



**Township of Pennsville**  
**Planning & Zoning Application for Land Use Development**  
**Cover Sheet**

This section is to be completed by Township Board Secretary or Assistant Only:

Application Number: \_\_\_\_\_ Date of Submission: \_\_\_\_\_ 45 Day Deadline: \_\_\_\_\_

Application Fees: \_\_\_\_\_ Check #: \_\_\_\_\_ Escrow Deposit: \_\_\_\_\_ Check #: \_\_\_\_\_  
\*\*\*\*\*

**ALL INFORMATION BELOW IS TO BE FILLED IN BY APPLICANT**

**1. SUBJECT PROPERTY:**

Address / Location: 46 West Pittsfield Street

Block(s): 1901 Lot(s): 3

Zoning District: CB Central Business

Has there been any previous application involving these premises?      Yes   X   No  
(If yes attached any resolutions)

Any Restrictions, covenants, easements, association by-laws, existing or proposed on the property?   X   Yes (attach copies)      No      Proposed

Present Use of Property: Residential/Boarding House prior to purchase

Proposed Use of Property:  
6 Unit Townhouses (Rental)

**2. APPLICATION:**

Type of Application: Major Site Plan with Bulk & Uses Variances

List of Checklist(s) Submitted: A,B,C,R,U,Z,AA

**3. APPLICANT:**

Name(s): SUNSET VIEW, LLC

Address: 144 EAST PITTSFIELD STREET

Telephone Number: 609-420-6071

Email Address: \_\_\_\_\_

Applicant is a      Partnership      Individual   X   LLC      Corporation

4. OWNER:

Owner Name(s) (if different from Applicant): Same  
Owner Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_

5. APPLICANT'S ATTORNEY:

Name: Frank Hoerst, Esquire  
Address: 13 West Avenue, P.O. Box 217, Woodstown, NJ 08098  
Telephone Number: 856-769-1700 FAX: \_\_\_\_\_  
Email Address: FHoerstLaw@comcast.net

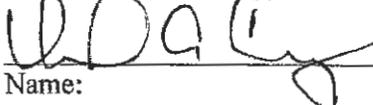
6. APPLICANT'S ENGINEER:

Name: Robert J. Seeberger, PE  
Address: 5 Ferry Road, Pennsville, NJ 08070  
Telephone Number: 856-678-9146 FAX: \_\_\_\_\_  
Email Address: bseeberger@comcast.net

7. OTHER PROFESSIONAL:

Name: Dale E. Boston, PLS, PP  
Address: 5 Ferry Road, Pennsville, NJ 08070  
Telephone Number: 856-678-9146 FAX: \_\_\_\_\_  
Email Address: dboston@bostonseeberger.com

APPLIANT: The Undersigned hereby confirms that (1) all information provided with this application is true, complete and correct; and (2) each applicant understand and will comply with the requirements of the Pennsville Township Land Development Ordinance, including but not limited to the applicant's ongoing obligations to replenish review escrows upon request, and to reimburse the Township for all professional review fees and costs relating to the application.

  
Name: \_\_\_\_\_ Name: \_\_\_\_\_

OWNER (if other than applicant): The undersigned hereby confirms that (1) the person(s) or entity(ies) named above are the only owners(s) of the property; (2) the applicant has entered into a written agreement with the owner(s) to purchase, lease, or otherwise use or occupy the property; (3) a true and comply copy of that agreement is attached to this application (with or without prices deleted); and (4) the owner has reviewed and consents to this application.

\_\_\_\_\_  
Name: \_\_\_\_\_ Name: \_\_\_\_\_

**PENNSVILLE TOWNSHIP LAND DEVELOPMENT ORDINANCE  
CHECKLIST  
SCHEDULE "A" – GENERAL REQUIREMENTS**

Applicants must file all information and materials specified in this checklist unless inapplicable. Applicants must indicate that all required information and materials have been included in the application by marking an "X" in the left column space that corresponds to each required item. "N/A" indicates inapplicability. If a submission waiver is requested, applicants must indicate "W" and include the checklist item requested to be waived in the list referred to in item A-9, below, with an explanation of why the waiver should be granted.

Applicant Please Check	This application includes the following:	Verification (Official Use Only)
( X )	1. Eighteen (18) copies of all plans, documents, and other materials comprising the application.	( )
( X )	2. A completed Application Cover Sheet confirming payment of all required fees and escrow deposits, signed by all applicants (and also signed by all owners if the property is not owned by the applicant). The applicant's attorney may sign the application on behalf of the applicant, and the owner's attorney may sign the application on behalf of the owner, but no other person may sign on behalf of either.	( )
( X )	3. Completed Checklist Schedule "B" and all other checklists, materials, and information required as part of the application.	( )
( X )	4. A certification or receipt from the Tax Collector confirming that all real estate taxes have been paid in full through the quarter in which the application is filed.	( )
( X ) N/A	5. If the applicant is <u>not</u> the owner of the property, a complete copy of the document creating the applicant's interest in the property (such as a contract for purchase or lease). Prices may be deleted. If the applicant owns the property, indicate "N/A".	( )
( X )	6. If the applicant is a corporation or limited liability company, or if the applicant is an individual or partnership represented by an attorney, the application includes correspondence from the applicant's attorney confirming the attorney's representation of the applicant and the attorney's name, address and telephone number. If the applicant is not a corporation or limited liability company, or if the applicant is not represented by an attorney, indicate "N/A".	( )
( X )	7. If the applicant is a corporation, partnership or limited liability company, <u>and</u> if the application is one for which disclosure is required pursuant to <i>N.J.S.A. 40:55D-48.1, et seq.</i> , all such disclosures are included in the application. If the applicant is not a corporation, partnership or limited liability company, or if the application does not require such disclosure, indicate "N/A".	( )
( X )	8. The names and addresses of all witnesses and their expertise. If no witnesses are proposed, indicate "N/A".	( )
( X )	9. A list of all checklist items for which submission waivers are being requested, with an explanation of why each waiver should be granted. If no submission waivers are requested, indicate "N/A".	( )
( X )	10. A certification or letter from the Pennsville Water Department confirming whether the property is served by the public water system.	( )
( X )	11. A certification or letter from the Pennsville Sewerage Authority confirming whether the property is served by the public sewerage system.	( )

**PENNSVILLE TOWNSHIP LAND DEVELOPMENT ORDINANCE  
CHECKLIST  
SCHEDULE "B" – APPROVALS REQUESTED**

Applicants must indicate the types of approvals sought, and confirm that all required checklists have been completed for filing, by marking an "X" in the left column space that corresponds to each filed form or checklist for each requested application type. Applicants must complete and file all indicated forms and checklists with all information and materials required by each indicated form or checklist.

Applicant Please Check	This application includes the following:	Verification (Official Use Only)
( X )	Application Cover Sheet (required for all applications)	( )
( X )	Schedule A – General Information (required for all applications)	( )
( X )	Schedule B – Approvals Requested (required for all applications)	( )
( X )	Schedule C – Grading Plan Review	( )
( )	Schedule D – Informal Review of Concept Plan	( )
( )	Schedule E – Minor Subdivision	( )
( )	Schedule F – Amendment of Minor Subdivision	( )
( )	Schedule G – Re-affirmation or Extension of Minor Subdivision	( )
( )	Schedule H – Preliminary Major Subdivision	( )
( )	Schedule I – Amendment of Preliminary Major Subdivision	( )
( )	Schedule J – Extension of Preliminary Major Subdivision	( )
( )	Schedule K – Final Major Subdivision	( )
( )	Schedule L – Amendment of Final Major Subdivision	( )
( )	Schedule M – Extension of Final Major Subdivision	( )
( )	Schedule N – Determination of Farmland Division	( )
( )	Schedule O – Minor Site Plan	( )
( )	Schedule P – Amendment of Minor Site Plan	( )
( )	Schedule Q – Extension of Minor Site Plan	( )
( X )	Schedule R – Preliminary (Major) Site Plan	( )
( )	Schedule S – Amendment of Preliminary (Major) Site Plan	( )
( )	Schedule T – Extension of Preliminary (Major) Site Plan	( )
( X )	Schedule U – Final (Major) Site Plan	( )
( )	Schedule V – Amendment of Final (Major) Site Plan	( )
( )	Schedule W – Extension of Final (Major) Site Plan	( )
( )	Schedule X – Site Plan Waiver	( )
( )	Schedule Y – Conditional Use	( )
( X )	Schedule Z – "Bulk" Variance <i>N.J.S.A. 40:55D-70(c)</i>	( )
( X )	Schedule AA – "Use" Variance <i>N.J.S.A. 40:55D-70(d)</i>	( )
( )	Schedule BB – Environmental Impact Statement (EIS)	( )
( )	Schedule CC – Development in Public Area <i>N.J.S.A. 40:55D-34</i>	( )
( )	Schedule DD – Variance re Road Frontage <i>N.J.S.A. 40:55D-36</i>	( )
( )	Schedule EE – Zoning Interpretation <i>N.J.S.A. 40:55D-70(b)</i>	( )
( )	Schedule FF – Appeal to Planning Board <i>N.J.S.A. 40:55D-70(a)</i>	( )
( )	Schedule GG – Certification of Nonconformity <i>N.J.S.A. 40:55D-68</i>	( )
( )	Schedule HH – Wireless Telecommunications Facility	( )
( )	Schedule II – Request for Zoning or Master Plan Amendment	( )
( )	Schedule JJ – General Development Plan	( )
( )	Schedule KK – Modification of General Development Plan Timing	( )
( )	Schedule LL – Variation of General Development Plan Features	( )
( )	Schedule MM – Amendment or Revision of General Development Plan	( )

**PENNSVILLE TOWNSHIP LAND DEVELOPMENT ORDINANCE  
CHECK LIST  
SCHEDULE "C" – GRADING PLAN  
PLAN DETAILS AND INFORMATION REQUIREMENTS**

Applicant Please Check	The following grading plan checklist must be completed and filed with the information it requires as part of any subdivision, site plan, variance or other development application that involves land disturbance in excess of one thousand (1000) square feet ("applicable development"), and as part of any zoning permit application for an applicable development involving single or multiple lot grading and drainage review. This Checklist and required plan information may be included with an individual or multiple lot grading plan for purposes of zoning permit applications, or it may be incorporated into a development applicant's subdivision or site plan, provided that all of the required grading plan information must be included on the same plan sheet.	Verification (Official Use Only)
( X )	1. Title block indicating the address of the site, lot and block numbers, name and address of the applicant. Individual lot grading plans must be entitled "Individual Lot Grading Plan". Multiple lot grading plans must be entitled "Multiple Lot Grading Plan". If grading information is incorporated into one of the sheets of a subdivision or site plan, such sheet title must include the words "Grading Plan". For purposes of this checklist, "grading plan" shall refer to whichever of the aforesaid types of plans is submitted by an applicant for grading approval.	( )
( X )	2. The grading plan must be signed and sealed (embossed) by a New Jersey licensed land surveyor (for existing conditions) and a New Jersey professional engineer (for proposed conditions). The plan must include the addresses of the persons who prepared the plan.	( )
( X )	3. The grading plan must be drawn legibly at a scale of one (1) inch equals thirty (30) feet for developments of less than one (1) acre or a scale of one (1) inch equals fifty (50) feet for developments of one acre or more, indicate a North arrow, and refer to the NAVD 1988 vertical datum on which the plan is based.	( )
( X )	4. The grading plan must indicate all property lines, easements and required setback lines for the lot(s) to be developed. Copies of all existing or proposed drainage easements must be filed with this checklist unless already available to the Township as part of a pending development application file. All property lines must indicate bearing and dimensions, and the width of all easements must be shown on the plan.	( )
( ) X	5. The grading plan must indicate the distances between all existing and proposed structures on the lot to be developed and adjoining property lines.	( )
( X )	6. The grading plan must indicate the right-of-way and cartway widths of all adjoining streets as well as the location of all existing and proposed curbs, sidewalks and driveway aprons along the entire frontage of the lot to be developed.	( )

( X )	7. The grading plan must indicate existing and proposed contours at one-foot intervals over the lot to be developed and, to the extent reasonably and legally ascertainable, existing and proposed contours at one-foot intervals for fifty (50) feet beyond the limit of any grading. Spot elevations and inverts must be provided at all inlets, catch basins, outfalls, culverts and other hydraulic structures within the aforesaid areas.	( )
( X )	8. The grading plan must indicate existing and proposed spot elevations at all property corners of the lot to be developed, and all proposed top of concrete curb elevations.	( )
( X )	9. The grading plan must indicate existing topography fifty (50) feet beyond all property lines of the lot to be developed and, to the extent reasonably and legally ascertainable, spot elevations for all adjacent building corners.	( )
( X )	10. The grading plan must indicate the location and dimensions of all existing and proposed structures and site improvements on the lot to be developed, including but not limited to buildings, sheds, decks, swimming pools, fences, fence location, fence type, drainage facilities.	( )
( X )	11. The grading plan must indicate all stream encroachment, wetlands and wetland buffer lines and floodplains on the lot to be developed.	( )
( X )	12. The grading plan must indicate all trees over five (5) inches caliper on the lot to be developed and in any existing or proposed off-lot drainage areas, including type, condition, and limit of clearing.	( )
( X )	13. The grading plan must indicate the foundation top of block elevations for all proposed structures, and the floor elevation at the face of any garage or other opening at grade, on the lot to be developed. Spot elevations for all building corners must be indicated. Spot elevations for all proposed top of curb, gutter, and road improvements must be indicated.	( )
( X )	14. For each lot where a basement is proposed, a soil boring must be obtained and analyzed by a licensed New Jersey Professional Engineer to determine the seasonal high water elevation at each lot. After analyzing the borings the Engineer must prepare, sign, and seal a report referring to each soil test boring and confirming the depth of the seasonal high water elevation at each lot where a basement is proposed. The report must be filed with this checklist. The grading plan must confirm that, based on the report, the lowest point of the proposed basement at each lot will be no less than one (1) foot above the seasonal high water elevation at that lot. If no basements are proposed, indicate "N/A".	( )
( X )	15. All other documents, materials and information required by the Pennsville Township Land Development Ordinance.	( )

**PENNSVILLE TOWNSHIP LAND DEVELOPMENT ORDINANCE  
CHECK LIST  
SCHEDULE "R" – PRELIMINARY (MAJOR) SITE PLAN APPLICATION  
PLAN DETAILS AND INFORMATION REQUIREMENTS**

Applicant Please Check	All applications for preliminary major site plan approval must meet all requirements of, and provide all of the materials and information required by this checklist:	Verification (Official Use Only)
( X )	1. The preliminary site plan must be clearly and legibly drawn or reproduced at a scale of not less than one-inch equals fifty feet. It must be prepared under the supervision of, and be signed and sealed by a licensed New Jersey land surveyor and any engineering design work shall be done, signed and sealed by a licensed New Jersey professional engineer.	( )
( X )	2. The site plan shall clearly show the conditions on and adjacent to the site at the time of application, the features of the site which are being incorporated into the proposed use or building and the appearance and function of the proposed use or building.	( )
( X )	3. A key map at an appropriate scale showing the location of the site and its relationship to surrounding areas and to existing street locations.	( )
( X )	4. Name and address of owner, applicant, and the persons preparing plan.	( )
( X )	5. The tax map sheet, block and lot numbers.	( )
( X )	6. The names of all adjoining property owners as disclosed by the current tax records.	( )
( X )	7. The entire property in question must be shown, even though only a portion of the property may be involved in the site plan, provided, however, where it is physically impossible to show the entire property on the required sheet, a separate map at an appropriate scale may be submitted.	( )
( X )	8. The location, design and dimensions of each existing and proposed use and structure.	( )
( X )	9. The setback distances from all property lines.	( )
( X )	10. The location, dimensions and arrangement of all existing and proposed streets, vehicular access-ways and driveways, off-street parking areas, methods of separating land traffic and parking traffic within off-street parking areas, and loading and unloading areas.	( )

( X )	11. A survey prepared by a land surveyor licenses by the State of New Jersey shall accompany site plans and shall show the boundaries of the parcel and the limits of all proposed streets, recreation areas and other property to be dedicated to public use or to common open space. In the case of new or proposed commercial, industrial or public buildings or structures, the site plan shall be accompanied by preliminary architectural floor plans and elevations with the name, address, professional number and seal of the architect involved.	( )
( X )	12. Location of all existing trees having a five (5)-inch or greater diameter, and all tree masses, indicating general sizes and species of trees. If no five inch diameter or greater trees, or if no tree masses, indicate "N/A".	( )
( X )	13. The location, design, and dimensions of existing and proposed open areas, buffer areas, pedestrian walkways, and any recreation areas and facilities proposed by the developer.	( )
( X )	14. Landscaping and buffering plan showing what will remain and what will be planted, indicating names of plants and trees and dimensions, approximate time of planting and method of planting.	( )
( X )	15. Contours at two foot intervals for slopes averaging 5% or greater and one foot contours for slopes less than 5%, unless determined by the Township Engineer to be unnecessary in whole or in part.	( )
( X )	16. Grading plan showing existing and proposed spot elevations based upon the U. S. Coastal Geodetic datum at all building corners, all floor levels, center lines of abutting and other pertinent locations.	( )
( X )	17. The location, size and direction of flow of all streams, brooks, ditches, lakes and ponds. The boundaries of the floodplains of all watercourses shall also be submitted.	( )
( X ) WR	18. Cross sections and centerline profiles of all existing or proposed streets or watercourses.	( )
( X )	19. Plans and design data for storm drainage facilities prepared in accordance with all Ordinance requirements.	( )
( X ) WR	20. Preliminary plans and profiles of proposed utility layouts and water and sewer facilities.	( )
( X ) N/A	21. If on-site sewage disposal is required, the results and location of all percolation tests and test borings shall be shown on the plan.	( )
( X )	22. At a minimum, the floor plan and front elevation of all proposed principal buildings and all contemplated accessory buildings and structures.	( )

( X )	23. The size, type and location of all proposed signs.	( )
( X )	24. The location and design of proposed lighting for buildings, signs and grounds.	( )
( X )	25. All other information required for review and approval of preliminary site plan applications pursuant to the Pennsville Township Land Development Ordinance	( )
( X )	26. Soil Erosion and Sediment Control Plan or statement of non-applicability.	( )
( X ) WR	27. Environmental Impact Statement as per Check List Schedule "BB" if site plan requires disturbance of 5,000 sq. ft. or more of the land surface area. If less than 5,000 s.f. land disturbance proposed, indicate "N/A".	( )
( X )	28. All other documents, materials and information required by the Pennsville Township Land Development Ordinance.	( )
( X )	29. A written description of the proposed use and development of the property, as well as past and current development and uses.	( )
( X ) N/A	30. Copies of all Planning Board (or former Zoning Board of Adjustment) resolutions approving or denying prior site plan, subdivision, variance, or other development applications for the property. If none, indicate "N/A".	( )
( X )	31. Application for grading plan review pursuant to Ordinance Section 5.17. If proposed land disturbance is 500 square feet or less, indicate "N/A".	( )

**PENNSVILLE TOWNSHIP LAND DEVELOPMENT ORDINANCE  
CHECK LIST  
SCHEDULE “U” – FINAL MAJOR SITE PLAN  
PLAN DETAILS AND INFORMATION REQUIREMENTS**

Applicant Please Check	All applications for final major site plan approval must meet all requirements of, and provide all of the materials and information required by this checklist:	Verification (Official Use Only)
( x ) TBS	1. The revised final plans and all other documents, materials and information required by the preliminary major site plan approval and the Pennsville Township Land Development Ordinance.	( )
( x ) TBS	2. A certification by a New Jersey licensed professional engineer confirming that all detailed drawings, specifications and estimates of the application for final approval conform to the standards established by the Pennsville Land Development Ordinance, the conditions of preliminary major subdivision approval, and all applicable requirements of the Residential Site Improvement Standards ( <i>N.J.A.C. 5:21-1.1, et seq.</i> ).	( )
( x ) TBS	3. A certification by a New Jersey licensed professional engineer confirming that final approvals have been obtained from all other agencies having jurisdiction over the project.	( )

**PENNSVILLE TOWNSHIP LAND DEVELOPMENT ORDINANCE  
CHECK LIST  
SCHEDULE "Z" – "BULK" VARIANCE (N.J.S.A. 40:55D-70(c))  
PLAN DETAILS AND INFORMATION REQUIREMENTS**

Applicant Please Check	All applications for "bulk" variance relief pursuant to <i>N.J.S.A. 40:55D-70(c)</i> must meet all requirements of, and provide all of the materials and information required by this checklist:	Verification (Official Use Only)
( X )	1. Unless the variance application includes a site plan meeting the requirements of Ordinance Chapter 6, the applicant must provide a survey prepared and certified by a New Jersey licensed professional surveyor, originally dated, or updated and re-certified, within three months prior to the date the application is filed, depicting the property in question and clearly showing the location of (a) all existing buildings, structures, improvements at and within twenty-five feet from the property in question; (b) all trees of greater than six-inches caliper; (c) all rights-of-way and other easements of record; and (d) all areas where new or expanded buildings, structures and improvements are being proposed. Accurate dimensions must be shown for all existing and proposed buildings, structures and improvements from all lot lines. The plan must also include tax map sheet, block and lot numbers, and the zone district designation(s), a table of all zoning requirements. The survey must be clearly and legibly drawn or reproduced at a scale of not less than one-inch equals fifty feet. The survey must also confirm compliance with all applicable requirements of the Residential Site Improvement Standards ( <i>N.J.A.C. 5:21-1.1, et seq.</i> ). If a site plan conforming to Chapter 6 requirements has been provided, indicate "N/A".	( )
( X )	2. At least one recent photograph of the property.	( )
( X )	3. A written description of the proposed use and development of the property, as well as past and current development and uses.	( )
( X )	4. Copies of all Planning Board (or former Zoning Board of Adjustment) resolutions approving or denying prior site plan, subdivision, variance, or other development applications for the property. If none, indicate "N/A".	( )
( X )	5. A written statement explaining why the applicant's proposal satisfies the "Positive Criteria" set forth in Ordinance Section 5.20.	( )
( X )	6. A written statement explaining why the applicant's proposal satisfies the "Negative Criteria" set forth in Ordinance Section 5.20.	( )
( X )	7. Application for site plan review or waiver of site plan. If the proposed development or use is exempt pursuant to Ordinance Section 6.3, indicate "N/A".	( )
( X )	8. Application for grading plan review pursuant to Ordinance Section 5.17. If proposed land disturbance is one thousand (1000) square feet or less, indicate "N/A".	( )

**PENNSVILLE TOWNSHIP LAND DEVELOPMENT ORDINANCE  
CHECK LIST  
SCHEDULE "AA" – "USE" VARIANCE (N.J.S.A. 40:55D-70(d))  
PLAN DETAILS AND INFORMATION REQUIREMENTS**

Applicant Please Check	All applications for "use" variance relief pursuant to <i>N.J.S.A. 40:55D-70(d)</i> must meet all requirements of, and provide all of the materials and information required by this checklist:	Verification (Official Use Only)
( X )  N/A	1. Unless the variance application includes a site plan meeting the requirements of Ordinance Chapter 6, the applicant must provide a survey prepared and certified by a New Jersey licensed professional surveyor, originally dated, or updated and re-certified, within three months prior to the date the application is filed, depicting the property in question and clearly showing the location of (a) all existing buildings, structures, improvements at and within twenty-five feet from the property in question; (b) all trees of greater than six-inches caliper; (c) all rights-of-way and other easements of record; and (d) all areas where new or expanded buildings, structures and improvements are being proposed. Accurate dimensions must be shown for all existing and proposed buildings, structures and improvements from all lot lines. The plan must also include tax map sheet, block and lot numbers, and the zone district designation(s), a table of all zoning requirements. The survey must be clearly and legibly drawn or reproduced at a scale of not less than one-inch equals fifty feet. The survey must also confirm compliance with all applicable requirements of the Residential Site Improvement Standards ( <i>N.J.A.C. 5:21-1.1, et seq.</i> ). If a site plan conforming to Chapter 6 requirements has been provided, indicate "N/A".	( )
( X )	2. At least one recent photograph of the property.	( )
( X )	3. A written description of the proposed use and development of the property, as well as past and current development and uses.	( )
( X )  N/A	4. Copies of all Planning Board (or former Zoning Board of Adjustment) resolutions approving or denying prior site plan, subdivision, variance, or other development applications for the property. If none, indicate "N/A".	( )
( X )	5. A written statement explaining why the applicant's proposal satisfies the "Positive Criteria" set forth in Ordinance Section 5.20.	( )
( X )	6. A written statement explaining why the applicant's proposal satisfies the "Negative Criteria" set forth in Ordinance Section 5.20.	( )
( X )	7. Application for site plan review or waiver of site plan.	( )
( X )	8. Application for grading plan review pursuant to Ordinance Section 5.17. If proposed land disturbance is 500 square feet or less, indicate "N/A".	( )

ON BEHALF OF SUNSET VIEW LLC. WE Give the approval of David Curry our acting President Authority to sign all legal and Banking documents as managing member.

PRESIDENT [Signature] DATE 7-30-19

VICE PRESIDENT [Signature] DATE 7-30-19

TREASURER [Signature] DATE 07/30/19

SECRETARY [Signature] DATE 07/30/19

PTR Christopher Curry

Equal Shares  
in partnership

David Curry  
Josh Curry  
Praven Patel  
Jesh Patel  
Christopher Curry

Cynthia M. Wilson  
07/30/19

**CYNTHIA M. WILSON**  
**NOTARY PUBLIC OF NEW JERSEY**  
**My Commission Expires 02/17/2022**

Date of this notice: 07-29-2019

Employer Identification Number:  
84-2532069

Form: SS-4

Number of this notice: CP 575 B

SUNSET VIEW  
DAVID A CURRY GEN PTR  
144 E PITTSFIELD ST  
PENNSVILLE, NJ 08070

For assistance you may call us at:  
1-800-829-4933

IF YOU WRITE, ATTACH THE  
STUB AT THE END OF THIS NOTICE.

**WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER**

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 84-2532069. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 1065

03/15/2020

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at [www.irs.gov](http://www.irs.gov). If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.



<b>Block/Lot/Qual:</b>	1901. 3.	<b>Tax Account Id:</b>	1762
<b>Property Location:</b>	46 W PITTSFIELD ST	<b>Property Class:</b>	2 - Residential
<b>Owner Name/Address:</b>	SUNSET VIEW LLC	<b>Land Value:</b>	43,000
	144 EAST PITTSFIELD ST	<b>Improvement Value:</b>	78,500
	PENNSVILLE NJ 08070	<b>Exempt Value:</b>	0
<b>Special Taxing Districts:</b>		<b>Total Assessed Value:</b>	121,500
		<b>Additional Lots:</b>	None
		<b>Deductions:</b>	

**Taxes**

- [Make a Payment](#)
[View Tax Rates](#)
[View Current Bill](#)
[Project Interest](#)

Year	Due Date	Type	Billed	Balance	Interest	Total Due	Status
2020	02/01/2020	Tax	1,294.28	0.00	0.00	0.00	PAID
2020	05/01/2020	Tax	1,294.28	1,283.85	0.00	1,283.85	OPEN
<b>Total 2020</b>			<b>2,588.56</b>	<b>1,283.85</b>	<b>0.00</b>	<b>1,283.85</b>	
2019	02/01/2019	Tax	1,247.81	0.00	0.00	0.00	PAID
2019	05/01/2019	Tax	1,247.80	0.00	0.00	0.00	PAID
2019	08/01/2019	Tax	1,340.76	0.00	0.00	0.00	PAID
2019	11/01/2019	Tax	1,340.75	0.00	0.00	0.00	PAID
<b>Total 2019</b>			<b>5,177.12</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	
2018	02/01/2018	Tax	1,203.77	0.00	0.00	0.00	PAID
2018	05/01/2018	Tax	1,203.76	0.00	0.00	0.00	PAID
2018	08/01/2018	Tax	1,294.28	0.00	0.00	0.00	PAID
2018	11/01/2018	Tax	1,289.41	0.00	0.00	0.00	PAID
<b>Total 2018</b>			<b>4,991.22</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	

Last Payment: 02/04/20

## **Requested Waivers**

### **Schedule "R" Preliminary (Major) Site Plan Application**

Item 18. Cross sections and centerline profiles of all existing or proposed streets or water courses.

*Existing elevations are shown on West Pittsfield Street in plan view.*

Item 20. Preliminary Plans & Profiles of proposed utility layouts and water & sewer facilities.

*The new facility layout is limited to the underground electric for site lighting.*

### **Schedule "BB" Environmental Impact Statement**

*The site is currently developed.*

## **Requested Variances**

Section 5.10 B Permitted Principal Uses and Structures (Use Variance)

Section 5.10 F-1 (Bulk Variances)

- h. Side Yard Accessory Structure (Deck)
- i. Rear Yard Principal Structure
- n. Number of Principal Structures
- p. Stories Principal Structures

## **Witness List**

Sunset View, LLC (Applicant)  
David Curry  
46 West Pittsfield Street  
Pennsville, NJ 08070

Frank Hoerst, Esq.  
13 West Avenue  
PO Box 217  
Woodstown, NJ 08098  
FHoerstLaw@comcast.net

Dale E. Boston, PLS, PP  
Robert J. Seeberger, PE  
Boston & Seeberger, P.C.  
5 Ferry Road  
Pennsville, NJ 08070  
dboston@bostonseeberger.com  
bseeberger@bostonseeberger.com



# SALEM COUNTY CLERK'S DOCUMENT SUMMARY SHEET

INSTR # 2019007403  
BK 4530 PG 1634  
Pgs 1634 - 1639 (6 pgs)  
RECORDED 08/08/2019 01:22:24 PM  
GILDA T. GILL, COUNTY CLERK  
SALEM COUNTY, NEW JERSEY  
RECORDING FEES: \$90.00  
RTF TOTAL TAX \$208.00  
CONSIDERATION \$52,000.00  
RECORDED BY Kathleen

**All information is to be typed or legibly Printed**

Salem County Clerk's Office  
Gilda T. Gill, Clerk  
110 Fifth Street, Suite 200  
856-935-7510  
www.salemcountyclerk.org

Return Name and Address:  
Heritage Title and Abstract Agency, Inc  
163 N Broadway, Suite 1  
Pennsville, NJ 08070

**FOR OFFICAL USE**

Submitting Company		Heritage Title and Abstract Agency, Inc			
Document Date (mm/dd/yyyy)		07/31/2019			
Document Type		Deed			
No. of pages of the original Signed Document <i>(include the Document Summary Sheet)</i>		6 ✓			
Consideration Amount <i>(if applicable)</i>		\$ 52,000.00			
<b>First Party</b> <small>(Grantor or Mortgagor or Assignor or Defendants) <i>(Enter up to five names)</i></small>	<b>Name (s)</b> <small>(Last Name First Name M.I. Suffix) <i>(Company Name as written)</i></small>		<b>Address</b> <small>(Required for Deeds)</small>		
	NORTON, MARY L		58 Dunn Lane Pennsville, NJ 08070		
<b>Second Party</b> <small>(Grantee or Mortgagee or Assignee or Plaintiff) <i>(Enter up to five names)</i></small>	<b>Name (s)</b> <small>(Last Name First Name M.I. Suffix) <i>(Company Name as written)</i></small>		<b>Address</b> <small>(Required for Deeds)</small>		
	SUNSET VIEW, LLC		144 E Pittsfield Street Pennsville, NJ 08070		
<b>Deed Parcel Information</b> <small><i>(Enter up to three entries)</i></small>	<b>Municipality</b>	<b>Block</b>	<b>Lot</b>	<b>Property Address</b>	
	Pennsville	1901	3	46 W. Pittsfield Street	
<b>Reference Information</b> <small><i>(Enter up to three entries) (if applicable)</i></small>	<b>Book Type</b>	<b>Original Book No.</b>	<b>Original Beginning Page</b>	<b>Instrument No.</b>	<b>Recorded/File Date</b>

**\*\*\*DO NOT DISCARD THIS PAGE\*\*\***

*THIS COVER SHEET [DOCUMENT SUMMARY] IS A PERMANENT PART  
OF THE SALEM COUNTY, NJ RECORDING DOCUMENT*

\*\*\* Disclaimer: This Sheet was Prepared by the Submitter\*\*\*

# Deed

This Deed is made on July 31, 2015

BETWEEN Mary L. Norton

Married

whose post office address is ~~46 West Pittsfield Street~~ 58 Dunn Lane  
Pennsville, New Jersey 08070

referred to as the Grantor,

AND Sunset View, LLC

a New Jersey limited liability company

whose post office address is 144 East Pittsfield Street  
Pennsville, New Jersey 08070

referred to as the Grantee.

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

1. **Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property (called the "Property") described below to the Grantee. This transfer is made for the sum of \$52,000.00  
Fifty-Two Thousand Dollars and No Cents

The Grantor acknowledges receipt of this money.

2. **Tax Map Reference.** (N.J.S.A. 46:26A-3) Municipality of Pennsville  
Block No. 1901 Lot No. 3 Qualifier No. \_\_\_\_\_ Account No. \_\_\_\_\_  
 No property tax identification number is available on the date of this Deed. (Check box if applicable.)

3. **Property.** The Property consists of the land and all the buildings and structures on the land in the Township  
of Pennsville, County of Salem and State of New Jersey. The legal description is:  
 Please see attached Legal Description annexed hereto and made a part hereof (check box if applicable).

See 1 in Addendum

Prepared by:

  
Paul H. Scull, Jr., Esquire

(For Recorder's Use Only)

This is not an official copy

The street address of the Property is:  
46 West Pittsfield Street  
Pennsville, New Jersey 08070

4. Signatures. The Grantor signs this Deed as of the date at the top of the first page. (Print name below each signature).

Witnessed or Attested by:

*Mary L. Norton* (Seal)  
Mary L. Norton

*Neil M. Weiss* (Seal)

STATE OF NEW JERSEY, COUNTY OF SALEM  
I CERTIFY that on *July 31, 2019*

SS:

Mary L. Norton

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

- (a) was the maker of this Deed;
- (b) executed this Deed as his or her own act; and
- (c) made this Deed for \$ 52,000 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.)

RECORD AND RETURN TO:

*Neil M. Weiss*  
Print name and legible signature



101 - Deed - Bargain and Sale  
Ind. to Ind. or Corp. - Plain Language  
Rev. 3/16 P1/17

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A Division of ALL-STATE International, Inc.  
www.aslegal.com 800.222.0510 Page 2

## Addendum 1/2

1. ALL that certain lot, parcel or tract of land, situate and lying in the Township of Pennsville, County of Salem, State of New Jersey, and being more particularly described as follows:

### TRACT NO. 1:

BEGINNING at a stake set in the north side of a new street, leading from the main Pennsville and Pennsgrove roads (called Pittsfield Street) and in the continuation of the easterly side of Front Street; thence by the prolongation of the easterly side of Front Street North thirty-six degrees twenty minutes East, one hundred and fifty feet to a stake, thence parallel with said Pittsfield Street, South forty-seven degrees East forty feet to another stake; thence South thirty-six degrees twenty minutes West, one hundred and fifty feet to the north side of Pittsfield Street; thence by the North side thereof North forty-seven degrees West, forty feet to the place of beginning.

Together with a perpetual right of way over a strip of land ten feet in width, extending across the rear of all the lots which said grantees may lay out and sell fronting on said Pittsfield Street, that may be necessary to give to said grantee a rear entrance to the above described lot, said lot being subject to a right of way across ten feet of the rear thereof in common with said other lots.

### TRACT NO. 2:

BEGINNING at a point in the North side of Pittsfield Street, which point is the southeasterly corner to lot of William Kennedy and runs thence thereby North thirty-six degrees twenty minutes East, one hundred and fifty feet; thence parallel with Pittsfield Street South forty-seven degrees East fifty feet; thence South thirty-six degrees twenty minutes West one hundred fifty feet to the North side of Pittsfield Street; thence by the North side thereof North forty-seven degrees West, fifty feet to the place of beginning.

Together with a perpetual right of way over a strip of land ten feet in width, extending across the rear of all the lots which said grantors may lay out and sell fronting on said Pittsfield Street, that may be necessary to give to grantees a rear entrance to said lot, same being subject to a right of way across ten feet of the rear thereof in common with said other lots.

### TRACT NO.: 3

Together with all of the right, title and interest of the parties of the first part herein in the grant included in deed of conveyance of William D. Acton, et ux, to William Kennedy and Earl Kennedy dated May 22, 1923, and recorded in the Salem County Clerk's Office in Book 159 of Deeds, page 333, and more fully set forth as follows:

Parties of the first part covenant and grant with the party of the seconds part, their heirs and assigns, that it shall be lawful for them, their heirs and assigns and their agents and servants and the tenants and occupants from time to time of the premises now held by the said Wm. Kennedy in Pennsville and known as his home property and any other person or persons for the benefit of the said Wm. Kennedy and Earl C. Kennedy and their advantage, at all times freely to pass and repass on foot, or with animals, vehicles, loads or otherwise, through and over a certain road or way lately formed and fenced or about to be fenced off by said party of the first part along, over, through his lands adjoining the westerly line of the lands of said William Kennedy conveyed to him by James T. Baker, et al, belonging to them, the said party of the first part and which said road or way is twenty feet in width or thereabouts and leads from Pittsfield Street in a northerly direction, a distance measured from the northerly side of Pittsfield Street one hundred seventeen feet between parallel lines twenty feet apart the easterly one of said lines being the westerly line of the lands of the said Wm. Kennedy so as aforesaid conveyed to him by James T. Baker, et. al. Said party of the first part for themselves, their heirs and assigns, hereby covenant with party of the second part, their heirs and assigns that they, party of the first part for themselves, their heirs and assigns, hereby covenant with party of the second part, their heirs and assigns that they, party of the first part, their heirs and assigns, will from time to time and at all times

## Addendum 2/2

hereafter at their own cost and expense repair and maintain and keep repaired the fence along the westerly side of the right of way and across the northerly end thereof and the gate erected in said northerly line or end of said right of way and the fastening belonging thereto.

EXCEPTING from the above tracts of land that portion thereof conveyed to William D. Acton by William Kennedy, et ux, and Earl C. Kennedy by Deed dated June 22, 1923, and recorded in the Salem County Clerk's Office in Book 167 of Deeds, page 444, and bounded and described as follows:

BEGINNING at a stone set for a corner in other lands of the grantees, conveyed to him by Hanna B. Batten and which stone is located on the prolongation of the easterly line of Front Street in the village of Pennsville aforesaid about one hundred ninety-eight feet from the southeasterly corner or intersection of said Front Street with Pittsfield Street and runs thence bounding on other lands of said W. D. Acton South fifty-three degrees nine minutes East one hundred seven feet to a pipe for a corner; thence South thirty-six degrees eleven minutes West ten feet; thence North fifty-three degrees nine minutes West one hundred seven feet; thence North twenty-nine degrees forty-nine minutes East ten feet to the place of beginning.

FOR INFORMATIONAL PURPOSES ONLY: Also known as p/o Lot 3 in Block 1901 on the Township of Pennsville Tax Map.

BEING the same lands and premises conveyed to Mary L. Norton, married woman by deed from Helen R. Batson, widow, dated February 25, 2002, recorded March 7, 2002, in the Clerk's Office of the County of the Salem, New Jersey, in Deed Book 1094, page 272. Subject to a Life state Interest of the Grantor, Helen R. Batson, "to freely use, occupy and enjoy the dwelling house at 46 West Pittsfield Street, Pennsville, New Jersey, situate on the above described property with the right of ingress and egress, for and during her natural lifetime. The only changes to the life tenant are the payment of current taxes, fire insurance premium and necessary major repairs, wear and tear excepted. The tenant to commit no permissive waste." The said Helen R. Batson since departed this life on December 29, 2007, thereby relinquishing her Life Estate Interest in said property.

NOTE: Title for Old Lot 1, Block 202B could not be established. It appears title is still held by William Acton, et al. Copy of Deed Book 282 page 460 has been supplied to show the "Park" boundary goes around our PIQ as shown on Tax Maps. This legal description excludes Old Lot 1.

For information only: Address, 46 Pittsfield Street, Pennsville, NJ 08070  
Block 1901, Lot 3 Tax Map.

# Memo

**To:** Dale Boston  
**From:** Ron Cooksey  
**Date:** 2/11/20  
**Re:** Certification of Sewer Availability  
Block -1901 Lot -3  
46 West Pittsfield St.

---

To whom it may concern,

Please be advised that sanitary sewer is available for the above referenced property.

If you should have any questions please call me at 678-7570.

Respectfully,

Ron Cooksey  
Superintendent  
Pennsville Sewerage Authority



State of New Jersey

# Seller's Residency Certification/Exemption

(Please Print or Type)

### SELLER(S) INFORMATION:

Name(s) Mary L. Norton

Current Street Address 58 Duenn Lane

City, Town, Post Office Box Pennsville State NJ Zip Code 08070

### PROPERTY INFORMATION:

Block(s) 1901 Lot(s) 3 Qualifier \_\_\_\_\_

Street Address 46 West Pittsfield Street

City, Town, Post Office Box Pennsville State NJ Zip Code 08070

Seller's Percentage of Ownership 100 % Total Consideration \$52,000.00

Owner's Share of Consideration \$52,000.00 Closing Date 7/31/15

### SELLER'S ASSURANCES (Check the Appropriate Box) (Boxes 2 through 14 apply to Residents and Non-residents):

1.  Seller is a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to the New Jersey Gross Income Tax Act, will file a resident gross income tax return, and will pay any applicable taxes on any gain or income from the disposition of this property.
2.  The real property being sold or transferred is used exclusively as a principal residence as defined in 26 U.S. Code section 121.
3.  Seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4.  Seller, transferor or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5.  Seller is not an individual, estate, or trust and is not required to make an estimated gross income tax payment.
6.  The total consideration for the property is \$1,000 or less so the seller is not required to make an estimated income tax payment.
7.  The gain from the sale is not recognized for federal income tax purposes under 26 U.S. Code section 721, 1031, or 1033 (CIRCLE THE APPLICABLE SECTION). If the indicated section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey income tax return for the year of the sale and report the recognized gain.  
 Seller did not receive non-like kind property.
8.  The real property is being transferred by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this State.
9.  The real property being sold is subject to a short sale instituted by the mortgagee, whereby the seller has agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
10.  The deed is dated prior to August 1, 2004, and was not previously recorded.
11.  The real property is being transferred under a relocation company transaction where a trustee of the relocation company buys the property from the seller and then sells the house to a third party buyer for the same price.
12.  The real property is being transferred between spouses or incident to a divorce decree or property settlement agreement under 26 U.S. Code section 1041.
13.  The property transferred is a cemetery plot.
14.  The seller is not receiving net proceeds from the sale. Net proceeds from the sale means the net amount due to the seller on the settlement sheet.

### SELLER(S) DECLARATION:

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein may be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box  I certify that a Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

7/31/15  
Date

Mary L. Norton  
Signature (Seller) Please indicate if Power of Attorney or Attorney in Fact  
Mary L. Norton

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature (Seller) Please indicate if Power of Attorney or Attorney in Fact

Environmental & Technical Services L.L.C.

*Environmental Engineering and Consultants*

822 Washington Avenue

P.O. Box 608

Woodbine, New Jersey 08270

Telephone (609) 861-7000 Fax (609) 861-7008

February 11, 2020

Dale E. Boston  
Boston & Seeberger  
5 Ferry Road  
P.O. Box 190  
Pennsville, New Jersey 08070

Regarding: Verification of Water Service, Curry Project Block 1901 Lot 3, 46 West Pittsfield Street, Pennsville, New Jersey 08070

Dear Mr. Boston:

In response to your request for verification of water service for Block 1901 Lot 3, 46 West Pittsfield Street, Pennsville, New Jersey; Pennsville Township has determined that water service is available through a 6-inch water main.

Please contact us should you have any questions.

Sincerely,



Thomas H. Gant  
Project Manager

cc: Jack Lynch  
File

**STORMWATER ANALYSIS  
PROPOSED RAIN GARDEN**

FOR

SUNSET VIEW LLC

Lot 3 of Block 1901

*Proposed Site Plan*

TOWNSHIP OF PENNSVILLE

SALEM COUNTY

NEW JERSEY

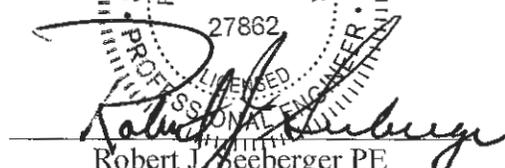
March 3, 2020

Prepared by:



**BOSTON AND SEEBERGER, P.C.**  
**Engineers, Land Surveyors, & Planners**

5 Ferry Road  
Pennsville, NJ 08070  
(856) 678-9146  
FAX (856) 678-9148

STATE OF NEW JERSEY  
ROBERT J. SEEBERGER  
NO.  
27862  
PROFESSIONAL ENGINEER  
  
Robert J. Seeburger PE  
NJPE 14GE02786200

## DISCUSSION

The objective of this Stormwater Analysis is to quantify the changes in runoff resulting from the development of Lot 3 and 20 Block 1901 in the Township of Pennsville, Salem County, New Jersey. This report also examines the benefits of Rain Garden stormwater management systems. The applicant, Sunset View, LLC, plans to construct a 3,456-sf building containing six townhouse units with associated parking area. They also plan to add site lighting, landscaping and a Rain Garden stormwater management system. All improvements are plotted on the Site Plan prepared by Boston & Seeberger, P.C. The site is located in the Central Business District and FEMA Zone "AE". The proposed parking lot construction conforms to all local and state regulations governing site development.

The New Jersey Department of Environmental Protection's Stormwater Management Rules, N.J.A.C. 7:8, require a Stormwater Control Plan for Major Developments. Major Developments are defined as: 1 ac. of land disturbance or the addition of 0.25 ac. of impervious surface. This project disturbs approximately 0.31 ac. of land and creates 0.18 ac. of impervious cover, pavement, sidewalks & building and therefore, is not subject to NJDEP Stormwater Management Rules.

The drainage area to the east of the site, Lot 2, is connected to the West Pittsfield Street stormwater system. Lot 3 generally directs runoff in a north and east direction. The easterly runoff is picked-up in lawn basins located on Lot 2. The northerly runoff is generally directed towards a drainage swale on Lot 2 that discharges into the pond. The existing lawn basin on Lot 3 will be removed. We believe the lawn basins are connected to the West Pittsfield Street via blind tie-ins. The proposed building, parking driveway is directed into the proposed Rain Garden.

The rain garden is designed to exceed New Jersey's Water Quality Design Storm of 1.25"/hour. The Design is based on *Rutgers Rain Garden Design (Rooftop and Driveway/Parking Lot)* New Jersey Stormwater. The basin provides adequate storage volume for the water Quality Design Storm for the new pavement and overlay of the existing pavement extending from the building line. The impervious area is 7,734 sq. ft. which requires a rain garden of 773 sq. ft. constructed at the proposed depth of 1.0 feet, with the proposed rain garden at 1,100 sq. ft. The bottom of the sand/compost mixture in the rain garden is two feet above the season high water table. An emergency overflow structure will allow the rain garden to drain to the curb line of West Pittsfield Street.

**Rain Garden Design Calculations based on Rutgers Design Manual**

$$\frac{\text{Drainage Area (square feet)} \times \text{New Jersey's Water Quality Design Storm (feet)}}{\text{Depth (feet)}}$$

$$\frac{7,734\text{ft}^2 \times 0.1'}{1'} = 773 \text{ ft}^2 \text{ rain garden @ 1.0' deep}$$

## TECHNICAL REFERENCES

1. State of New Jersey, Department of Environmental Protection. *New Jersey Administrative Code, Title 5 & 7*. New Jersey. LexisNexis. April 2008.
2. New Jersey Department of Environmental Protection, Division of Watershed Management. *New Jersey Stormwater Best Management Practices Manual*. Trenton, N.J. New Jersey Department of Environmental Protection. April 2004.
3. United States Department of Agriculture, Natural Resource Conservation Service. “*Web Soil Survey*.” October 2013. <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>
4. Rutgers, The State University. *Rain Garden Design (Rooftop and Driveway Parking Lot)*. Rutgers, The State University of New Jersey. October 2013.
5. Rutgers New Jersey Agricultural Experiment Station, Water Resources Program, The Native Plant Society of New Jersey, Northeast States & Caribbean Islands Regional Water Center, and Sea Grant, NJ Sea Grant Consortium. *Rain Garden Manual of New Jersey* Rutgers, The State University of New Jersey.

Project Overview

The applicant SUNSET VIEW, LLC requests relief from the board through bulk variances along with a d(1) Use Variance along with associated bulk variance to allow the proposed construction of a 6-unit townhouse structure on the property identified as Lot 3, Block 1901 and located at 46 West Pittsfield Street.

The applicant has purchased Lot 3 and proposes to demolish the existing multi-family dilapidated house and accessory buildings and construct six townhouse rental units contingent upon site plan approval. The site is located within the "CB" Central Business District as designated on the townships zoning map. The applicants proposed use of residential townhomes is not identified as a permitted or conditional use in the zone district, therefore, the applicant is requesting a d(1) Use Variance and bulk variances for the proposed project. The district allows residential use of garden apartments on the second and third floors, however, townhouses are only identified as a principal use within Section 5.21 the Inclusionary Zone District. The applicant is also requesting that if the d(1) variance is granted the bulk variances for accessory structure coverage, number of principal structures and number of stories deemed subsumed within the d(1) approval. The applicant is also requesting relief from the require rear setback of the principal use and side yard setbacks relief for accessory use consisting of first floor decks.

The number of stories in the CB district are limited to 2.5 stories, in the Inclusionary Zone District the number of stories is identified as 3. In this application the applicant requests the number stories follow the requirements of Section 5.21 -H- 1.e Principal Use 3 stories.

Proposed Development

The applicant proposes to construct one 3,456 sf building containing six units comprised of an 896-sf garage with storage area, a first-floor area of 914.5 sf consisting of the kitchen, dining room and living room and second floor bedroom area of 931 sf. The first-floor area of each unit will have an elevated deck located on the riverside of the building.

The existing driveway entrance on West Pittsfield Street is located within a 20-foot-wide right-of-way attached to Lot 3. The existing driveway will be removed, and a new entrance will be relocated to the east

side of the lot. The existing stone and pavement within the right-of-way will be removed and topsoiled and seeded. Approximately 120 l.f. of concrete curb and gutter will be removed and replaced due to cracks and settlement along with the installation of a 5-foot-wide sidewalk along the lot frontage.

Positive Criteria

The Board has the power to grant "d(1) variances to permit non-permitted uses and/or non-permitted principal structures pursuant to N.J.S.A. 4055D-70 d(1) "in particular cases and for special reasons". This is the positive criteria of a "d(1)" variance. The special reasons can be the promotion of the general welfare, uses that are deemed "inherently beneficial" or the development of a site that is particularly suited for the proposed use.

The proposed use is not identified as a permitted use in the Central Business Zone District. The proposed townhouse use is only identified as a permitted use in Section 5.21 – Inclusionary Zoning Districts, B-1. Th-Townhouse Inclusionary Zoning District. There are six sites identified on the Pennsville Township Zoning District Zoning Map dated 2019 are located in the south end of town along Hook Road and Plow Point Road area. It appears four of the sites are somewhat impacted by wetlands or lack of utilities.

The site is particularly for this use for the following factors:

- The new construction does not require any extension of off-site/off-tract utilities or service.
- Townhouses do not require large lots.
- The site is adjacent to Riverview Beach Park which offers recreational uses for the residents.

The development will benefit the community in the following ways:

- Provides new construction for empty nesters who do require four bedrooms or large yards.
- The use will have minimal impact on the school system.
- The increase in traffic is negligible due to its location.
- The project will increase tax revenues.
- The development provides a new type of residential structure in municipality.

The Municipal Land Use Law established the foundation for Planning Boards in New Jersey. The law identifies the purposes of planning in 40:55D-2, a through q. The site advances the purposes as listed below:

- a. To encourage municipal action to guide the appropriate use or development of all lands in the state this state, in a manner which will promote the health , safety, morals and general welfare.
- c. To provide adequate light air and open space.
- g. To provide sufficient space in an appropriate location for residential use in order to meet the need of all New Jersey citizens.

Negative Criteria

The Board may not grant a "d(1)" variance unless the negative criteria has been satisfied. The applicant must demonstrate "no variance or other relief may be granted without a showing that such a variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance".

The principal permitted uses in the "CB" Central Business Zone District is intended to encourage retail sales and personal services with the business use on the ground floor and commercial, professional or residential uses on the upper floors. The permitted principal uses are as follows:

- (1) Business establishments devoted primarily to retail sales and goods, personal services on the premises, including restaurants and food establishments for eat-in or take-out.
- (2) Banks and other financial institutions.
- (3) Only on the second or third floor of a building:
  - a. Finance, insurance or real estate offices.
  - b. Business, professional or administrative offices.
  - c. Health services.
  - d. Social services.
  - e. Consulting services.
  - f. Residential apartment units.

- (4) Residential requirements in Central Business Districts. The site of a single-family detached shall follow R-1 Residential requirements for lot area, dimension, configuration, coverage, height, and setback.

Traffic generation is a potential impact from new development with increased traffic, noise and litter. In Table A below I have identified permitted uses trip generation rates for peak hour per the Institute of Transportation Engineers Common Trip Generation rates as they compare to townhouse. The 10<sup>th</sup> Edition has now combined Townhouse/Condominium and Apartments into the Multifamily group. We have used code #220 Multifamily low rise (2 floors). The rates do not provide a separate rate based on bedrooms but rather dwelling units.

**ITE TRIP GENERATION RATES PER UNIT (PM PEAK HOUR)**

<b>Proposed Use</b>	<b>Trips Per 1,000 sf</b>
Multifamily Low-Rise	.56
Permitted Principal Uses in "CB" Central Business Zone	
Multifamily Mid-Rise with Commercial First Floor	.36
Residential Apartments 2 <sup>nd</sup> or 3 <sup>rd</sup> Floor	.56*
Single Tenant Office 2 <sup>nd</sup> or 3 <sup>rd</sup> Floor	1.74 (9 <sup>th</sup> Edit.)
High Turnover Restaurant	9.77
Retail Store	6.84
Bank Walk-Up	12.13
Health Services 2 <sup>nd</sup> or 3 <sup>rd</sup> Floor	3.28
Social Services 2 <sup>nd</sup> or 3 <sup>rd</sup> Floor	1.97

Table A

\*The 10<sup>th</sup> Edition of the ITE Trip Generation has combined apartments, townhomes and condominiums under multifamily housing broken down into Multifamily Low-Rise (1-2 Floors), Multifamily Mid-Rise (3-10 Floors) and Multi-family High-Rise (more than 10 Floors)

The peak hour trips generated by the by townhouse are very similar to the rate identified for the mid-rise unit with a commercial first floor. The balance of the permitted uses is at a minimum triple of the trips generated by a single use multifamily low-rise unit.

The Parking Generation is provided in Table B below and identifies the anticipated required parking for the site along with a comparison of parking requirement for permitted uses. The Residential Parking Requirements are based on the Residential Site Improvement Standards with the Commercial Use following the Pennsville Land Development Ordinance.

**RSIS RESIDENTIAL & PENNSVILLE LDO PARKING RATES**

<b>Proposed Use</b>	<b>Spaces Required</b>
2 Bedroom Townhouse (Multifamily Low-Rise)	2.3/Unit
3 Bedroom Townhouse (Multifamily Low-Rise)	2.4/Unit
2 Bedroom House	2.0/Unit
2 Bedroom Garden Apartment Permitted Principal Uses in "CB" Central Business Zone	2.0/Unit
Commercial First Floor	1/200 (5 Req.) Plus 2 <sup>nd</sup> & 3 <sup>rd</sup> Fl. Use
Residential Apartments 2 <sup>nd</sup> or 3 <sup>rd</sup> Floor (2 Bedroom)	2 Plus 1 <sup>st</sup> Fl. Use
Single Tenant Office 2 <sup>nd</sup> or 3 <sup>rd</sup> Floor	5 Plus 1 <sup>st</sup> Fl. Use
High Turnover Restaurant	1/2 seats Plus 2 <sup>nd</sup> & 3 <sup>rd</sup> Floor use
Retail Store	1/200 (5 Req.) Plus 2 <sup>nd</sup> & 3 <sup>rd</sup> Floor Use
Bank Walk-Up	1/200 sf (5 Req.) Plus 2 <sup>nd</sup> & 3 <sup>rd</sup> Floor Use
Health Services 2 <sup>nd</sup> or 3 <sup>rd</sup> Floor	1/200 sf (5 Req.) Plus 1 <sup>st</sup> Floor Use
Social Services 2 <sup>nd</sup> or 3 <sup>rd</sup> Floor	1/150 sf (6 Req.) Plus 1 <sup>st</sup> Floor Use

Table B

As shown above, the required parking generated by a single-family house is the only use that is limited to one use only. The balance of the permitted uses is identified as first floor uses or second floor uses used in conjunction with another floor use.

The proposed townhouse development will require 12 spaces, in comparison a buildout of commercial, retail, or bank on the first floor will need 27 spaces in addition to the second and third floor use. proposed multifamily use are similar or less than the permitted uses with the majority of the permitted uses requiring on-site parking lots to support the use. The required parking per the RSIS is 2.3 spaces per unit for a bedroom townhouse and 2.0 spaces for a 2-bedroom house and garden apartment. The ITE Parking Generation had formerly identified 1.96 spaces generated by a 2-bedroom townhouse prior to the merging into the multifamily use category.

The proposed use will require less parking and generate less traffic than the other permitted uses except for a 2-bedroom single family home.

Based upon the reasons stated above we believe the use variance can be granted by the board ted variance will not be a substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and Zoning ordinance.

(1) The Planning Board has the power to grant the variances from the zoning ordinance requirements under N.J.S.A. 40:55D-70c where:

in an application or appeal relating to a specific piece of property the purposes of the MLUL would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation from the ordinance requirements would substantially outweigh any detriment.

SUNSET VIEW, LLC also requests a "C" Variance for proposed nonconformities:

- 5.10 F 1. (h) Accessory Side Yard – Second Floor Deck
  - (i) Rear Yard Principal Structures
  - (n) Number of Principal Structures (subsumed)
  - (q) Number of Stories (subsumed)
  - (s) Structure Coverage (Accessory) (subsumed)

The proposed building is located 8.25 feet from the rear lot line where 20 feet is required in the "CB" zone District. Two existing buildings on the property are presently located within the required rear yard, a shed at 2.7 feet off and a 420-sf building 10.3 feet from the rear lot line. The properties rear lot line abuts the townships Riverview Beach Park property. The parks walking/jogging trail will be located 60 feet, more or less from the rear of the proposed building. The townhouse units will have second floor decks on the riverside of the building. The decks of the first two units adjacent to West Pittsfield Street will encroach into the required 6-foot side yard. The decks will be located 3.1 feet and 5.2 feet from the side lot line. The existing dwelling is located 5.3 feet from the side lot line with two existing porches located 1.6 feet and 3.9 feet from the lot line.

The buildings encroachment into the required rear yard will not impact existing views and will eliminate 3 existing dilapidated structures. The two deck encroachments are less than the existing porch encroachments. The side lot line encroachments are located in an area adjacent to the right-of way conveyed to Lot 3 and will not impact adjacent properties.

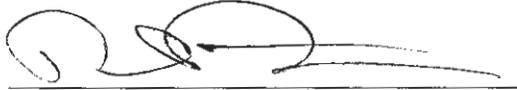
The number of principal structures, number of stories and accessory structure coverage is considered subsumed with the use variance if granted.

(2) The Board may not grant a "c" variance unless the negative criteria have been satisfied pursuant to N.J.S.A. 40:55D-70 where:

No variance or other relief may be granted without showing such a variance can be granted without substantial detriment to the public good and will not substantially impair the intent of the zone plan and zoning ordinance.

**Negative Criteria**

The applicants request for the bulk variances is to allow the decks to constructed within the required side yard and building to be constructed within the required rear yard in a similar location of the existing buildings provides a better alternative to the present 16.3-foot dwelling front yard setback. This allows the rain garden to be constructed within the front yard and lessens the impact to the park property. The variances can be granted without substantial detriment to the public good and will not substantially impair the intent of the zone plan and zoning ordinance.



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Dale E. Boston, PP  
NJ PP License No. 4381



FRONT VIEW WITH EXISTING DRIVEWAY WITHIN 20 FOOT RIGHT-OF-WAY



RIGHT VIEW WITH OUTBUILDING IN BACKGROUND



LOOKING NORTH



LOOKING EAST



LOOKING WEST



REVISIONS:

**PRELIMINARY NOT  
FOR CONSTRUCTION**

**I**  
**C**  
**D**

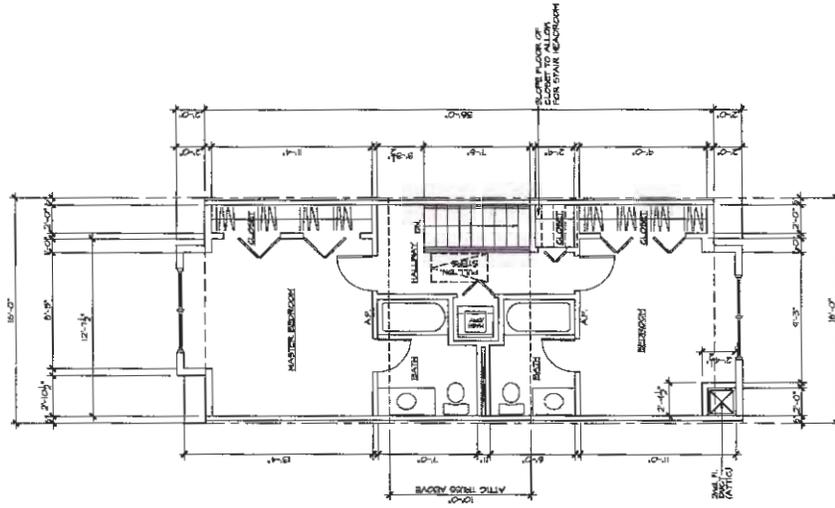
ARCHITECTS • DESIGN COLLABORATIVE, INC.  
1211 DELAWARE AVE.  
WILMINGTON, DE 19806  
(302) 682-4221 FAX (302) 695-0387

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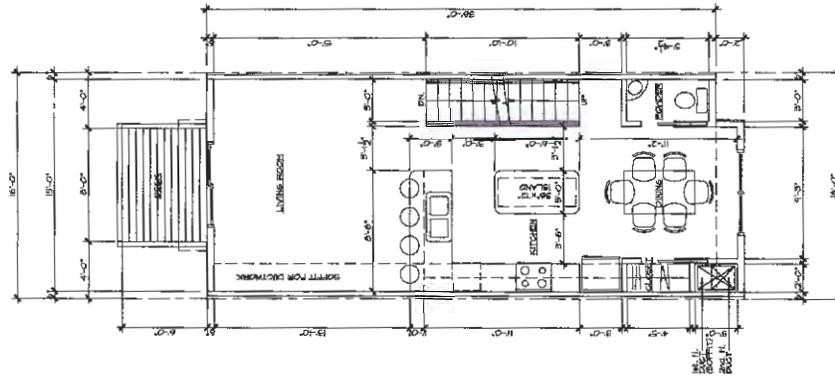
**SUNSET VIEW  
TOWNHOUSES**  
PROPOSED  
46 WEST FITZGERALD STREET  
PENNSVILLE, NEW JERSEY 07070

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SHEET TITLE:  
TYPE FLOOR PLANS

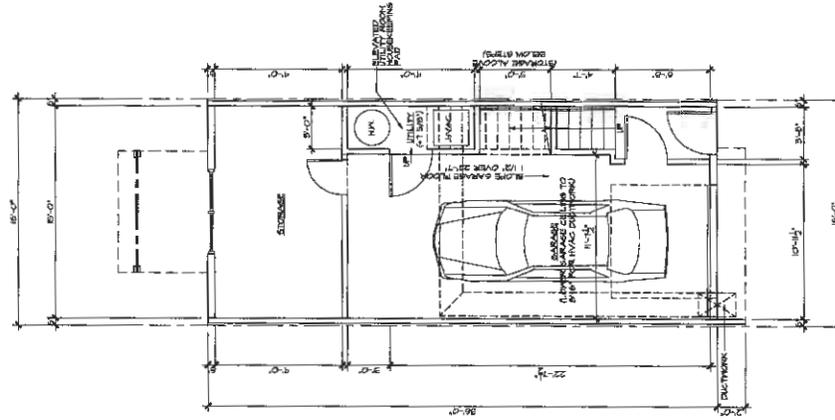
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DATE: OCTOBER 14, 2004  
SCALE: AS NOTED  
DRAWN BY: J.F.L.D.  
DRAWING NO.: A-2



**SECOND FLOOR PLAN**  
SCALE: 1/4" = 1'-0"  
837 SQUARE FEET



**FIRST FLOOR PLAN**  
SCALE: 1/4" = 1'-0"  
800 SQUARE FEET



**LOWER LEVEL PLAN**  
SCALE: 1/4" = 1'-0"  
876 SQUARE FEET

REVISIONS:

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I  
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THE CONTRACTOR IS RESPONSIBLE FOR  
OBTAINING ALL NECESSARY PERMITS  
AND APPROVALS FROM ALL AFFECTING  
AGENCIES. THE CONTRACTOR SHALL  
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ADDITIONAL UTILITIES TO BE INSTALLED  
BY THE CONTRACTOR. THE CONTRACTOR  
SHALL BE RESPONSIBLE FOR OBTAINING  
ALL NECESSARY PERMITS AND APPROVALS  
FOR THE WORK. THE CONTRACTOR SHALL  
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AND REGULATIONS.

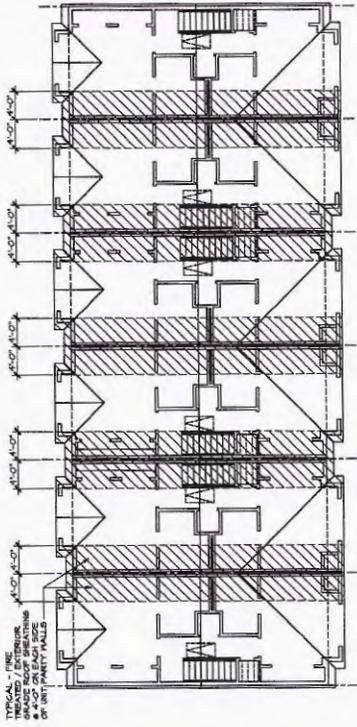
PROPOSED  
**SUNSET VIEW  
TOWNHOUSES**  
46 WEST PITTSFIELD STREET  
PENNSVILLE, NJM JERSEY 08070

PROJECT TITLE:

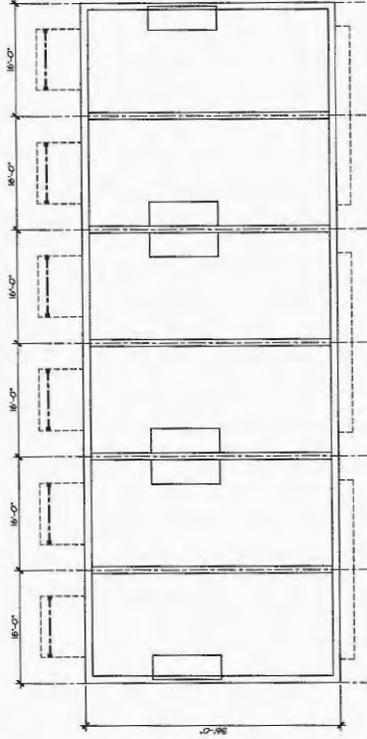
SHEET TITLE:  
FOUNDATION PLAN,  
FORMING PLANS,  
ROOF PLAN

PRODUCT NO. 10226.G  
DATE: OCTOBER 14, 2018  
SCALE: AS NOTED  
DRAWN BY: JAS NOTED  
CHECKED BY: JED.  
DRAWING NO.

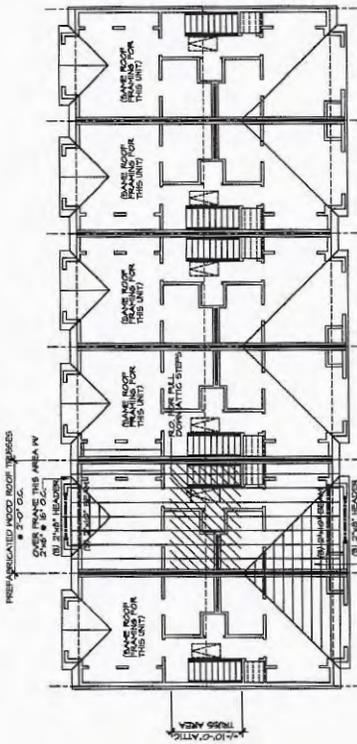
A-3



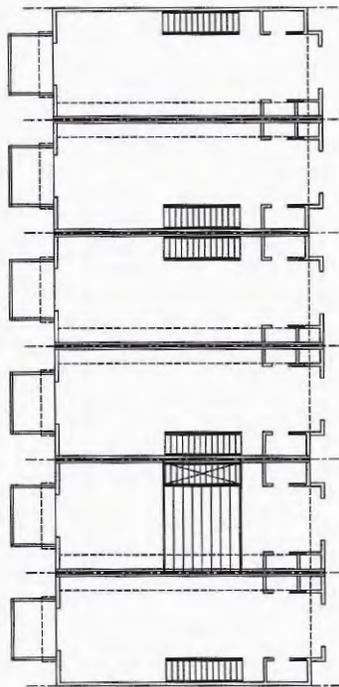
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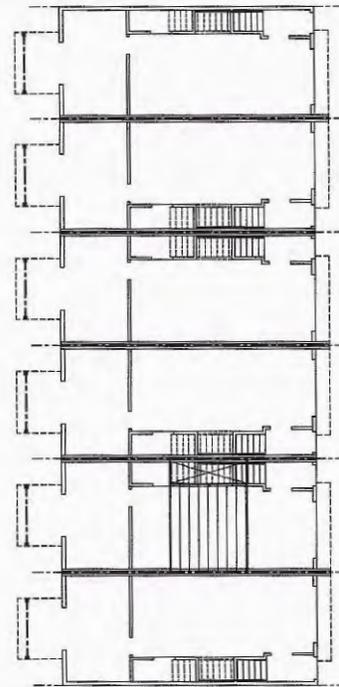
FOUNDATION PLAN  
SCALE: 1/8" = 1'-0"



ROOF FRAMING PLAN  
SCALE: 1/8" = 1'-0"



SECOND FLOOR FRAMING PLAN  
SCALE: 1/8" = 1'-0"



FIRST FLOOR FRAMING PLAN  
SCALE: 1/8" = 1'-0"

REVISIONS

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I

D

C

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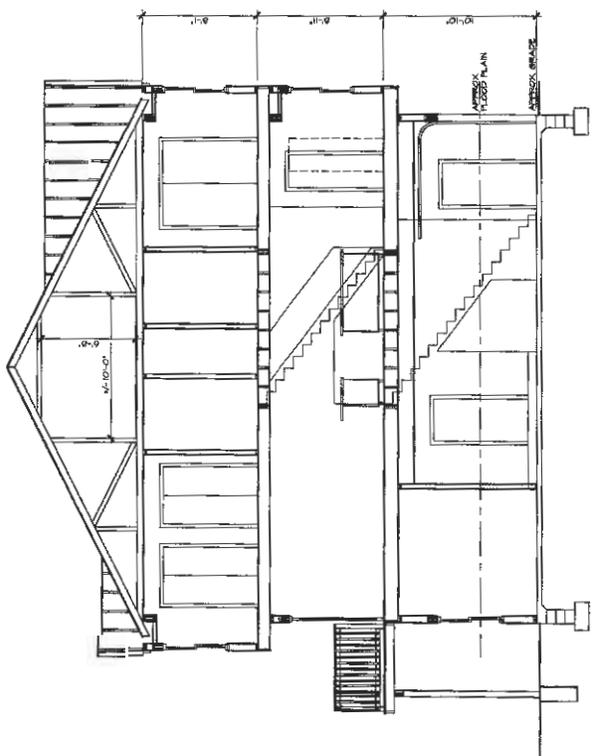
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PROPOSED:  
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 TOWNHOUSES**  
 46 WEST FITZGERALD STREET  
 TUNNERSVILLE, NY 12580

PROJECT TITLE:  
 BUILDING SECTION

SHEET TITLE:  
 BUILDING SECTION

PROJECT NO.: 1928/CJ  
 DATE: OCTOBER 16, 2005  
 SCALE: AS NOTED  
 DRAWN BY: JAS NOTED  
 DRAWING NO.: A-4



BUILDING SECTION  
 SCALE: 1/4" = 1'-0"