreement to Berkshire Hathaway Home Services ("Broker") which shall be split evenly (3%/3%) with ForeSite Commercial Realty. Seller and Buyer each warrant to the other that except with respect to Seller's obligation to the Broker, neither has incurred any other obligation for a brokerage commission with regard to this transaction and each hereby agrees to indemnify and hold harmless the other for any loss, cost or expense (including reasonable attorneys' fees) which may result from a breach of this warranty. The provisions of the paragraph shall survive Closing.

24. RECORDING.

This Agreement may not be recorded or filed in the Office of the County Clerk or in any other repository of public records.

25. MUNICIPAL APPROVAL.

If the municipality in which the Property is located requires that a Certificate of Occupancy or similar approval be obtained prior to the transfer of title, then Seller shall obtain

same at Sellers' cost prior to Closing; provided, however that if the municipality requires that repairs or improvements be made prior to the issuance of the Certificate, Seller shall not be obligated to make same unless such obligation is specifically set forth elsewhere in this Agreement.

26. CARBON MONOXIDE AND SMOKE DETECTORS.

The Seller shall, at the Seller's sole cost and expense, comply with the provisions of N.J.S.A. 52:27D-133.3, N.J.S.A. 52:27D-198.1 and 52:27D-198.2 relating to carbon monoxide and smoke detectors. If the Property is located in a municipality requiring a Certificate of Occupancy or Certificate of Inspection, such Certificate shall be evidence of compliance. If the Property is located in a municipality which does not require such a Certificate, then the Seller shall be responsible for obtaining a certificate evidencing compliance with the requirements of the statute.

27. NOTIFICATION REGARDING OFF-SITE CONDITIONS.

RESALE: Clerks of municipalities in New Jersey maintain lists of off-site conditions which may affect the value of residential properties in the vicinity of the off-site condition. Purchasers may examine the lists and are encouraged to independently investigate the area surrounding this property in order to become familiar with any off-site conditions which may affect the value of the property. In cases where property is located near the border of the municipality, purchasers may wish to also examine the lists maintained by the neighboring municipality.

28. NOTICE TO NEW JERSEY DIVISION OF TAXATION - TAX CLEARANCE LETTER

Seller shall cooperate in providing the information needed so that Buyer can file and serve the notice required by N.J.S.A. 54:50-38 et seq., concerning this impending sale of commercial real property, including notice to the Bulk Sales Unit of the State of New Jersey, Division of Taxation, and Seller agrees to fully comply with N.J.S.A. 54:50-38 et seq. Such cooperation shall include, but shall not be limited to, promptly supplying to Buyer the information requested of Seller on the "Notification of Sale, Transfer or Assignment in Bulk" and any other and additional information that may requested of Seller by the Division of Taxation, such as, for example, the information requested in any Asset Transfer Tax Declaration form. Seller and Buyer acknowledge that it is within the authority of the State of New Jersey, Division of Taxation, to direct that a portion of the purchase price be withheld from Seller and placed into escrow at closing. Buyer and Seller agree to abide by all notifications of the Division of Taxation. Buyer and Seller agree that in the event that such an escrow is required by the State of New Jersey, Buyer's attorney or Buyer's title company (at the discretion of Buyer), shall act as escrow holder in connection with any required escrow. The escrow monies will be held in escrow in a non-interest bearing account until the State Division of Taxation makes a final determination as to the amount of any State taxes owed by Seller, and the escrow monies will be released in accordance with, and only upon receipt of, a disbursement authorization letter from

the State of New Jersey. The escrow holder shall be authorized to pay to the State of New Jersey such amounts as may be ultimately determined by the State of New Jersey to be due and owing. If the amount of the escrow monies exceeds the amount directed to be paid to the State of New Jersey, then the escrow holder shall release the remaining balance to Seller. If the amount of the escrow monies is insufficient to satisfy the amount due to the State of New Jersey then Seller shall pay the difference to the State of New Jersey. Notwithstanding the above, counsel for Buyer shall not be disqualified from representing Buyer in the event of a dispute between the parties by virtue of his being the escrow holder under this agreement.

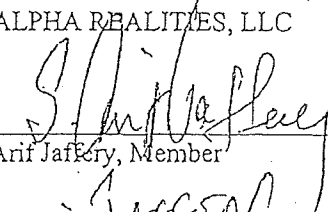
31. ATTORNEY PREPARED CONTRACT.

This Agreement is prepared by The Law Offices of Kristopher J. Facenda, LLC on behalf of the Buyer. This Agreement is an attorney prepared contract and, accordingly, there shall be no attorney review period. Seller is advised to seek independent counsel prior to executing this Agreement. Both the Buyer and Seller are advised that upon signing and delivering this Agreement, it shall be legally binding upon both Buyer and Seller.

SELLER:
ALPHA REALITIES, LLC

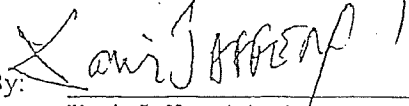
DATE SIGNED:

By:


Arif Jaffery, Member

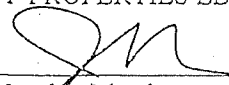
9/21/21

By:

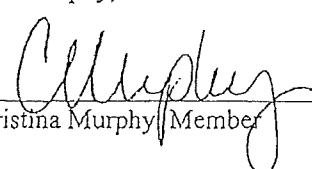

Kaniz Jaffery, Member

9/21/2021

BUYER:
GG & P PROPERTIES LLC


John Murphy, Member

9/23/2021


Christina Murphy, Member

9/23/2021

EFFECTIVE DATE:

9/23/2021

VARIANCE JUSTIFICATION REPORT

PLEASANTVILLE ZONING BOARD OF ADJUSTMENT

Applicant: GG&P Properties, LLC
Property Address: 1125 N. New Road
Block 200, Lot 46
Pleasantville, New Jersey
Nature of Application: Use Variance Application for Bingo Hall

This Application is brought by GG&P Properties, LLC ("GGP"). The current member of GGP is John Murphy.

In this Application, GGP proposes to convert an existing office building into a Bingo Hall and commercial offices use. The property is commonly known as 1125 N. New Road and is described on the Pleasantville Tax Map as Block 200, Lot 46 (the "Property").

The Property is situated within Pleasantville's Light Industrial District (LI) which does not expressly permit the Bingo/office multiple uses, necessitating use variance relief.

I. Use Variance

The Applicant seeks "d" use variance relief, permit the construction, establishment and maintenance of a Bingo Hall and commercial office space. The Applicant is, of course, required to satisfy the positive and negative criteria to justify such variances. The positive criteria are satisfied by advancing one or more purposes of the New Jersey Municipal Land Use Law ("MLUL").

a. Appropriate Location – N.J.S.A. 40:55D-2(g)

The Property is located on Route 9. There can be no argument that this is an ideal location for bingo/offices uses as it is easily accessible from Main Street but located in the rear of the commercial condominium complex away from Route 9, an important regional roadway. The site is easily accessible via both private and public transportation routes and ways and means. Nearby are other commercial uses.

For these reasons, it is respectfully submitted that this Board's decision to allow the proposed development would clearly satisfy subsection (g) of N.J.S.A. 40:55D-2.

b. Desirable Visual Environment – N.J.S.A. 40:55D-2(i)

GGP recognizes that a desirable visual environment will be vital to the success of the facility. There is no doubt that the proposed development will promote a desirable visual environment in accordance with N.J.S.A. 40:55D-2(i).

c. Negative Criteria

Testimony from GGP's Professional Engineer will establish that GGP satisfies the required negative criteria, i.e. that the use variance will neither substantially impair the intent and purpose of Pleasantville's Zone Plan and Zoning Ordinance nor represent a substantial impairment the intent and purpose of Pleasantville's Zone Plan and Zoning Ordinance.

II. Conclusion

The variance requested herein will allow the Applicant to establish a Bingo Hall/office space facility in a way that advances the purposes of zoning and is consistent with the intent and purpose of the LI Zoning District.

The Applicant reserves the right to supplement this Addendum with additional testimony at the time of hearing.

G:\Clients\Murphy, John\Mat 1 - Real Estate Matters\VARIANCE JUSTIFICATION REPORT 10 1 21.doc



Richard L. Buscemi, CTA
Tax Assessor
taxassessor@pleasantvillenj.us
Phone 609.484.3634

September 29, 2021

(Sent via email: kris@facendalaw.com)
Kristopher J. Facenda
2408 New Road, Suite 2
Northfield, NJ 08225

RE: Certified Owner List: Block 200 Lot 46

Dear Applicant:

Per your request, enclosed is a Certified List of Pleasantville City Property Owners within 200' of the above referenced property.

Notifications must be sent in accordance with the State of New Jersey Municipal Land Use Law and any other State, County rules or Local Ordinances and statutes as it pertains to Property Owner Notification.

If you have any questions or require additional information, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Buscemi'.

Richard L. Buscemi, CTA
Assessor

✓
____ South Jersey Gas Co.

1 South Jersey Plaza, Folsom NJ 08037

✓
____ Atlantic City Electric Co, Real Estate

5100 Harding Hwy #339, Mays Landing, NJ 08330-95

✓
____ Comcast Cable

901 W Leeds Ave, Absecon, NJ 08201

✓
____ Verizon—NJ

540 Broad St., Newark, NJ 07102

____ New Jersey Transit

1 Penn Plaza East, Newark, NJ 07105

____ New Jersey DOT

Rte 70 & NJ Tpk, Cherry Hill, NJ 08034

✓
____ Atlantic County Engineering Dept.

P O Box 719, Northfield, NJ 08225

____ Commissioner, NJ DEP

P O Box 417 Trenton. NJ 08625-0412

VARIANCE REPORT

Block Lot Qual	Property Location		Property Class	Owner Address City, State		Zip Code
	Additional Lot	Additional Lot				
200 8 C0001	1 PLEASANT VILLAS		2	TOWNE PROPS LLC		
				50 BAYSIDE DR		08244
				SOMERS POINT, NJ		
200 8 C0002	2 PLEASANT VILLAS		2	QUEEN EQUITIES LLC		
				177 ARLINGTON AVE		08701
				LAKEWOOD, NJ		
200 8 C0003	3 PLEASANT VILLAS		2	BOONE, HANNAH		
				1201 N NEW RD #3		08201
				ABSECON, NJ		
200 8 C0004	4 PLEASANT VILLAS		2	RASTOGI, SHIV & SUDHIR		
				3 HIGHBRIDGE RD		10977
				SPRING VALLEY, NY		
200 9	1211 N NEW RD		4C	EAST COAST LANDINGS APTS LLC%MORGAN		
				160 CLUBHOUSE RD		19406
				KING OF PRUSSIA, PA		
200 20.37	1200-16 PETERSON WAY (R)		1	CDG OF PV LLC		
				222 NEW RD #206		08221
				LINWOOD, NJ		
200 25	1201 N NEW RD (R)		1	ATLANTIC CITY ELEC CO % REAL EST		
				5100 HARDING HWY #399		083309902
				MAYS LANDING, NJ		
200 46.01	1101-1123 N NEW RD		4B	TAYLOR-ROCK MANAGEMENT CO LLC		
				PO BOX 297		08232
				PLEASANTVILLE, NJ		
200 55	1147 N NEW RD		4A	COMMUNITY ENTERPRISES CORPORATION		
				11 SPRING ST		07728
				FREEHOLD, NJ		
402 13	428 W LEEDS AVE		2	GONZALEZ, VILMA		
				428 W LEEDS AVE		08232
				PLEASANTVILLE, NJ		
402 14	1110 N NEW RD		4A	1110 NEW ROAD LLC		
				1110 N NEW RD #100		08201
				ABSECON, NJ		
402 16	1138 N NEW RD		2	VARGAS, MIGUEL ANGEL		
				33 N 1ST ST		08232
				PLEASANTVILLE, NJ		
402 19	430 W LEEDS AVE		2	TOUNTAS, ISIDORIS & PANAGIOTA		
				430 W LEEDS AVE		08232
				PLEASANTVILLE, NJ		

Public Utilities & Government Entities

<input type="checkbox"/>	South Jersey Gas Co 1 South Jersey Plaza Folsom, NJ 08037	Gas
<input type="checkbox"/>	Atlantic City Electric Co – Real Estate Dept 5100 Harding Hwy #399 Mays Landing, NJ 08330-9902	Electric
<input type="checkbox"/>	Comcast Cable 901 W Leeds Ave Absecon, NJ 08201	Cable
<input type="checkbox"/>	New Jersey American Water Co 3215 Fire Road EHT, NJ 08234	Water
<input type="checkbox"/>	Verizon – NJ 540 Broad Street Newark, NJ 07102	Telephone
<input type="checkbox"/>	New Jersey Transit 1 Penn Plaza East Newark, NJ 07105	Public Transit
<input type="checkbox"/>	New Jersey DOT Rte 70 & NJ Tpk Cherry Hill, NJ 08034	
<input type="checkbox"/>	Atlantic County Engineering Dept PO Box 719 Northfield, NJ 08225	
<input type="checkbox"/>	Pleasantville City Clerk 18 N First Street Pleasantville, NJ 08232	
<input type="checkbox"/>	Commissioner, NJ DEP PO Box 412 Trenton, NJ 08625-0412	Lakes Bay and/or Tunis Basin
<input type="checkbox"/>	Northfield City Clerk 1600 Shore Road Northfield, NJ 08225	City of Northfield
<input type="checkbox"/>	Egg Harbor Twp Clerk 3515 Bargaintown Road EHT, NJ 08234	Egg Harbor Twp
<input type="checkbox"/>	Absecon City Clerk 500 Mill Road Absecon, NJ 08201	City of Absecon

TOWNE PROPS LLC
50 BAYSIDE DR
SOMERS POINT, NJ 08244

QUEEN EQUITIES LLC
177 ARLINGTON AVE
LAKEWOOD, NJ 08701

BOONE, HANNAH
1201 N NEW RD #3
ABSECON, NJ 08201

RASTOGI, SHIV & SUDHIR
3 HIGHBRIDGE RD
SPRING VALLEY, NY 10977

EAST COAST LANDINGS APTS LLC%M
160 CLUBHOUSE RD
KING OF PRUSSIA, PA 19406

CDG OF PV LLC
222 NEW RD #206
LINWOOD, NJ 08221

ATLANTIC CITY ELEC CO % REAL E
5100 HARDING HWY #399
MAYS LANDING, NJ 08330

TAYLOR-ROCK MANAGEMENT CO LLC
PO BOX 297
PLEASANTVILLE, NJ 08232

COMMUNITY ENTERPRISES CORPORA
11 SPRING ST
FREEHOLD, NJ 07728

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TOUNTAS, ISIDORIS & PANAGIOTA
430 W LEEDS AVE
PLEASANTVILLE, NJ 08232



APPLICATION PACKAGE
for
LAND USE APPROVAL
City of Pleasantville

FORM 9: CERTIFICATION OF PAYMENT OF TAXES

Date: 12/20/21

Applicant's Name: Alpha Realities LLC

Subject Property

Address: 1125-1131 N. New Rd.


Block: 200 Lot(s): 46

Qualification Code(s): _____

TO BE COMPLETED BY THE PLEASANTVILLE TAX COLLECTOR

Taxes are paid and current through and including:	1Q	2Q	3Q	4Q	20 <u>21</u>
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The following taxes are unpaid and delinquent: \$ 0 with interest
calculated until: 0/A, 201 .


Flor M. Roman
Pleasantville Tax Collector

NO APPLICATION FOR LAND USE APPROVAL SHALL BE DEEMED COMPLETE WHERE
TAXES ARE DUE



APPLICATION PACKAGE
for
LAND USE APPROVAL
City of Pleasantville

FORM 9: CERTIFICATION OF PAYMENT OF TAXES

Date: 9.22.21

Applicant's Name: Alpha Realities LLC

Subject Property

Address: 1125-1131 N New Rd.

Block: 200 Lot(s): 46

Qualification Code(s):

TO BE COMPLETED BY THE PLEASANTVILLE TAX COLLECTOR

Taxes are paid and current through and including:	1Q	2Q	3Q	4Q	20 <u>21</u>
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* The following taxes are unpaid and delinquent: \$ 78,890.09 with interest
calculated until: 9/30, 2021.

(Lien # 18-00376

Flor M. Roman
Flor M. Roman
Pleasantville Tax Collector

NO APPLICATION FOR LAND USE APPROVAL SHALL BE DEEMED COMPLETE WHERE
TAXES ARE DUE