

MANOS LAW FIRM, LLC

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▪ Member of NJ & PA Bars

June 29, 2020

City of Pleasantville
Zoning Board of Adjustment
Attention: Patricia Racz, Zoning Board Secretary
132 W. Washington St., Pleasantville, NJ 08232

**Re: Application of Adams Pleasantville LLC
Block 80, Lot 13
18 Devins Lane
Use Variances, Certificate of Nonconformity and Site Plan Waiver
Application
Supplement to Previous Application on File**

Dear Ms. Racz:

This firm represents Adams Pleasantville LLC in connection with the above referenced development application seeking use variance approval pursuant to N.J.S.A. 40:55D-70d(1), a site plan waiver and, to the extent necessary, an additional use variance for the expansion of a nonconforming use pursuant to N.J.S.A. 40:55D-70d(2) and a Certificate of Nonconformity for the residential use on the property. The approvals sought are to allow a third use on the site (that being a baseball training facility) along with the current approved uses of the Ken Adams Oil business and a residential use. The previous application on file did not make reference to the residential use and sought only a use variance pursuant to N.J.S.A. 40:55D-70d(1). Thus, **supplementing the application previously on file** from February 2020, enclosed please find the following:

1. (15) Amended "d" Variance Justification Narrative;
2. (15) Amended List of Waiver Requests and Justification;
3. (O + 14) Checklist J for Certificate of Nonconformity
4. (15) Detailed Narrative in support of Certificate of Nonconformity;
5. (15) Remington & Vernick Review Letter (re: Administrative Approval) dated October 21, 1993;
6. (15) Deed to subject property to Kenneth and Patricia Adams dated August 12, 1992;
7. (15) Deed to subject property to Adams Pleasantville LLC dated January 16, 1996;
8. Proof of paid taxes (updated);

MANOS LAW FIRM, LLC

June 26, 2020

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- 9. 200' List (updated); and
- 10. W-9 Form

It is my understanding that this matter is scheduled for public hearing for Monday, July 27, 2020. With respect to notice, we will of course notice the application in accordance with the requirements of the Municipal Land Use Law. If the Application is to be heard remotely due to the Covid-19 situation, please advise me as soon as possible as to the appropriate login information so that I can appropriately provide notice. Also, if anything further is need from me, please let me know and I will promptly supply it.

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,

MANOS LAW FIRM, LLC

By: 

ELIAS T. MANOS

leo@manoslawfirm.com

Enclosures

Cc. Client (via email: mike@kenadamsoil.com) (w/enclosures)

Robert Watkins, PE, PP (via email: bobwatkins99@gmail.com) (w/ enclosures)

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“d” Variance Justification Narrative (Amended – June 26, 2020)

Application of Adams Pleasantville LLC

Block 80, Lot 13

18 Devins Lane

Pleasantville, NJ

The applicant, Adams Pleasantville LLC (“Applicant”), is the owner of Block 80, Lot 13 on the City of Pleasantville Tax Map, located at 18 Devins Lane. The property is located in the Regional Commercial (“RC”) Zoning District and currently serves as the business location of Ken Adams Oil Service, Inc., which delivers heating oil to residential and commercial customers, and has a small, one-story, one-bedroom residential dwelling on it as well. The property contains certain fuel storage tanks, an office for the business, a warehouse type structure for the storing of its trucks and the residential unit. There are typically two trucks for the business. The warehouse structure is approximately 6,400 square feet and is utilized for parking and storing the trucks for the business. This current use of the property was approved by the City of Pleasantville administratively in or around October 1993. A review letter from Remington & Vernick Engineers dated October 21, 1993 confirming the administrative approval has been submitted with this application. A site plan prepared in connection with the administrative approval, prepared by Robert Bruce and Associates, dated October 8, 1993 (3 sheets) has also been submitted with this application. The review letter and site plan submitted are the same as those in the files of the City of Pleasantville. In addition, several aerial photographs and photographs of the interior of the warehouse structure have been submitted to give the Board a better understanding of the property. It should also be noted, as shown on the site plan, that the adjacent residential uses (but for the one noted) are on a completely separate property that is not owned by the Applicant.

The Applicant is now seeking use variance approval pursuant to N.J.S.A. 40:55D-70d(1) and, if necessary, N.J.S.A. 40:55D-70d(2), in order to permit a new third use on the property, in addition to the existing uses of the oil delivery service business and residential use, as well as a site plan waiver. The proposed third use is a baseball training facility, with pitching mounds, a batting cage, weight training etc. The baseball training facility would operate in the warehouse structure. More than sufficient parking exists on the property for all uses. The site plan waiver is requested as the site plan submitted accurately depicts the existing conditions on the site. In addition, due to the expansion on the property, the Applicant, to the extent necessary, is also seeking use variance approval pursuant to N.J.S.A. 40:55D-70d(2) for the expansion of a nonconforming use. In addition, since the residential use on the property is not permitted in the RC Zoning District but currently exists, the Applicant is, to the extent necessary, also seeking a Certificate of Nonconformity for the residential use.

Separate Justification reports for the site plan waiver and the Certificate of Nonconformity have been submitted.

In terms of the use variance, the RC Zoning District in which the property is located “was crafted to provide for an appropriate mix of retail-oriented commercial, office and other uses . . . designed to support the needs of the residents and businesses of the City of Pleasantville as well as those of eastern Atlantic County.” City of Pleasantville Land Management Code, § 300-23E(1). Permitted uses in the RC Zoning District include, among others, “General commercial and service activities” and “Regionally oriented commercial and service activities.” § 300-23E(2)(a) and (b). The current oil business and the proposed baseball training facility proposed by the Applicant are consistent with those permitted general

and regionally oriented commercial and service activities. In addition, multiple permitted uses are permitted on one lot in the RC Zoning District within "commercial centers," which the warehouse structure at least resembles. Thus, as a preliminary matter, the oil business and baseball training facility uses the Applicant is proposing are consistent with what the City of Pleasantville Land Management Code permits and contemplates. The residential unit is very small and has existed since at least 1993, and was previously approved by the City.

As to the legal specifics for a use variance, the applicable law governing use variances is codified in the Municipal Law Use Law ("MLUL"), N.J.S.A. 40:55D-1, et seq. In relevant part, the MLUL provides a zoning board such as this Board with the power "[i]n particular cases for special reasons, [to] grant a variance to allow departure from regulations . . . to permit: (1) a use or principal structure in a district restricted against such use or principal structure" N.J.S.A. 40:55D-70d(1). This is the so-called positive criteria for the establishment of a use variance. In addition, under the so-called negative criteria, no variance relief may be granted "without a showing that such variance . . . can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and zoning ordinance." N.J.S.A. 40:55D-70 (emphasis added).

With respect to the positive criteria, the Applicant's proposed uses for the property advance several purposes of zoning to establish special reasons to grant the use variance. Those include:

a. Promote the General Welfare (N.J.S.A. 40:55D-2a) – The proposed uses on the site serve needs to the community of the City of Pleasantville. The existing Ken Adams Oil Service business delivers heating oil to residential and commercial customers. The baseball training facility provides both youth and adults in Pleasantville and surrounding communities with a facility to obtain high level training. Both of the uses serve needs to the City and its residents. It is submitted that allowing both uses on the property will promote the general welfare. The residential unit is very small and has existed since at least 1993, and was previously approved by the City.

b. Appropriate location for a variety of uses (N.J.S.A. 40:55D-2g) – the property provides sufficient space in an appropriate location for the uses proposed in order to meet the needs of the community. The existing Ken Adams Oil Service business has been operating for years in the City of Pleasantville. The addition of the sports training facility will compliment that use. The residential unit is completely separate and, again, was approved by the City and has existed since at least 1993.

In addition, the subject property is particularly suited for the proposed uses. The Ken Adams Oil Service business is an approved use (per the administrative approval noted above) and has been in business for decades. The warehouse structure on the property is the ideal location for a baseball training facility. These two uses on the property have little to no overlap in terms of the hours of operation. There are very few viable alternative sites for a sports training type facility such as that proposed by the Applicant. There is also ample parking on the property for the proposed uses. The residential use is very minor in nature.

In terms of the negative criteria, the uses will, as noted, have little overlap in terms of the hours that they operate. The proposed use of the baseball training facility is also of low intensity and impact. It does not create excessive noise, traffic or other negative affects often associated with other commercial uses. As such, the additional use on the property will have little to no negative effect on the public good.

In addition, as noted, the additional baseball training facility use that is proposed is compatible with the uses permitted in the RC Zoning District. Granting the use variance will not have a substantial impact on the zone plan or zoning ordinance of the City of Pleasantville.

Overall, the benefits of granting the use variance far outweigh any detriment.

The Applicant will supplement this "d" Variance Justification Narrative with additional testimony at the time of the hearing.

List of Waiver Requests and Justification (Amended – June 26, 2020)

Application of Adams Pleasantville LLC

Block 80, Lot 13

18 Devins Lane

Pleasantville, NJ

The applicant, Adams Pleasantville LLC (“Applicant”), is requesting the following waivers:

Site Plan Waiver

The Applicant is seeking a use variance in order to allow a second use on the subject property, that being a baseball training facility. The current use on the property, that of Ken Adams Oil Service, Inc., was previously approved administratively in 1993. A site plan in connection with that administrative approval has been submitted with the Applicant’s application. That site plan, which is the same as that on file with the City of Pleasantville, accurately depicts the existing conditions on the property. The Applicant is not proposing any major site work and seeks to utilize the existing warehouse structure on the property for the baseball training facility use. For these reasons, the Applicant is requesting a waiver from having to provide a new site plan.

Checklist Waivers from Checklist A (General Requirements)

1. Items 2A, 2B and 2D – as a site plan waiver has been requested and a site plan from 1993 has been submitted, these items are not accurately shown on that plan. In addition, some of the items requested are not shown on the 1993 site plan. A waiver is requested from these submission items.
2. Items 5 and 6 – A current tax map and zoning map has not been submitted and a waiver is requested. All property owners within 200 feet will be notified, as is required by law. The 1993 site plan shows the tax map and surrounding properties at that time.
3. Item 8 – A waiver is requested from providing neighborhood characteristic photographs. Several area photographs and photographs of the facility have been provided to provide the Board with familiarity with the property.

Checklist Waivers from Checklist I (“d” Variances)

1. Item 3 – A current survey has not been provided. A waiver is requested as the 1993 site plan accurately depicts the existing conditions on the property.

Checklist Waivers from Checklist J (Certificate of Nonconformity)

1. Item 2 – A current survey has not been provided. A waiver is requested as the 1993 site plan accurately depicts the existing conditions on the property.



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST J. Certificate of Nonconformity Pursuant to N.J.S.A. 40:55d-68.

See §300-20, 26 & 27 for further details regarding submission requirements and procedures.

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

APPLICATIONS FOR CERTIFICATE OF NONCONFORMITY

Pursuant to N.J.S.A. 40:55d-68:

any nonconforming use or structure existing at the time of the passage of the Land Management Code may be continued upon the lot or in the structure so occupied and any such structure may be restored or repaired in the event of partial destruction thereof.

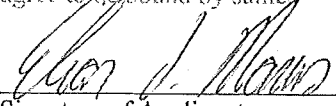
A prospective purchaser, prospective mortgagee or any other person interested in any land upon which a nonconforming use or structure exists may apply in writing for the issuance of a Certificate of Nonconformity, certifying that the use or structure existed before the adoption of the section of the Land Management Code which rendered the use or structure nonconforming.

The Applicant for a Certificate of Nonconformity shall have the burden of proof.

Application for a Certificate of Nonconformity may be made to the Zoning Officer within one (1) year of the adoption of the section of the Land Management Code which rendered the use or structure nonconforming, or at any time to the Zoning Board of Adjustment.

The Pleasantville Land Management Code was adopted on the date indicated under §300-1 therein. Until such time as the Land Management Code is amended, such date shall be the Test Date for any nonconformity. Upon any amendment to the Land Management Code, the date of adoption of an ordinance amending a specific section of the Land Management Code shall become the Test Date for such section.

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

6-26-20
Date



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST J.

Certificate of Nonconformity
Pursuant to N.J.S.A. 40:55d-68.

See §300-20, 26 & 27 for further details regarding submission requirements and procedures.

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

Certificate of Nonconformity is being sought for nonconforming:

() Use

() Building

(X) Both

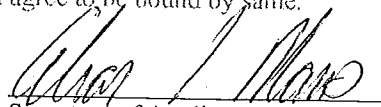
Explain in detail the present nature of the nonconformity (use additional sheets if necessary):

There exists a one-story, one-bedroom residential structure on the property. The residential use and location of the residential structure currently do not conform.

List all submitted evidence supporting the claim of nonconformity (use additional sheets if necessary):

1. Administrative approval letter from Remington & Vernick dated 10-21-93
2. of site plan showing the residential use
3. Site Plan prepared by Robert Bruce and Associates dated 10-8-93 (3 sheets)
4. Deed to subject property dated 8-12-92 to Kenneth and Patricia Adams
5. Deed to subject property dated 1-16-96 to Adams Pleasantville LLC
6. Testimony by Applicant to be supplied at hearing
7. _____
8. _____
9. _____
10. _____

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

6-26-20
Date



PLEASANTVILLE LAND MANAGEMENT CODE

CHECKLIST J. Certificate of Nonconformity Pursuant to N.J.S.A. 40:55d-68.

See §300-20, 26 & 27 for further details regarding submission requirements and procedures,

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

- X 1. All General Checklist Requirements in such number as indicated in Checklist A.
- W 2. 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).
- X 3. Lot area expressed both in acreage and square feet, to the nearest tenth of an acre.
- X 4. Test Date for the portion of the Land Management Code which rendered the use or structure nonconforming. *2006 per Section 300-1*
- X 5. Detailed narrative supporting the lawful use of the Subject Property or the lawful existence of the nonconforming nature of the structure prior to the Test 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]
Signature of Applicant

6-26-20
Date

Narrative in support of Certificate of Nonconformity (June 26, 2020)

Application of Adams Pleasantville LLC

Block 80, Lot 13

18 Devins Lane

Pleasantville, NJ

The applicant, Adams Pleasantville LLC ("Applicant"), is the owner of Block 80, Lot 13 on the City of Pleasantville Tax Map, located at 18 Devins Lane. The property is located in the Regional Commercial ("RC") Zoning District and currently serves as the business location of Ken Adams Oil Service, Inc., which delivers heating oil to residential and commercial customers, and has a small, one-story, one-bedroom residential dwelling on it as well. The property contains certain fuel storage tanks, an office for the business, a warehouse type structure for the storing of its trucks and the residential unit.

This current use of the property was approved by the City of Pleasantville administratively in or around October 1993. A review letter from Remington & Vernick Engineers dated October 21, 1993 confirming the administrative approval has been submitted with this application. A site plan, showing the residential use and structure, prepared in connection with the administrative approval by Robert Bruce and Associates, dated October 8, 1993 (3 sheets) has also been submitted with this application. The review letter and site plan submitted are the same as those in the files of the City of Pleasantville.

The RC Zoning District does not permit residential uses so the Applicant, to the extent deemed necessary by the Board, is seeking a Certificate of Nonconformity in order to establish that the residential use existed prior to the zoning change that prohibited such use and has not been abandoned. Preliminary, it is the Applicant's position that a Certificate of Nonconformity is not necessary if the use variance is granted as that would make the residential use allowed regardless. In addition, it is the Applicant's position that a Certificate of Nonconformity is not required since the residential use and structure were clearly shown on the approved 1993 site plan.

To the extent a Certificate of Nonconformity is required, it should clearly be granted. Pursuant to Section 300-1, the test year is 2008. The residential use is a one-story, one bedroom dwelling. The site plan, which is from 1993, shows the residential use existed at least since then. The Deeds submitted show that the Adams family purchased the property in 1992 and it was transferred to the Applicant in 1996. Thus, the Applicant has first hand knowledge of the property since 1992 and will testify that the residential use has always been on the property since that time and has not been abandoned. Accordingly, to the extent deemed necessary by the Board, the Certificate of Nonconformity should be granted.

The Applicant will supplement this Narrative with additional testimony at the time of the hearing.



REMINGTON & VERNICK ENGINEERS

90 YEARS OF ENGINEERING EXCELLENCE

City of Pleasantville
Planning Board
18 North 1st Street
Pleasantville, NJ 08232

Attn: Nancy Parsons, Secretary

Reply to:

☐ 232 King's Highway East
Haddonfield, NJ 08033
(609) 795-9595
FAX (609) 795-1882

☐ 95 Grove Street
Haddonfield, NJ 08033
(609) 795-9596
FAX (609) 795-3684

October 21, 1993

☐ 9 Allen Street
Toms River, NJ 08753
(908) 286-9220
FAX (908) 505-8416

☒ 711 N. Main Street - Suite 5
Pleasantville, NJ 08232
(609) 645-7110
FAX (609) 645-7076

Re: Site Plan Application
Block 80, Lot 13
Ken Adams Oil Service
Our File #01-19-P-049

Dear Mrs. Parsons & Board Members:

On October 18, 1993, we received a copy of an application and plans prepared by Robert Bruce and Associates dated 10/8/93 for the above referenced project. We have reviewed the plans and based upon our review, we offer the following comments:

A. General:

Ken Adams Oil Service is applying for permission to construct three (3) vertical and one (1) horizontal home fuel storage tanks on property from which they are currently operating a home heating fuel delivery business. They had appeared before the Board at a work session and discussed various location options for the tanks. The Board at that time indicated that they were generally in favor of the proposal. The plans as presented show the location of the tanks as recommended at the work session.

B. Land Use:

The property in question is located in the PID zone and while the lot is non conforming because of frontage and acreage, the primary use on the site as a home fuel oil distribution business is a permitted use. The proposed storage tanks appear to be an accessory use to the primary permitted use on the site as per section 207-34 B(2) of the Pleasantville Land Use Ordinance. Therefore, no expansion of a non conforming use as per 50.55 D-70(d)(2) exists and the Planning Board has jurisdiction.

C. Administrative Review:

Section 207-48 A of the Pleasantville code permits the waiver of formal site plan and an administrative review by the Construction Official and the City Engineer when it qualifies as an exempt development. Based upon a review of the definition of Exempt Development (207-8 especially paragraph (D) under Exempt Development), we feel that this particular application does meet the requirements of an exempt development and therefore is eligible for a waiver of formal site plan review. We have discussed this with the Construction Official, who indicated that he had reached the same conclusion based upon his review of the application.

Utility Specialists, Waste Water Collection and Treatment, Water Supply and Treatment, Storm Water Management, Pumping Stations, Reports, Highways, Planning and Recreation, Inspection, Surveys, Mapping, Structural, Bridges, Mechanical and Electrical Systems.

D. Engineering Review:

1. We have reviewed the plans and met with the applicant and his engineer on site. We made the following suggestions:
 - a) That some form of oil and grit separation or filtration be provided for the pipe outlet from the diked area.
 - b) That some form of filtering be provided on the low side of the concrete loading pad so that any water runoff from the pad would not flow directly onto the grass surface.
2. The drainage plan as presented is acceptable with the above listed conditions.
3. To keep construction to a minimum, the applicant proposes to keep the parking lot gravel rather than to pave. We have no problem with this.
4. All other engineering issues are presented satisfactorily.

E. Recommendations:

Subject to agreement by the Construction Official and concurrence by the Board, we recommend that formal site plan approval be waived and that this project proceed under administrative review with the following conditions.

1. That the applicant agree to pay review fees.
2. That the applicant agrees to post a cash bond of \$500.00 to cover the cost of inspections by this office and agrees that should the actual cost of the inspections exceed \$500.00, pay any additional costs.
3. That the applicant obtain all necessary permits from the Construction Official, including any state or county permits.
4. That the plans are approved by the City Fire Sub-Code Official and Fire Chief.

Should you have any questions or require additional information, please do not hesitate to contact Mr. James Gulnac of my staff.

Very truly yours,

REMINGTON & VERNICK ENGINEERS


Edward J. Walberg, P.E., C.M.E.

EJW/gaf

cc: Carl Mell, Construction Official
Norman L. Slotnick, Esq.
Ken Adams Oil
Robert Bruce & Associates
Craig Remington, Vice President
Donald J. Mauer, Jr., P.E., C.M.E.

DEED

Prepared by: (Print signer's name below signature)

Anthony M. Bongiovanni
Anthony M. Bongiovanni, Esq.

This Deed is made on August 12, 1992

BETWEEN WARREN W. STEELMAN and ANNA J. STEELMAN,
husband and wife

whose address is 25 Juniper Drive, Northfield, New Jersey 08225

referred to as the Grantor.

AND .. KENNETH ADAMS and PATRICIA ADAMS,
husband and wife

whose post office address is 600 West Oakcrest Ave., Linwood, NJ

referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of
THREE HUNDRED SIXTY EIGHT THOUSAND (\$368,000.00) DOLLARS

The Grantor acknowledges receipt of this money.

Tax Map Reference, (N.J.S.A. 46:15-2.1) Municipality of Pleasantville
Block No. 80 Lot No. 13 and 15 Account No.

☐ No property tax identification number is available on the date of this deed. (Check box if applicable.)

Property. The property consists of the land and all the buildings and structures on the land in the City of Pleasantville and State of New Jersey. The legal description is:

TRACT 1:

BEGINNING at a point marked by an iron bolt in the Southeasterly line of Divens Lane (now 60 feet wide) and being South 51 degrees West, a distance of 403 feet from a point in the center line of Washington Avenue where the same would be intersected by the said Southeasterly line of Divens Lane, if extended, said beginning point being also the Southwesterly corner to lands now or formerly of Samuel B. Brown, et ux, and extending: thence

1) South 51 degrees West, in and along the Southeasterly line of Divens Lane, a distance of 71.55 feet to a point being the Northwesterly corner to lands now or formerly of Frank Carty; thence

2) South 39 degrees East, in and along lands now or formerly of Frank Carty and continuing on and binding on lands of Warren W. Steelman, a distance of 150 feet to a point marked by an iron pipe; thence

3) North 51 degrees East, still binding on Warren W. Steelman, a distance of 55 feet to a point marked by an iron pipe; thence

4) South 55 degrees 28 minutes East, still binding on said Steelman's land, a distance of 36.5 feet to a point marked by an iron pipe; thence

5) North 51 degrees East, still by same, a distance of 71.4 feet to a point marked by an iron pipe in the Southwesterly line of lands of the City of Pleasantville; thence

6) North 39 degrees West, binding on said lands of the City of Pleasantville, a distance of 49.57 feet to a point in the Southeasterly line of lands now or formerly of Samuel B. Brown, et ux; thence

7) South 51 degrees West, binding on lands now or formerly of said Brown, et ux, a distance of 34.33 feet to a point marked by a stake; thence

DB5397P298

8) North 39 degrees West, still binding on same, a distance of 31 feet to a point marked by a stake; thence

9) North 55 degrees 28 minutes West, still binding on same, a distance of 108.90 feet to the point and place of beginning.

SUBJECT to such rights as others may have in a certain 15 feet wide ingress and egress right-of-way easement across above described parcel, adjoining the second course thereon on the Northeast and extending from the Southeasterly line of Divens Lane Southeastwardly for a distance of 150 feet to the line of lands of Warren W. Steelman.

TRACT 2:

BEGINNING at a point marked by an iron pipe in the Northeasterly line of land of the Vineland Transit Mix Concrete Company, Inc., said point being South 39 degrees East a distance of 100 feet from a point marked by an iron bolt set in the Southeasterly line of Divens Lane (now 60 feet wide) and marking a corner common to land of said Vineland Transit Mix Concrete Company, Inc., and lands of Frank Carty, the said beginning corner being also the Southwesterly corner to lands of Frank Carty and extending thence

1) North 51 degrees East, binding on lands of Frank Carty, a distance of 50 feet to a point marked by an iron pipe in the line of reserved lands of the present grantor; thence

2) South 39 degrees East, binding on reserved lands of said present grantor, a distance of 50 feet to a point marked by an iron pipe; thence

3) North 51 degrees East, still binding on same, a distance of 55 feet to a point marked by an iron pipe; thence

4) South 55 degrees 28 minutes East, still binding on same, a distance of 36.5 feet to point marked by an iron pipe; thence

5) North 51 degrees East, still binding on same, a distance of 71.4 feet to a point marked by an iron pipe in the Southwesterly line of lands of the City of Pleasantville; thence

6) South 39 degrees East, binding on lands of the City of Pleasantville and passing over an iron pipe set 3 feet Northwestwardly from the end of this course, a total distance of 204.64 feet to a point in the line of lands of the Vineland Transit Mix Concrete Company, Inc., marked by a chain-link galvanized wire fence; thence

7) South 58 degrees 40 minutes West, binding on said Vineland Transit Mix Concrete Company's land and in and along said chain-link fence, a distance of 188.43 feet to a point marked by a P-K nail and a corner to other lands of the Vineland Transit Concrete Company, Inc.; thence

8) North 39 degrees West, binding on lands of said company and passing over an iron pipe set 3 feet Northwestwardly from the beginning of this course, a total distance of 264.5 feet to the point and place of beginning.

TOGETHER with rights to a certain right-of-way easement described as follows:

BEGINNING at a point in the Southeasterly line of Divens Lane (now 60 feet wide), said point being 50 feet Northeastwardly from the Northeasterly corner to lands of the Vineland Transit Mix Concrete Company, Inc., being also a corner common to lands of Frank Carty and lands of the present grantor herein and extending thence.

1) South 39 degrees East, in and along the Southwesterly line of reserved lands of said grantor herein, a distance of 150 feet to an iron pipe corner; thence

2) North 51 degrees East, parallel with Divens Lane and still binding on reserved lands of the grantor herein, a distance of 15 feet to a point; thence

DB5397P299

3) North 39 degrees West, parallel with the first course and through and across reserved lands of the said grantor, a distance of 150 feet to a point in the Southeasterly line of Divens Lane; thence

4) South 51 degrees West, in and along said line of Divens Lane, a distance of 15 feet to the point and place of beginning.

THE above describes a certain 15 feet wide right-of-way easement adjoining the Southwesterly line of lands of the grantor herein and extending through and across his reserved lands from the third course of the hereinbefore described 0.969 acre parcel of land to the Southeasterly line of Divens Lane for the purpose of ingress and egress therefrom and thereto.

ALL as shown by a map of survey made by Charles F. Scheide, Licensed Land Surveyor, dated November 9, 1968.

BEING Lots 13 and 15, in Block 80, City of Pleasantville, New Jersey Tax Maps.

BEING the same lands and premises conveyed to Warren W. Steelman and Anna J. Steelman, husband and wife, by Deed from Florence A. Wertz, widow, dated February 2, 1979, recorded February 5, 1979, in deed book 3315, page 18. (As to Tract 1)

- and to -

Warren W. Steelman and Anna Jean Steelman, his wife, by Deed from Wilbur Adams, widower, dated January 10, 1969, recorded January 31, 1969 in deed book 2461 page 20. (As to Tract 2).

Subject to the rights, restrictions and easements of record.

Promises by Grantor. The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

Signatures. The Grantor signs this Deed as of the date at the top of the first page.

Witnessed by:

Anthony M. Bagnari

Warren W. Steelman (Seal)
Warren W. Steelman
Anna J. Steelman (Seal)
Anna J. Steelman

STATE OF NEW JERSEY, COUNTY OF ATLANTIC

SS.:

I CERTIFY that on August 12, 1992

Warren W. Steelman and Anna J. Steelman

personally came before me

and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person):

- (a) is named in and personally signed this Deed;
- (b) signed, sealed and delivered this Deed as his or her act and deed; and
- (c) made this Deed for \$368,000.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)

Anthony M. Bagnari
(Print name and title below signature)
Attorney-at-Law
State of New Jersey

DB5397P300

RECEIVED
ATLANTIC COUNTY
92 AUG 19 4:11:21
John Henry

DEED

Warren W. Steelman and
Anna J. Steelman

Grantor,

Kenneth Adams and
Patricia Adams

Grantee.

Dated: August 12, 1992

Record and return to: 20549-6

COOPER ABSTRACT COMPANY
P O Box 5459
Suite 6-401 Cooper Landing Road
Cherry Hill, NJ 08002

In compliance with statute I have presented
an abstract of the within to all assessors of
the taxing district therein mentioned.

LORI MOONEY, Clerk

DB5397P301

92-035622
001

DEED

0001911

Prepared by: (Print signer's name below signature)

Raymond C. Console
Raymond C. Console, Esq.

This Deed is made on January 16, 1996

BETWEEN KENNETH ADAMS and PATRICIA ADAMS,
husband and wife

whose address is 600 West Oakcrest Avenue, Linwood, NJ 08221

referred to as the Grantor,

AND ADAMS PLEASANTVILLE, L.L.C., a
New Jersey limited liability company

whose post office address is 15 Davins Lane, Pleasantville, NJ 08232

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of Ten Dollars (\$10.00)

The Grantor acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 46:15-2.1) Municipality of Pleasantville
Block No. 80 Lot No. 13 Account No.

☐ No property tax identification number is available on the date of this deed. (Check box if applicable.)

Property. The property consists of the land and all the buildings and structures on the land in the City of Pleasantville and State of New Jersey. The legal description is:

- BEGINNING at a point marked by an iron pipe in the Northeasterly line of land of the Vineland Transit Mix Concrete Company, Inc., said point being South 39 degrees East a distance of 100 feet from a point marked by an iron bolt set in the Southeasterly line of Davins Lane (now 60 feet wide) and marking a corner common to land of said Vineland Transit Mix Concrete Company, Inc., and lands of Frank Carty, the said beginning corner being also the Southwesterly corner to lands of Frank Carty and extending thence
- 1) North 51 degrees East, binding on lands of Frank Carty, a distance of 50 feet to a point marked by an iron pipe in the line of reserved lands of a former grantor; thence
 - 2) South 39 degrees East, binding on reserved lands of said former grantor, a distance of 50 feet to a point marked by an iron pipe; thence
 - 3) North 51 degrees East, still binding on same, a distance of 55 feet to a point marked by an iron pipe; thence
 - 4) South 55 degrees 28 minutes East, still binding on same, a distance of 36.5 feet to a point marked by an iron pipe; thence
 - 5) North 51 degrees East, still binding on same, a distance of 71.4 feet to a point marked by an iron pipe in the Southwesterly line of lands of the City of Pleasantville; thence
 - 6) South 39 degrees East, binding on lands of the City of Pleasantville and passing over an iron pipe set 3 feet Northwestwardly from the end of this course, a total distance of 204.64 feet to a point in the line of lands of the Vineland Transit Mix Concrete Company, Inc., marked by a chain-link galvanized wire fence; thence
 - 7) South 58 degrees 40 minutes West, binding on said Vineland Transit Mix Concrete Company's land and along said chain-link fence, a distance of 188.43 feet to a point marked by a P-K nail and a corner to other lands of the Vineland Transit Concrete Company, Inc.; thence
 - 8) North degrees West, binding on lands of said company and passing over an iron pipe set 3 feet Northwestwardly from the beginning of this course, a total distance of 264.5 feet to the point and place of beginning.

TOGETHER with rights to a certain right-of-way easement described as follows:

BEGINNING at a point in the Southeasterly line of Davins Lane (now 60 feet wide), said point being 50 feet Northeastwardly from the Northeasterly corner to lands of the Vineland Transit Mix Concrete Company, Inc., being also a corner to lands of Frank Carty and lands of a former grantor and extending thence.

DB5916P140

- 1) South 39 degrees East, in and along the Southwesterly line of reserved lands of a former grantor, a distance of 150 feet to an iron pipe corner; thence
- 2) North 51 degrees East, parallel with Davins Lane and still binding on reserved lands of a former grantor, a distance of 15 feet to a point; thence
- 3) North 39 degrees West, parallel with the first course and through and across reserved lands of a former grantor, a distance of 150 feet to a point in the Southeasterly line of Davins Lane; thence
- 4) South 51 degrees West, in and along said line of Davins Lane, a distance of 15 feet to a point and place of beginning.

THE above describes a certain 15 feet wide right-of-way easement adjoining the Southwesterly line of lands of a former grantor and extending through and across his reserved lands from the third course of the hereinbefore described 0.969 acre parcel of land to the Southeasterly line of Davins Lane for the purpose of ingress and egress therefrom and thereto.

ALL as shown by a map of survey made by Charles F. Scheide, Licensed Land Surveyor, dated November 9, 1968.

BEING THE SAME LANDS AND PREMISES acquired by Grantor by Deed from Warren W. Steelman and Anna J. Steelman, husband and wife, dated August 12, 1982, recorded August 19, 1992 in Deed Book 5397, Page 298.

DB5916P141

Promises by Grantor. The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

Signatures. The Grantor signs this Deed as of the date at the top of the first page.

Witnessed by:

Raymond W. Connel

Kenneth Adams (Seal)
KENNETH ADAMS

Patricia Adams (Seal)
PATRICIA ADAMS

STATE OF NEW JERSEY, COUNTY OF ATLANTIC

SS.:

I CERTIFY that on January 19 96
Kenneth Adams and Patricia Adams

and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person) personally came before me

- (a) is named in and personally signed this Deed;
- (b) signed, sealed and delivered this Deed as his or her act and deed; and
- (c) made this Deed for \$ 10.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)

Robin C. Bowie
(Print name and date below signature)

ROBIN C. BOWIE
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires June 10, 1997

DB5916P142



APPLICATION PACKAGE
for
LAND USE APPROVAL
City of Pleasantville

FORM 9: CERTIFICATION OF PAYMENT OF TAXES

Date: 5-20-2020

Applicant's Name: Adams Pleasantville LLC

Subject Property

Address: 18 Devins Lane

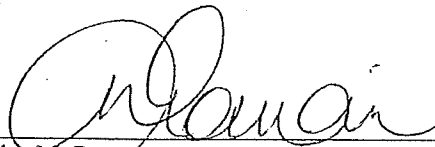
Block: 80 Lot(s): 13

Qualification Code(s):

TO BE COMPLETED BY THE PLEASANTVILLE TAX COLLECTOR

Taxes are paid and current through and including:	1Q	<u>2Q</u>	3Q	4Q	20 <u>20</u>
---	----	-----------	----	----	--------------

The following taxes are unpaid and delinquent: \$ 0 with interest
calculated until: 01/1, 201 .


Flor M. Roman
Pleasantville Tax Collector

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



City of Pleasantville
Pleasantville, N. J. 08232

Office of: Assessor

5/26/2026

609-484-3600
Fax 609-644-8642

200 Foot List Request

Property requested Block/Lot(s) 80/13

Property Address 18 DEVINS LANE

Owner ADAMS PLEASANTVILLE LLC

Requested by ELIAS T. MANZO ESQ

Phone # (609) 335-1823 ext.

Address 2408 NOW ROAD

NORTH FIELD, NJ 08225

Date needed / /

Pick Up Mail /

The fee for a 200 foot list is \$10.00, payable in advance. If there are over 40 names, an additional fee of \$.25/name will be charged (as per N.J.S.A. 40:35D-12c).

(For Assessor's use only)

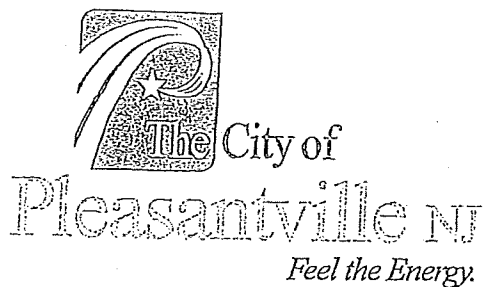
Fee Pd X Date 5/20/2020

Completed X Date 5/27/2020

Pick Up Mail X

Total names 92 Additional fee \$

Additional Fee Pd / Date / /



Wesley Briscoe, Jr. CTA
Assessor
taxassessor@pleasantvillenj.us
Phone 609.484.3634
Fax 609.641.8642

Subject Property 18 DEVINS LANE
Block/Lot 80/13
Owner ADAMS PLEASANTVILLE LLC

In accordance with NJSA 40:55D-12c the attached list of property owners must be notified. In addition to the listed property owners the list of public utilities and government entities below must also be notified. Only the owners marked with an "X" are to be notified.

<input checked="" type="checkbox"/>	South Jersey Gas Co. 1 South Jersey Plaza, Folsom NJ 08037	Gas
<input checked="" type="checkbox"/>	Atlantic City Electric Co, Real Estate 5100 Harding Hwy #339, Mays Landing, NJ 08330-9902	Electric
<input checked="" type="checkbox"/>	Comcast Cable 901 W Leeds Ave, Absecon, NJ 08201	Cable
<input checked="" type="checkbox"/>	Verizon—NJ 540 Broad St., Newark, NJ 07102	Telephone
<input checked="" 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 checked="" type="checkbox"/>	Atlantic County Engineering Dept. P O Box 719, Northfield, NJ 08225	
<input type="checkbox"/>	Commissioner, NJ DEP P O Box 412, Trenton, NJ 08625-0412	Lakes Bay and/or Tunnis Basin
<input checked="" type="checkbox"/>	City of Pleasantville, Davinna King-Ali, City Clerk 18 N First St, Pleasantville, NJ 08232	
<input type="checkbox"/>	Northfield City Clerk 1600 Shore Rd., Northfield NJ 08225	City of Northfield
<input type="checkbox"/>	Egg Harbor Twp. Clerk 3515 Bargintown Rd., Egg Harbor Twp., NJ 08234	Egg Harbor Township
<input type="checkbox"/>	Absecon City Clerk 500 Mill Rd., Absecon, NJ 08201	City of Absecon

Wesley W. Briscoe Jr. CTA 5/27/20
Wesley W. Briscoe Jr. CTA, Assessor

Properties Near Mun 0119 Block 80 Lot 13 In PLEASANTVILLE CITY

Property	Location	Class	Owner
00046 00001	600-800 W BLACK HORSE 2 200000 SF	4A	APPLE FARM LLC & LEJO CORP 3003 ENGLISH CREEK D-13A EHT, NJ 08234
00080 00003	923 W WASHINGTON AVE	15D	APOSTOLIC TABERNACLE 923 W WASHINGTON AVE PLEASANTVILLE, NJ 08232
00080 00004	907 W WASHINGTON AVE	2	BOYER, JOSETTE 907 W WASHINGTON AVE PLEASANTVILLE, NJ 08232
00080 00005	803 DOUGHTY RD 10	4B	CLAYTON'S MASONRY UNIT LLC PO BOX 3015 LAKEWOOD, NJ 08701
00080 00013	18 DEVINS LANE	4B	ADAMS PLEASANTVILLE LLC 18 DEVINS LANE PLEASANTVILLE, NJ 08232
00080 00015	16 DEVINS LANE	2	ADAMS, KENNETH & PATRICIA 18 DEVINS LANE PLEASANTVILLE, NJ 08232
00080 00016	12 DEVINS LANE	1	ADAMS PLEASANTVILLE LLC 18 DEVINS LANE PLEASANTVILLE, NJ 08232
00080 00020	901 W WASHINGTON AVE	1	STILL, GILBERT 93 S SPRING RD VINELAND, NJ 08360
00080 00021	20 DEVINS LANE	2	ADAMS, KENNETH W & PATRICIA A 18 DEVINS LANE PLEASANTVILLE, NJ 08232
00432 00001	11 DEVINS LANE	4B	RGC3 LLC 6626 DELILAH RD EHT, NJ 08234
00700 00002	DOUGHTY RD TO DEVINS LANE	5A	JP RAIL INC 212 SPRING RD HAMMONTON, NJ 08037

Properties Near Mun 0119 Block 80 Lot 13 In PLEASANTVILLE CITY

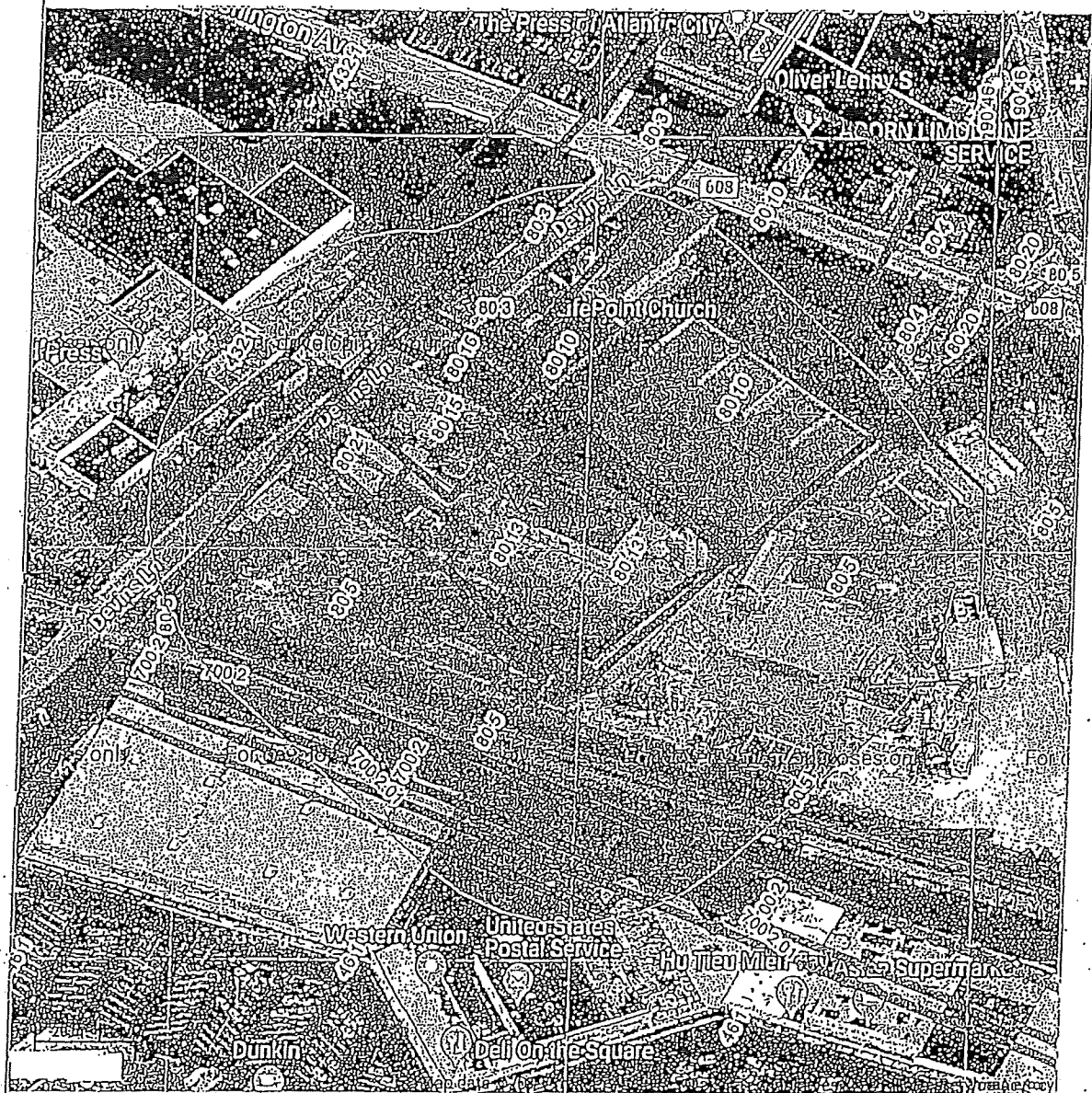
00700
00002 01

DEVINS LANE TO
DOUGHTY RD

15C

CITY OF PLEASANTVILLE
CITY HALL
PLEASANTVILLE, NJ 08232

Map Of Properties Near Mun 0119 Block 80 Lot 13



Request for Taxpayer Identification Number and Certification

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

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

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. ADAMS Pleasantville LLC	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ▶ _____	
4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ (Applies to accounts maintained outside the U.S.)	
5 Address (number, street, and apt. or suite no.) See instructions. 18 WEVINS LANE	Requester's name and address (optional)
6 City, state, and ZIP code Pleasantville, NJ 08292	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

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

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

Social security number	
or	
Employer identification number	
22	3418456

Part II Certification

Under penalties of perjury, I certify that:

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

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

Sign Here	Signature of U.S. person ▶	Date ▶ 5-19-20
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General Instructions

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

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

Purpose of Form

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

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
 - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 - Form 1099-S (proceeds from real estate transactions)
 - Form 1099-K (merchant card and third party network transactions)
 - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

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