

EASTAMPTON TOWNSHIP
12 Manor House Court, Eastampton, New Jersey 08060

For Office Use:
Date Filed: _____
Meeting Date: _____

LAND USE PLANNING BOARD APPLICATION

BLOCK 400

LOT 23

Application for:

Variance X

Appeal from Zoning Official X

Subdivision _____

Site Plan Approval _____

Amendment to Approved Plan _____

Interpretation of Ordinance or Map _____

General Development Plan _____

Conditional Use _____

Other X INTERPRETATION

APPLICATIONS FOR VARIANCE, THE FOLLOWING MUST BE COMPLETED OR THE APPLICATION WILL NOT BE ACCEPTED.

TYPE OF VARIANCE SOUGHT: USE VARIANCE IF NECESSARY

TYPE OF RELIEF SOUGHT: CONTINUATION OF PRE-EXISTING USE

SECTION OF THE TOWNSHIP CODE THE RELIEF IS SOUGHT:

* N.J.S.A. 40:55D-70A; 40:55D-70(B) INTERPRETATION
1347 MONMOUTH ROAD 40:55(D)(C) (USE) OR EXPANSION

Certification

I/We hereby certify that all of the following statements and the information contained in the papers submitted herewith are true to the best of my knowledge.

Michael S. DiCroce Esq.
Applicant/Date 1-18-19

Rick ARBOKUS 1-18-19
Owners/Date

SIGNATURE UNAVAILABLE AT TIME OF FILING/TO BE SUPPLIED

DiCroce Law Office P.C.
MICHAEL S. DI CROCE
276 Indian Mills Road
Shamong, NJ 08088

609-268-6331

MICHAEL@COMCAST.NET

PLANNING APPLICATION GENERAL INFORMATION

A. Applicant Name JR Properties, LLC / MULCH Stone World
Address 1347 Monmouth Rd.
Telephone Number 609-668-4904 Fax Number 609-261-0170
Email Address REDMOND GARDEN CENTER@yahoo.com

B. Address of Property 1347 Monmouth Rd.
(1) Zoning District and Size of Lot _____

C. Existing Use of Property MULCH, Stone, PLANTS/GARDEN CENTER

D. Proposed Use of Property MULCH, Stone, PLANTS/GARDEN CENTER

The Applicant is a:
E. _____ Corporation* _____ Partnership* LLC* _____ Individual
_____ Other (please specify) _____

* If the applicant is a corporation, LLC or partnership, please attach a list of the names and address of persons having a 10% interest or more in the Applicant.

The Applicant is the:
F. _____ Owner
 Contract Purchaser
_____ Tenant
_____ Other (please specify) _____

G. Name of Owner (if different than Applicant) RICK ARBORUS
Address 1347 Monmouth
Telephone Number 609-790-0730

H. Attorney MICHAEL S. Di CROCE
Address 276 INDIAN Mills ROAD, SHAMONG, NJ 08088
Telephone Number 609-268-6331 Fax Number 609-388-5648
Email Address MOCLEGAL@COMCAST.NET

I. Engineer or Surveyor: NONE AT THIS TIME
Address _____
Telephone Number _____ Fax Number _____

J. Professional Planner: NONE AT THIS TIME
Address _____
Telephone Number _____ Fax Number _____

K. Has there been any prior appeal or approval involving the premises? Yes ___ No ___
If yes, state the date, Resolution number, character of appeal and disposition: _____

L. List plans and other materials accompanying this applicant: NONE AT THIS
TIME OTHER THAN PHOTOS OF EXISTING
USE. FILING THIS APPEAL UNDER
NJSA 40:55D-70a; 40:55D-70(d)(1)(use)
OR IN ALTERNATIVE, (e) EXPANSION OF
PRE-EXISTING USE.

DiCroce Law Office P.C.
MICHAEL S. DI CROCE
276 Indian Mills Road
Shamong, NJ 08088

609-268-6331

MDCLEGAL@COMCAST.NET

ESCROW AGREEMENT

THIS AGREEMENT entered into this 18 day of July, 2018, by and between REDMOND'S Mulch + Stone World having its principal offices at _____, (hereinafter referred to as the "Applicant") and the Township of Eastampton, with its principal offices located within the Manor House on 12 Manor House Court, Eastampton, NJ 08060 (hereinafter referred to as the "Township").

WITNESSETH

WHEREAS, the Applicant has filed an application for development including plans and other documents seeking review approval of its proposal with respect to Block 400, Lot 23; and

WHEREAS, the Township, pursuant to the Municipal Land Use Act, has a certain amount of days to review said plans to determine whether said plans are complete and whether the application should be approved or denied; and

WHEREAS, the Municipal Land Use Act authorizes the Township to charge reasonable fees to provide for the cost of professional review of plans, applications and documents and to require that an estimate of said fees be deposited in escrow; and

WHEREAS, the Township Code establishes the amount of the initial escrow deposit and the way said funds are to be deposited and expended.

NOW THEREFORE, in consideration of mutual covenants, agreements and considerations contained herein, the Township and Applicant hereby agree as follows:

- 1. Escrow Deposit.** The applicant shall deposit in cash in accordance with § 460-58 of the Eastampton Township Code, as it may from time to time be supplemented and amended, an amount equal to the fee(s) which the Board anticipates may be paid to Professionals engaged to review the Development Application, plans and other documents submitted with respect to an application for

development, and agrees to pay an initial deposit and such other additional deposits as may be required to offset these review costs by the Board.

Professional review includes, but is not limited to, engineer, planner, attorney, traffic consultant, administrative officer and any other consultants appointed by the Board in question. The amount of interest, if any, on monies so deposited shall be distributed between the applicant and the municipality as required by N.J.S.A. 40:55D-53.1 with the municipality receiving the highest percentage permitted by law.

In the event that an application is denied, certified incomplete, or withdrawn by the applicant, and the application is subsequently resubmitted or a second application is submitted by the same applicant for the same use and on the same site as the original application within sixty (60) days of the denial, incomplete certification or withdrawal, then a new escrow amount must be submitted with such application in accordance with the above schedules. Should an application be refilled after the application has been denied without prejudice, no new application fee need be submitted. Upon receipt of a formal, written request, the Board may recommend to the Township Council that the unencumbered balance of the original escrow be refunded to the applicant or credited toward the escrow amount required for any subsequent application or resubmitted application.

2. Increase or Decrease. Sums not utilized in the review of process or other costs of administration shall be returned to the applicant. If additional sums should be deemed necessary, the applicant shall be notified of the required additional amount and shall add said sum to the escrow within fourteen (14) days of the date of said notices hereinafter stipulated.

Prior to the Board taking action on an application, the professionals responsible for reviewing the application shall inform the Township, within ten (10) days of a request of the estimated amount of potential remaining plan review charges. The applicant, if necessary, shall deposit said additional funds within the aforementioned fourteen (14) day period.

3. Effect of Insufficient Funds. The Board shall not be required to process the application or take further action on the application until all required additional deposits are made by the applicant. The failure to deposit the initial or additional funds shall be grounds for denial of the application. In the event the Board approves an application, the obligation to pay for professional plan review fees by depositing the funds in escrow shall be a condition of the approval granted by the Board. If the escrow

funds are depleted after the application, the applicant shall pay additional funds upon demand within the aforementioned fourteen (14) day period. In the event that additional deposits requested by the Board remain unpaid for a period of sixty (60) days, this development application shall be deemed to be withdrawn and shall be dismissed without prejudice by the Board.

4. Municipal Liability. The parties agree that the Township assumes no liability for the administration of the escrow fund and the applicant hereby releases the Township from any and all claims with respect to the administration of the fund. The Township liability is expressly limited to accounting for the disbursement of the funds.

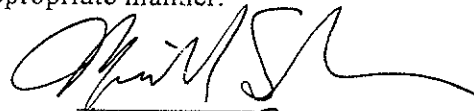
5. Owner/Applicant Liability. In the event the owner is not the applicant, the owner, by execution of this Agreement, consents to all the provisions contained herein and agrees to be liable for the payment of any fee or fund upon demand of the Township in accordance with the terms and conditions of this Agreement.

6. Entire Agreement. The parties agree that this Agreement constitutes the entire Agreement.

7. Municipal Regulations. The parties agree that all municipal regulations set forth in the Township are incorporated by reference hereto. In the event that any regulation of the Municipality is in conflict with the terms and conditions of this Agreement, the particulars of the regulations shall control.

IN WITNESS WHEREOF, the Township has caused this Agreement to be signed on its behalf and its seal to be fixed the day and year first above written and the applicant has executed this Agreement the day and year first above written in the appropriate manner.

DiCroce Law Office P.C.
MICHAEL S. DI CROCE
276 Indian Mills Road
Shamong, NJ 08088


Attorney for
Applicant

Township Clerk

609-268-6331
MOCLEGAL@COMCAST.NET

Redmond 12/10/2020 A-06

EASTAMPTON TOWNSHIP
12 Manor House Court, Eastampton, New Jersey 08060

For Office Use:
Date Filed: _____
Meeting Date: _____

LAND USE PLANNING BOARD APPLICATION

BLOCK 400

LOT 23

Application for:

Variance X Appeal from Zoning Official _____

Subdivision _____ Site Plan Approval _____

Amendment to Approved Plan _____ Interpretation of Ordinance or Map _____

General Development Plan _____ Conditional Use _____

Other X Amendment to Prior Application, currently before Board

APPLICATIONS FOR VARIANCE, THE FOLLOWING MUST BE COMPLETED OR THE APPLICATION WILL NOT BE ACCEPTED.

TYPE OF VARIANCE SOUGHT: Use variance if necessary

TYPE OF RELIEF SOUGHT: Continuation of pre-existing use, digitize sign

SECTION OF THE TOWNSHIP CODE THE RELIEF IS SOUGHT: 540-52 - Signs Permitted in Business Districts

Certification

We hereby certify that all of the following statements and the information contained in the papers submitted herewith are true to the best of my knowledge.

Michael S. DiCroce Esq.
Applicant/Date 9.4.20

Rick Arbokus 9.4.20
Owners/Date

SIGNATURE UNAVAILABLE AT TIME OF FILING / TO BE SUPPLIED
[Signature]

DiCroce Law Office P.C.
MICHAEL S. DI CROCE
276 Indian Mills Road
Shamong, NJ 08088

609-268-6331

M.A.C. 1.178 A.1. B COMCAST. NET

PLANNING APPLICATION GENERAL INFORMATION

A. Applicant Name JR PROPERTIES, LLC / MULCH STONE WORLD
Address 1347 Monmouth Rd.
Telephone Number 609-668-4904 Fax Number 609-261-0170

Email Address REDMOND GARDEN CENTER @ YAHOO.COM

B. Address of Property 1347 Monmouth Rd.
(1) Zoning District and Size of Lot _____

C. Existing Use of Property MULCH, STONE, PLANTS / GARDEN CENTER

D. Proposed Use of Property MULCH, STONE, PLANTS / GARDEN CENTER

The Applicant is a:
E. Corporation* Partnership* LLC* Individual
 Other (please specify) _____

* If the applicant is a corporation, LLC or partnership, please attach a list of the names and address of persons having a 10% interest or more in the Applicant.

The Applicant is the:
F. Owner
 Contract Purchaser
 Tenant
 Other (please specify) _____

G. Name of Owner (if different than Applicant) RICK ARBOKUS
Address 1347 Monmouth
Telephone Number 609-790-0730

H. Attorney MICHAEL S. Di Croce
Address 276 INDIAN MILLS ROAD, SHAMONG, NJ 08088
Telephone Number 609-268-6331 Fax Number 609-388-5648
Email Address MOCLEGAL@COMCAST.NET

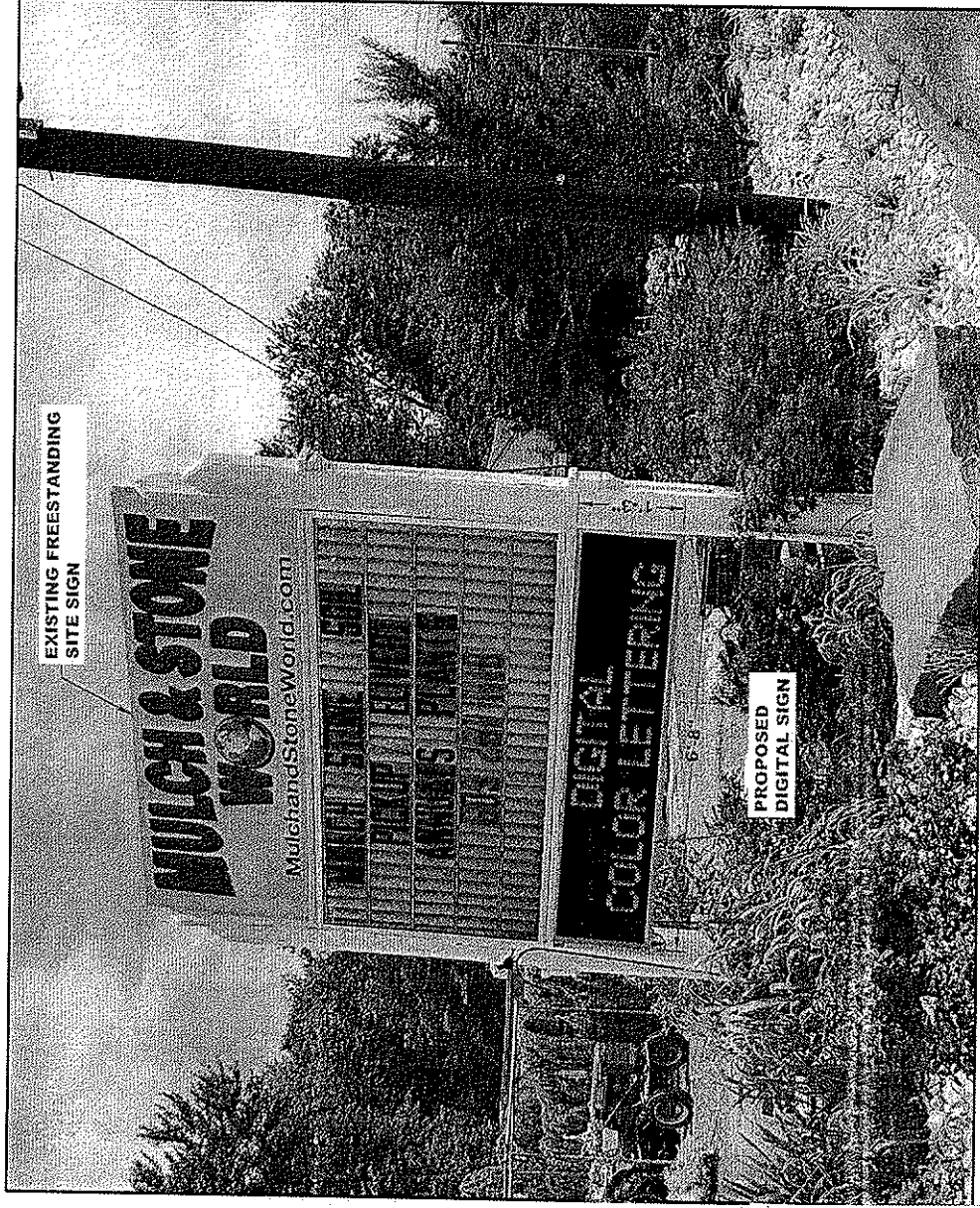
I. Engineer or Surveyor: Kenneth Levers
Address 90 North Main Street Medford NJ 08058
Telephone Number 609-313-6410 Fax Number Email kenlevers39@gmail.com

J. Professional Planner: _____
Address _____
Telephone Number _____ Fax Number _____

K. Has there been any prior appeal or approval involving the premises? Yes No

If yes, state the date, Resolution number, character of appeal and disposition:
PENDING BEFORE BOARD 9.16.20

L. List plans and other materials accompanying this applicant: See Exhibit attached
Additional to be supplied
Modify the existing freestanding sign &
variance for request to digitize sign



GENERAL NOTES

1. THE PROPOSAL IS TO MODIFY THE EXISTING FREE-STANDING SIGN WHICH IS SITUATED AT THE FRONT DRIVEWAY ENTRANCE TO THE SITE. THE MODIFICATION IS THE INSTALLATION OF A 15' (1'3") X 80" (6'8") ELECTRONIC DIGITAL SIGN WITHIN THE LOWER FRAMEWORK OF THE EXISTING SIGN.
2. ELECTRONIC DIGITAL SIGNS ARE NOT PERMITTED WITHIN THE TOWN CENTER RESIDENTIAL (TCR) ZONE. A VARIANCE IS BEING REQUESTED TO PERMIT THE PROPOSED SIGN MODIFICATION.

EXISTING FREESTANDING SIGN MODIFICATION



ENVIRONMENTAL CONSULTING OF SOUTHERN NEW JERSEY

90 NORTH MAIN STREET • MEDFORD, N.J. 08055 • (609) 953-0737

PROJECT ▶ REDMOND'S MULCH & STONE WORLD / GARDEN CENTER

1347 MOUNMOUTH ROAD / COUNTY ROUTE NO. 537
 BLOCK 400, LOT 23
 EASTAMPTON TOWNSHIP
 BURLINGTON COUNTY, NEW JERSEY

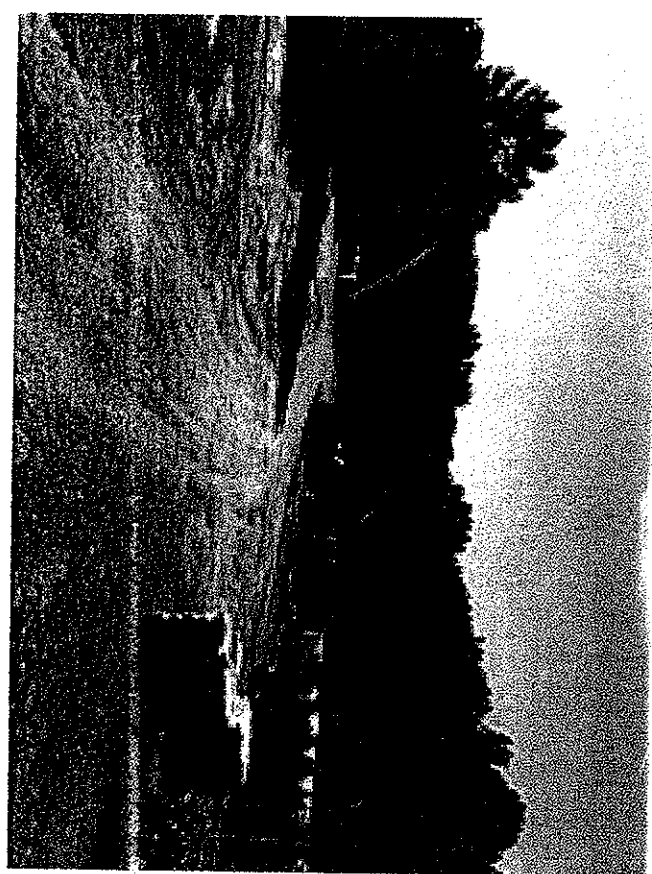
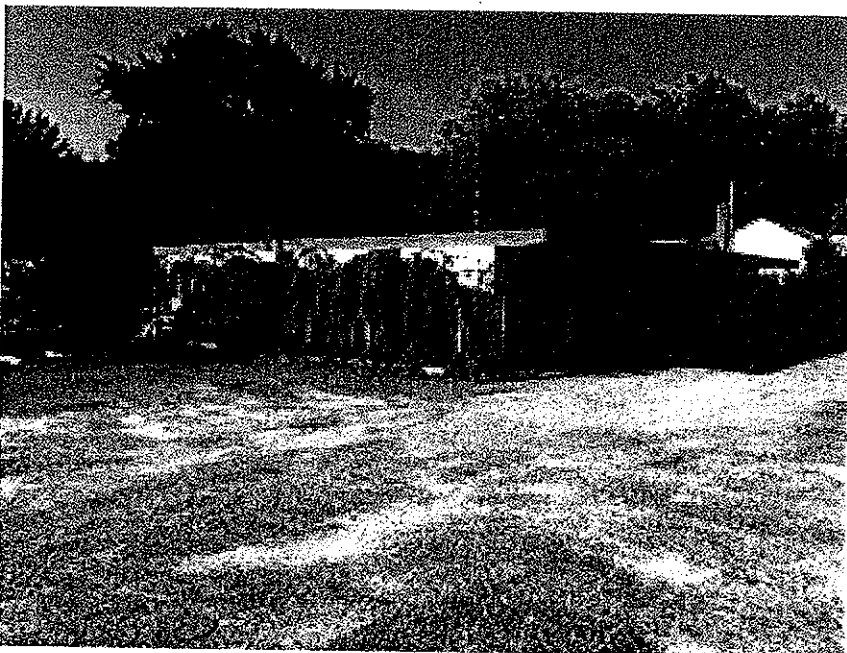
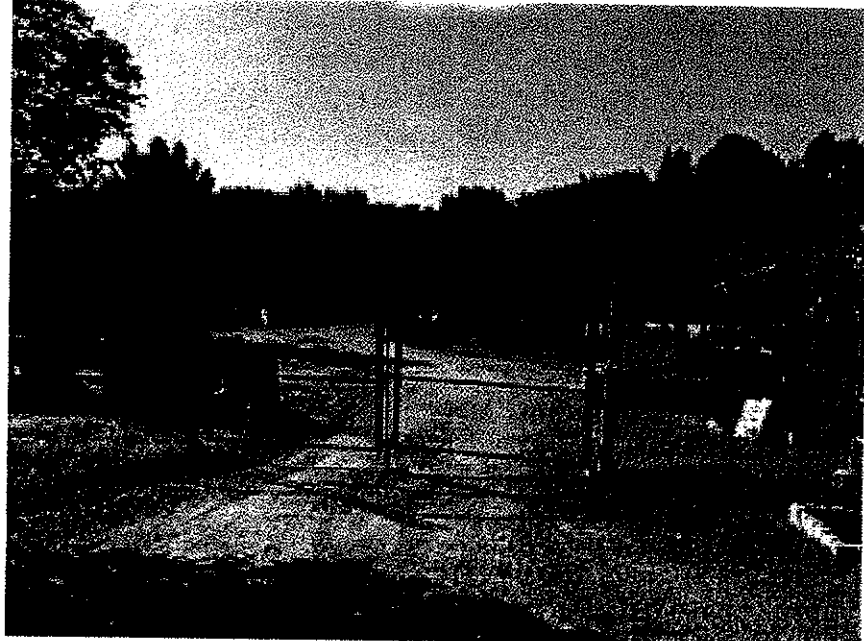
Scale: N.T.S.

Date: Sept. 2, 2020

Sheet No.
1 OF 1

Project No.

2019-015.01



NOTICE OF PUBLIC HEARING

NOTICE is hereby given that on Thursday, the 10th day of December 2020, at 7:30 p.m., at the Eastampton Manor House, 12 Manor House Court, Eastampton, New Jersey, 08060, the Land Use Planning Board of the Township of Eastampton will hold a hearing on the appeal or application of the undersigned, at which time and place all interested parties will be given an opportunity to be heard. When the case is heard, you may either appear in person or by agent or by attorney and present any statements in support of or objecting to the granting of the application. Please be advised the hearing may be held virtually due to COVID-19 restriction. You are advised to check the Eastampton website at <https://www.eastampton.com/bc-lupb> for applicable instructions prior to the hearing.

LOCATION OF PREMISES: 1347 Monmouth Road, Eastampton, NJ 08060
Block: 400, Lot: 23

APPLICANT: Redmond Garden Center/JR Properties, LLC

OWNER OF PREMISES: Rick Arbokus

ZONING DISTRICT: Commercial

NATURE OF APPEAL OR APPLICATION:

- 1) planting / buffering of 9 new trees along the border, 3 towards the front and 6 along the side where an opening exists;
- 2) the limit of parking 6 trucks along the left side of the rear property with the beds to remain down when they are parked, we will be requesting that this "voluntary resolution" be limited to the current owner and not a restriction to run with the land as to the limits of use on the property for any future owner;
- 3) no idling of trucks beyond the limits of NJ law allowing for trucks to properly warm up before utilization;
- 4) location of the handicap parking space;
- 5) on the engineers plant addressing the new configuration of the plantings, greenhouses, palletized stone products on the property; and,
- 6) the size and location of the proposed digital sign to be housed within the current existing sign.

The applicant may seek such additional relief as the Land Use Planning Board deems necessary and appropriate, including additional variances, at the public hearing.

Copies of the application and plan are available for inspection at the Eastampton Manor House, 12 Manor House Court, Eastampton, New Jersey on weekdays (except holidays) between the hours of 9:00 a.m. and 4:30 p.m. Please be advised due to COVID-19 restrictions the documents may be available on-line at <https://www.eastampton.com/bc-lupb>

BY: November 18, 2020

/s/ Michael S. Di Croce, Esq.
MICHAEL S. DI CROCE
Counsel for Applicant

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LOCATION OF PREMISES:
1347 Monmouth Road,
Eastampton, NJ 08060
Block: 400, Lot: 23

APPLICANT: Redmond Garden
Center/ JR Properties, LLC

OWNER OF PREMISES:
Rick Arbokus

ZONING DISTRICT: Commercial

NATURE OF APPEAL OR APPLICATION:

1) planting / buffering of 9 new trees along the border, 3 towards the front and 6 along the side where an opening exists;

2) the limit of parking 6 trucks along the left side of the rear property with the beds to remain down when they are parked, we will be requesting that this "voluntary resolution" be limited to the current owner and not a restriction to run with the land as to the limits of use on the property for any future owner;

3) no idling of trucks beyond the limits of NJ law allowing for trucks to properly warm up before utilization;

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BY: November 18, 2020

/s/ Michael S. Di Croce, Esq.
MICHAEL S. DI CROCE
Counsel for Applicant

Adv. Fee: \$64.86
BCT: November 22, 2020
Aff. Chg.: \$20.00 7369608

Redmond 12/10/2020 A-14

PROOF OF SERVICE

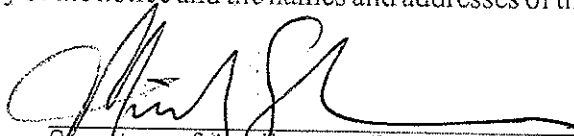
STATE OF NEW JERSEY :
:SS
COUNTY OF BURLINGTON :

Kayla Hand, of full age, being duly sworn according to law, deposes and says that he/she is the:

- Applicant
 - Authorized Officer of the Applicant
 - Attorney for the Applicant
 - Authorized Representative of the Applicant
- [please check appropriate box]

and that he/she gave notice of a public hearing on an Application for:
Variance / variance appeal

before the Land Use Planning Board of the Township of Eastampton involving the Application of Redmond Garden Center (the Applicant), relating to the premises located at: 1347 Monmouth Round, Eastampton, New Jersey 08060, to each and all of the owners of property affected by said Application, in the manner provided by law, on November 18, 2020. A true copy of the notice and the names and addresses of those so notified are attached to this affidavit.


Signature of Applicant or Representative
Paralegal, Law office
of Michael S. DiCroce, Esq.

Sworn to before me this
18th day of November, 2020

DiCroce Law Office P.C.
Notary Public MICHAEL S. DI CROCE
State of New Jersey 27 Bursian Mills Road
My Commission Expires 01/01/2023 NJ 08088

Bucks County Courier Times
buckscountycouriertimes.com
Burlington County Times
burlingtoncountytimes.com
The Intelligencer
theintell.com

Payment Receipt

Thursday, November 19, 2020

Transaction Type: Payment

Order Number: 0007369608

Payment Method: Credit Card

Bad Debt: -

Credit Card Number: *****9823

Credit Card Expire Date: 1/28/2023

Payment Amount: \$84.86

Reference Number: 062803

Change to Company: Courier Times

Category: Classified

Credit to Transaction Number: P1073427

Invoice Text: EASTAMPTON LUPB 12-10 REDMOND

PO Number:

Transaction Date: 11/19/2020

Payment By: Kardane-Legal, Mindy

Sold By: GPM, Legal

Customer Type: 1 Commercial

Customer Category: 1-Legal

Customer Status: Not Barred

Customer Group: Classified other

Customer Trade:

Account Number: 2-6092686331

Phone Number: 6092686331

Company / Individual: Company

Customer Name: MICHAEL DI CROCE ESQ

Customer Address: 276 INDIAN MILLS RD

SHAMONG NJ 08088 USA

Check Number:

Routing Number:



Allison DiGrazia <dicrocelaw.allison@gmail.com>

Fwd: PROCESSED FOR PRICE*Re: Redmond, Notice of Public Hearing**

1 message

Kayla Handt <dicrocelaw.kayla@gmail.com>
 To: dicrocelaw.allison@gmail.com

Wed, Nov 25, 2020 at 9:55 AM

----- Forwarded message -----

From: **Kayla Handt** <dicrocelaw.kayla@gmail.com>
 Date: Mon, Nov 23, 2020 at 3:29 PM
 Subject: Fwd: PROCESSED FOR PRICE***Re: Redmond, Notice of Public Hearing
 To: <mdclegal@comcast.net>

----- Forwarded message -----

From: **LNG-Legals** <legals@couriertimes.com>
 Date: Thu, Nov 19, 2020 at 11:43 AM
 Subject: PROCESSED FOR PRICE***Re: Redmond, Notice of Public Hearing
 To: Kayla Handt <dicrocelaw.kayla@gmail.com>

Hi Kayla, if you want to proceed, please let me know if I may use the **VISA on file** ending with 9823, or please call me with a new card number at 215-949-4032.

Please find the ad copy for your notice attached and the publication details below. Let me know if there are any questions.

Thanks,
 Mindy

Your notice is all set to run.

Order #: 7369608
 Run Date(s): 11/22 **with prepayment today**
 Publication: BCT
 Price: \$84.86

Please review this copy of your ad and EMAIL or call with any changes.

(Includes one affidavit (PROOF OF PUBLICATION) that you will receive in the mail approx. 14 days after final run date.)

Redmond 12/10/2020 A-17

ALL P.O.'s REQUIRING SIGNATURES SHOULD BE EMAILED TO LEGALS@COURIERTIMES.COM

OWNER & ADDRESS REPORT

EASTAMPTON TWP

CERTIFIED 200 FOOT PROPERTY OWNERS LIST
BLOCK 400 LOT 23

11/19/18 Page 1 of 1

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
300	2	✓	15F	RANCOCAS LAND CONSERVATION GRP, INC 8 FOXWOOD LN MEDFORD, NJ 08055	JACKSONVILLE RD	
300	34	✓	2	GORDON, MOSES 1339 MONMOUTH RD EASTAMPTON, NJ 08060	1339 MONMOUTH RD	
300	35	✓	1	GATE OF HEAVEN INTERCESSORY MINISTR 542 YORK ST BURLINGTON CITY, NJ 08016	1341 MONMOUTH RD	
300	36	✓	2	ILINITCH, LARRY & JANINE 1343 MONMOUTH RD EASTAMPTON, NJ 08060	1343 MONMOUTH RD	
300	37	✓	2	CHAMBERS, MARTIN D & LORRAINE C 1345 MONMOUTH RD EASTAMPTON, NJ 08060	1345 MONMOUTH RD	
400	21	✓		GALGANI, PAUL L 1351 MONMOUTH RD EASTAMPTON, NJ 08060	1351 MONMOUTH RD	
400	22	✓		US BANK TRUST, NA %RESICAP 3630 PEACHTREE RD NE#1500 ATLANTA, GA 30326	1349 MONMOUTH RD	
600	2.04	✓		JOSHUA PRESBYTERIAN CHURCH, INC 1326 MONMOUTH ROAD EASTAMPTON, NJ 08060	1326 MONMOUTH ROAD	
600	2.08	✓	15C	TOWNSHIP OF EASTAMPTON 12 MANOR HOUSE COURT EASTAMPTON, NJ 08060	MONMOUTH ROAD	
600	3	✓	2	PASTORE, EDWARD & MARGARET 714 HENDERSON RD LUMBERTON, NJ 08048	1330 MONMOUTH ROAD	
600	4.01	✓		PUBLIC SERVICE ELEC & GAS 80 PARK PLAZA 6TH FLOOR NEWARK, NJ 07102	MONMOUTH ROAD	

Redmond 12/10/2020 A-18