



21 East Euclid Avenue, Suite 200 | Haddonfield, New Jersey 08033 | Office: 856.354.2100 | Fax: 856.354.6230

March 18, 2020

VIA HAND DELIVERY

Ms. Stacey Cole
TOWNSHIP OF BARNEGAT
900 West Bay Avenue
Barnegat, NJ 08005-1298

**Re: Walters Development Co., LLC
Ocean Acres Phase 11
Minor Subdivision Application
Block 92.09, Lots 15 and 16
543 Mermaid Drive and 125 Windjammer Drive**

Dear Stacey:

In connection with the above-referenced application for minor subdivision enclosed please find the following documentation:

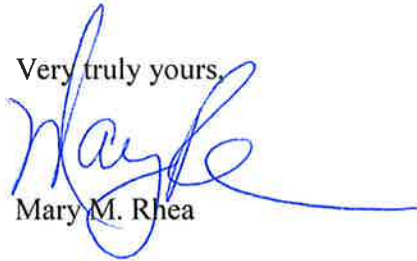
1. Original and 21 copies of the Barnegat Township Land Use & Development Application
2. Original and 21 copies of the Minor Subdivision Checklist
3. 22 copies of the subdivision plan prepared by K2 Consulting Engineers dated 12/09/2019
4. 22 copies of Certificate of Filing issued by The Pinelands Commission on 2/05/2020
5. 22 copies of the List of Professionals
6. 22 copies of the draft Notice
7. Original and 4 copies of the Affidavit of Non-Collusion
8. Original and 4 copies of the Developer's Escrow Agreement
9. Original and 4 copies of form W-9
10. Original and 4 copies of the Tax Release forms from the Tax Collector
11. Original and 4 copies of the Contribution Disclosure Statements
12. Check in the amount of \$200 representing the application fee for the minor subdivision
13. Check in the amount of \$600 representing the escrow fee for the minor subdivision
14. Check in the amount of \$100 representing the application fee for the bulk variance
15. Check in the amount of \$500 representing the escrow fee for the bulk variance
16. Check in the amount of \$150 representing the resolution preparation

If you have any questions, please feel free to contact me at your convenience.

Township of Barnegat
Attention: Stacey Cole
Page 2
March 18, 2020

Thank you for your consideration.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Mary M. Rhea", with a long horizontal flourish extending to the right.

Mary M. Rhea

Enclosures

cc: Steven W. Ward, Esquire (w/encs)

Block 92.09, Lots 15 and 16
Minor Subdivision Application

Form #PZ951017

TOWNSHIP OF BARNEGAT
900 WEST BAY AVENUE
BARNEGAT, NEW JERSEY 08005-1298
(609) 698-0080 EXT. 155

LAND USE & DEVELOPMENT APPLICATION

Planning Board X Zoning Board of Adjustment _____

TO BE COMPLETED BY TOWNSHIP STAFF ONLY

Date Filed _____ Docket No. _____

Application Fees _____ Escrow Deposit _____

Scheduled for: Review for Completeness _____ Hearing _____

*** IMPORTANT NOTICE ***

A non-corporate applicant may represent his/her own matter. Corporate applicants must be represented by an attorney-at-law admitted to practice in the State of New Jersey. No case on behalf of any applicant may be presented by an engineer or any other person not admitted to law practice in the State of New Jersey.

Applicants are cautioned that the burden of proof of showing justification for the requested development is upon the applicant under the Laws of the State of New Jersey. Applicants are further cautioned that particularly with applications involving requests for variances and conditional use permits, that there are specific legal requirements imposed by the Law of the State of New Jersey and applicants are, therefore, cautioned to consider seeking adequate legal advise.

TO BE COMPLETED BY APPLICANT

1. APPLICANT:

Name Walters Development Co., LLC

Address 500 Barnegat Boulevard North, Building 100, Barnegat, New Jersey 08005

Telephone Number: Home: _____ Local: _____

Work: 609 607-9500 Fax: 609 607-9550

Applicant is a Corporation _____ Partnership _____ Individual _____

Other (Please Specify) A New Jersey limited liability company

2. SUBJECT PROPERTY: (Attach additional sheets if necessary.)

Location: 543 Mermaid Drive (Lot 15) and 125 Windjammer Drive (Lot 16)
 Tax Map Page _____ Block 92.09 Lot (s) 15 and 16
 Page _____ Block _____ Lot (s) _____
 Total Area 0.526 acres Zoning District RH Residential Zone

Lot Size	Width	Frontage	Depth	Square Feet
Required	See attached			
Existing				
Proposed				

Principal Building

Setbacks	Front	Rear	One Side	Both Sides/Total
Required	30'	30'	10'	20'
Existing	N/A	N/A	N/A	N/A
Proposed for all lots	30'	30'	10'	20'

Principal Building Height

Permitted	35' or 2-1/2 stories
Existing	N/A
Proposed for all lots	35' or 2-1/2 stories

% Building (lot) Coverage

30%	%
N/A	%
30%	%

Accessory Building

Setbacks	Front	Rear	One Side	Both Sides/Total
Required				
Existing	N/A	N/A	N/A	N/A
Proposed	N/A	N/A	N/A	N/A

Accessory Building Height

Permitted	
Existing	N/A
Proposed	N/A

% Building (lot) Coverage

	%
N/A	%
N/A	%

3. DISCLOSURE STATEMENT:

Pursuant to N.J.S. 40:55D-48.1, the names and address of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed (Attach pages as necessary to fully comply.)

Name	<u>Edward M. Walter, Jr.</u>	Address	<u>500 Barnegat Blvd. N, #100 Barnegat, NJ 08005</u>	Interest	<u>33-1/3%</u>
Name	<u>Gregory Walters</u>	Address	<u>Same</u>	Interest	<u>33-1/3%</u>
Name	<u>Timothy Regan</u>	Address	<u>Same</u>	Interest	<u>33-1/3%</u>
Name	_____	Address	_____	Interest	_____
Name	_____	Address	_____	Interest	_____

4. OWNERSHIP:

If Owner(s) is other than the applicant, provide the following information on the Owner(s) .SEE ALSO ITEM #18:

Owner's Name Same as applicant.

Address _____

Telephone Number Home: _____ Work: _____ Local: _____

Relationship of the applicant to the property in question:

Owner: ☒ Lessee _____ Purchaser Under Contract _____ Other _____

5. PROPERTY INFORMATION:

Deed restrictions, covenants, easements, rights of way, association by-laws or other dedication existing or proposed on the property:

Yes (Attach copies) _____ No ☒ Proposed _____

Note: All deed restrictions covenants, easements, rights of way association by-laws, or other dedications existing and proposed must be submitted for review.

Site plan, and/or conditional use applicants:

Proposal for: New structure _____ Expanded area _____ Alteration _____
Expansion of structure _____ Change of Use _____ Sign _____

Other (please specify) None

Has this property been the subject of any prior application(s) to the Planning Board or Zoning Board of Adjustment? Yes _____ No ☒
If so, please attach a copy of the resolution(s).

Type of Application/Relief sought _____

Date(s) _____ Disposition _____

Is the subject property located on:

A County road: Yes _____ No ☒ ; A State road: Yes _____ No _____ ;
within 200 feet of a municipal boundary: Yes _____ No _____

Present use of the premises: Vacant Land

6. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION:

☒ Minor Subdivision Approval
☐ Subdivision Approval (Preliminary) [Phases (if applicable) _____]
☐ Subdivision Approval (Final) [Phases (if applicable) _____]
☐ Amendment or Revision to an Approved Subdivision Plan
 Number of lots to be created _____
 Number of proposed dwelling units (if applicable) _____
 Area and dimensions of each proposed lot _____

SITE PLAN:

☐ Minor Site Plan Approval
☐ Preliminary Site Plan Approval [Phases (if applicable) _____]
☐ Final Site Plan Approval [Phases (if applicable) _____]
☐ Amendment or Revision to an Approved Site Plan
 Area to be disturbed (square feet) _____
 Total number of proposed dwelling units (if applicable) _____
☐ Conditional Use Approval [N.J.S.40:55D-67]

APPEALS, VARIANCES & OTHER:

☐ Appeal decision of an Administrative Officer [N.J.S.40:55D-70a]
☐ Map or Ordinance Interpretation/Special Question [N.J.S.40:55D-70b]
☐ Variance Relief (hardship) [N.J.S.40:55D-70c(1)]
☐ Variance Relief (substantial benefit) [N.J.S.40:55D-70c(2)]
☐ Variance Relief (use) [N.J.S.40:55D-70d]
☐ Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin [N.J.S.40:55D-34]
☐ Direct issuance of a permit for a lot lacking street frontage [N.J.S.40:55D-35]

7. Section(s) of Ordinance from which a variance is requested:

The lot depth fronting Windjammer Drive on proposed Lot 15.01 is 108.20'. 120' is required.

8. WAIVERS Requested of Development Standards and/or Submission Requirements: [attach additional pages as needed]

N/A

9. ATTACH A COPY OF THE PROPOSED NOTICE to appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable. ALL APPLICATIONS (except Informals) REQUIRE NOTICE.

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing. THE APPLICANT IS NOT TO GIVE PUBLIC NOTICE UNTIL SUCH TIME AS THE APPLICATION IS DEEMED COMPLETE BY THE ADMINISTRATIVE OFFICER AND THE BOARD ENGINEER.

An affidavit of service on all property owners and a proof of publication must be filed before the hearing date. These items must be submitted in advance for an application to be placed on the agenda and the hearing to proceed.

10. EXPLAIN IN DETAIL THE EXACT NATURE OF THE APPLICATION and the changes to be made at the premises, including the proposed use of the premises: [attach pages as needed] _____

Applicant seeks minor subdivision approval involving the relocation of lot lines

11. Is a PUBLIC WATER line available? Yes
12. Is public SANITARY SEWER available? Yes
13. Are any OFF-TRACT IMPROVEMENTS required or proposed? No
14. Is the SUBDIVISION to be filed BY DEED OR PLAT? Plat
15. Attach CERTIFICATION FROM THE TAX COLLECTOR that all taxes due on the subject property have been paid.
16. Attach executed DEVELOPER'S ESCROW AGREEMENT.
17. Attach LIST OF PROFESSIONALS & CONSULTANTS (if applicable).

***NOTE:** When a property is located west of the Garden State Parkway and is under the jurisdiction of The Pinelands Commission, the local board has no jurisdiction to hear this application until the applicant has obtained a **Certificate of Filing** from The Pinelands Commission.

16. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing). The documentation must be received the Board Secretary at least five [5] weeks prior to the meeting at which the application is to be considered, per Sec. 55A-46 of the Barnegat Land Use Code.

Quantity	Description of Item
22	Minor Subdivision Plan prepared by K2 Consulting Engineers, Inc. dated 12/9/19

17. CERTIFICATION:

I certify that the foregoing statements and the materials submitted are true, and waive all applicable time limits until the first public hearing of this application. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant. [If the applicant is a corporation this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.] The applicant (or agent) hereby further certifies and allows that agents of the Township and affiliated agencies to enter onto the property which is the subject of this application.

3/18/2020
DATE


SIGNATURE OF APPLICANT / OWNER

Edward M. Walters, Jr., Member
Walters Development Co., LLC

DATE

~~XXXXXXXXXXXXXXXXXXXX~~

18. AUTHORIZATION BY OWNER: (If anyone other than above owner is making this application, the following authorization must be executed.)

To the approving Board of the Township of Barnegat:

N/A

is hereby

(name of designee)

authorized to make the within application.

DATE

SIGNATURE OF OWNER

MINOR SUBDIVISION APPLICATION
Block 92.09, Lots 15 and 16

2. SUBJECT PROPERTY

Block 92.09, Lot 15 (proposed Lot 15.01)
543 Mermaid Drive

<u>Lot Size</u>	<u>Width</u>	<u>Frontage</u>	<u>Depth</u>	<u>Square Feet</u>
Required	75'	2/3 of lot width	120'	10,000
Existing				13,412
Proposed	120.711'	218.18'	120.71'/108.20'*	12,926
*variance required				

Block 92.09, Lot 16 (proposed Lot 16.01)
125 Windjammer Drive

<u>Lot Size</u>	<u>Width</u>	<u>Frontage</u>	<u>Depth</u>	<u>Square Feet</u>
Required	75'	2/3 of lot width	120'	10,000
Existing				9,657
Proposed	82.1'	82.91	120.71'	10,008

TOWNSHIP OF BARNEGAT
OCEAN COUNTY, NEW JERSEY

COMPLETENESS CHECK LIST
for
MINOR SUBDIVISION
APPLICATION

Notice To Applicants: This form must be completed and returned to the Administrative Officer when a Minor Subdivision Application is filed with either the Planning Board or the Zoning Board of Adjustment. The applicant is required to address all items set forth on this Completeness Check List. Failure to address each item will result in the application being deemed incomplete. *(Please type or print clearly.)*

Applicant: Walters Development Co., LLC **Owner:** Same as applicant
500 Barnegat Boulevard North, Building 100
Barnegat, New Jersey 08005

Name of Project: Block 92.09, Lots 15 and 16 Minor Subdivision - Ocean Acres Phase 11

Location of Project:

Block: 92.09 **Lot(s):** 15 and 16

Street Address: 543 Mermaid Drive (Lot 15) **Zoning District:** RH Residential Zone
125 Windjammer Drive (Lot 16)



Signature of person who prepared Check List

3/18/2020

Date

Edward M. Walters, Jr., Member

Name and Title of person who prepared Check List (Please Type or Print)

For Planning Board Use Only:

Docket No. _____ **Date Received by Board:** _____

MINOR SUBDIVISION APPLICATION		Provided or Shown	Waiver Requested
I. General Requirements			
Submission of completed Application Form and Check List (22 copies).		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Payment of application fees and escrow deposit.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Certification that the Applicant is the owner of the land or his properly-authorized Agent, or that the Owner has consented in writing to the filing of this application.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Concerning Corporations or Partnerships, submission of a list of names and addresses of all stockholders or individual partners owning at least ten percent (10%) of its stock of any class as required by N.J.S.A. 40:55D-48.1, et. seq.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Submission of written certification from Tax Collector that all taxes and assessments are paid to date.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Submission of plats or plans (22 sets) signed and sealed by a N.J.P.L.S. and folded with title block revealed.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
If freshwater wetlands are present, or are suspected to be present, on or near the subject property, then one of the following must be submitted:			
A letter of interpretation from the N.J.D.E.P. indicating the absence of freshwater wetlands, or indicating the presence and verifying the delineation of the boundaries of freshwater wetlands, classifying the resource value of the wetlands, and establishing the required transition areas, or,		N/A <input type="checkbox"/>	<input type="checkbox"/>
A letter of exemption from the N.J.D.E.P. certifying that the proposed activity is exempt from the Freshwater Wetlands Protection Act, and regulations promulgated thereunder, or,		<input type="checkbox"/>	<input type="checkbox"/>
A copy of any application made to the N.J.D.E.P. for any permit concerning a proposed regulated activity in or around freshwater wetlands.		<input type="checkbox"/>	<input type="checkbox"/>
If the property in question is located within the Pinelands Area, then a Certificate of Filing must be obtained from the Pinelands Commission and submitted to the Board prior to the application being deemed complete for consideration by the Board.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
II. Plat Details			
Scale of not less than 1" = 50'.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Key map at scale of 1" = 1,000', showing the location of the tract to be subdivided with reference to surrounding areas, existing streets which intersect or border the tract.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Title block in accordance with the Rules governing Title Blocks for Professional Engineers & Land Surveyors (N.J.A.C. 13:40- 1 et seq.), including:			
Name of Development;		<input checked="" type="checkbox"/>	<input type="checkbox"/>

<u>MINOR SUBDIVISION APPLICATION</u>	Provided or Shown	Waiver Requested
Name, signature, address, and license number of the Professional(s) who prepared the plan(s);	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date of original preparation and of each subsequent revision thereof, and a list of the specific revisions entered on each sheet.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scale (written and graphic).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Name, address and telephone number of the Owner(s) of Record.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Name, address and telephone number of Developer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Acreage of the tract to be subdivided to the nearest tenth of an acre.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Distance in feet to the nearest intersection.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
North arrow with reference meridian.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Approval block with signature lines for Chairman, Secretary and Board Engineer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Existing block and lot number(s) of the property to be subdivided as they appear on the Tax Map, and proposed block and lot number(s) and street addresses as approved in writing by the Tax Assessor.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Existing tract boundary line and all proposed lot lines with bearings and distances.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The location of that portion which is to be subdivided in relation to the entire tract.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
All existing structures within the portion of the tract to be subdivided.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
A schedule indicating the acreage of the tract, the number of lots, the zone, minimum required lot areas, proposed area for each new lot, and the required and proposed setbacks, yards and dimensions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The location of all existing streets (including names and right-of-way widths), structures (with their numerical dimensions and an indication as to whether existing structures will be retained or removed), parking areas, loading areas, driveways, watercourses, floodplains, railroads, bridges, culverts, drain pipes, and any natural features such as wooded areas, wetlands and lands subject to flooding, marshes, swamps, bogs, ponds, flood hazard zones and 100 year flood elevation, both within the tract and within two hundred feet (200') of its boundary.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The name of all adjoining property owners as well as those across any street or easement, as disclosed by the most recent municipal tax records.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The Tax Map sheet, block and lot numbers of adjoining property owners as well as those across any street or easement.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The location and width of all existing and proposed utility easements, the use(s) for which they are intended to be limited, and the manner in which the easements will be controlled.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

MINOR SUBDIVISION APPLICATION	Provided or Shown	Waiver Requested
The plan shall be based on a current, certified boundary survey. The date of the survey and the name of the person making same shall be shown on the plan.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
A copy of any existing or proposed covenants or deed restrictions applying to the land being subdivided shall be provided to the Board, or certification that none exists.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Minor subdivisions involving a corner lot shall provide a sight triangle easement.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
A statement from the applicant noting if the minor subdivision will be perfected by deed or by map.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If the minor subdivision is to be perfected by the filing of a map, the map must show all existing and proposed monuments, and must conform to all of the requirements set forth in the Map Filing Law.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If the minor subdivision is to be perfected by deed, then the appropriate deed documents, including metes and bounds, easements, covenants, restrictions and roadway and sight triangle dedications, shall be submitted to the Board for approval prior to filing with the County Recording Officer.	<input type="checkbox"/> N/A	<input type="checkbox"/>
No minor subdivision involving any street(s) which do not conform to the right-of-way widths specified in the Master Plan or on the Official Map shall be approved unless the additional half width right-of-way necessary to make the street(s) conforming shall be granted to the Municipality, or other agency having jurisdiction.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
As a condition of any approval granted by the Board, the applicant must obtain the following approvals when applicable to the project:		
Municipal Water and Sewer Utility,	<input type="checkbox"/>	<input type="checkbox"/>
Ocean County Planning Board,	<input type="checkbox"/>	<input type="checkbox"/>
Ocean County Utilities Authority,	<input type="checkbox"/>	<input type="checkbox"/>
Ocean County Soil Conservation District,	<input type="checkbox"/>	<input type="checkbox"/>
Ocean County Board of Health approval,	<input type="checkbox"/>	<input type="checkbox"/>
New Jersey Department of Environmental Protection:	<input type="checkbox"/>	<input type="checkbox"/>
Wetlands,	<input type="checkbox"/>	<input type="checkbox"/>
Waterfront Development,	<input type="checkbox"/>	<input type="checkbox"/>
CAFRA,	<input type="checkbox"/>	<input type="checkbox"/>
Sanitary Sewer System Extensions,	<input type="checkbox"/>	<input type="checkbox"/>
Potable Water System Extensions,	<input type="checkbox"/>	<input type="checkbox"/>
Stream Encroachment,	<input type="checkbox"/>	<input type="checkbox"/>
New Jersey Department of Transportation,	<input type="checkbox"/>	<input type="checkbox"/>

<u>MINOR SUBDIVISION APPLICATION</u>	Provided or Shown	Waiver Requested
The Pinelands Commission, if located within the Pinelands Area;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
All other outside agency approvals as may be required.	<input type="checkbox"/>	<input type="checkbox"/>
III. <u>Residential Site Improvement Standards</u>		
An Engineering Report must be submitted which sets forth the classification of all residential streets within the proposed subdivision. In addition, the Engineering Report must demonstrate that the project has been designed in accordance with the detailed requirements set forth in Subchapter 4 of the Residential Site Improvement Standards, the appropriate curb and sidewalk requirements have been met, and an adequate number of on-street and off-street parking spaces have been provided.	<input type="checkbox"/>	<input type="checkbox"/>
A Stormwater Management Report must be submitted which demonstrates that the stormwater management system for the proposed development has been designed in accordance with the detailed requirements set forth in Subchapter 7 of the Residential Site Improvement Standards.	<input type="checkbox"/>	<input type="checkbox"/>
A public water supply system must be provided to serve the proposed development. The water supply system must be designed in conformance with the detailed requirements set forth in Subchapter 5 of the Residential Site Improvement Standards. In the alternative, the applicant may propose the use of on-site wells if approved in writing by the municipality or utility authority having jurisdiction.	<input type="checkbox"/>	<input type="checkbox"/>
Sanitary sewer service must be provided to serve the proposed development. The sanitary sewer service must be designed in conformance with the detailed requirements set forth in Subchapter 6 of the Residential Site Improvement Standards. In the alternative, the applicant may propose the use of on-site septic systems if approved in writing by the municipality or utility authority having jurisdiction.	<input type="checkbox"/>	<input type="checkbox"/>
If any <i>de minimis</i> exceptions from the requirements of the Residential Site Improvement Standards are requested, an application must be filed in writing with the municipal approving authority and shall include the following:		
1. A statement of the requirements of the standards from which an exception is sought;	<input type="checkbox"/>	<input type="checkbox"/>
2. A statement of the manner by which strict compliance with said provisions would result in practical difficulties; and	<input type="checkbox"/>	<input type="checkbox"/>
3. A statement of the nature and extent of such practical difficulties.	<input type="checkbox"/>	<input type="checkbox"/>

<u>MINOR SUBDIVISION APPLICATION</u>	<u>Provided or Shown</u>	<u>Waiver Requested</u>
If any waivers are requested, the waiver request must be submitted in writing to the New Jersey Department of Community Affairs, with a copy to the administrative officer of the Township, and shall include the following information:		
1. A copy of the development application as submitted to the municipal approving authority; and	<input type="checkbox"/>	<input type="checkbox"/>
2. A brief memorandum to the Commissioner of the Department of Community Affairs containing sufficient information upon which to base a determination, including:		
• A short description of the project in narrative form;	<input type="checkbox"/>	<input type="checkbox"/>
• A citation to the particular site improvement standard from which waiver is requested;	<input type="checkbox"/>	<input type="checkbox"/>
• A clear description of the condition(s) giving rise to the request;	<input type="checkbox"/>	<input type="checkbox"/>
• A clear description of the anticipated result if the standard were to be followed;	<input type="checkbox"/>	<input type="checkbox"/>
• The name, address, and telephone number of a contact person for the developer; and	<input type="checkbox"/>	<input type="checkbox"/>
• The name, address, and telephone number of a contact person for the municipal approving authority.	<input type="checkbox"/>	<input type="checkbox"/>
The applicant's engineer must provide to the Board a written certification which states that, with the exception of any waivers or <i>de minimis</i> exceptions requested, the project has been designed in full compliance with the requirements of the Residential Site Improvement Standards.	<input type="checkbox"/>	<input type="checkbox"/>



PHILIP D. MURPHY
Governor
SHEILA Y. OLIVER
Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION

PO Box 359
NEW LISBON, NJ 08064
(609) 894-7300
www.nj.gov/pinelands



RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

February 5, 2020

Edward M. Walters, Jr. (via email)
Walters Development Co., LLC
21 East Euclid Avenue, Suite 200
Haddonfield, NJ 08033

Re: Application # 1990-0788.142
Block 92.09, Lots 15 & 16
Barnegat Township

Dear Mr. Walters:

Pursuant to N.J.A.C. 7:50-4.34 of the Pinelands Comprehensive Management Plan, the completion of this application has resulted in the issuance of the enclosed *Certificate of Filing*.

The Certificate of Filing is not an approval. It is the document necessary to allow any municipal or county agency to review and act on the proposed development application. All municipal and county permits and approvals granted for the proposed development are subject to review by the Pinelands Commission. **No permit or approval shall take effect and no development may occur until the Commission issues a letter indicating that the municipal or county permit or approval may take effect.**

Upon receipt of any municipal or county permit or approval, please submit a copy to the Commission's office with the additional items listed on the enclosed *Local Agency Approval Submission Checklist*.

If you have any questions, please contact Ken Carter of our staff.

Sincerely,

for Charles M. Horner, P.P.
Director of Regulatory Programs

Enc: Certificate of Filing
Local Agency Approval Submission Checklist

c: Secretary, Barnegat Township Planning Board (via email)
Barnegat Township Construction Code Official (via email)
Barnegat Township Environmental Commission (via email)
Secretary, Ocean County Planning Board (via email)



Philip D. Murphy
Governor

Sheila Y. Oliver
Lt. Governor

New Jersey Pinelands Commission
PO Box 359
New Lisbon, NJ 08064
(609) 894-7300



Richard Prickett
Chairman

Nancy Wittenberg
Executive Director

CERTIFICATE OF FILING

Application #: 1990-0788.142

Applicant: Walters Development Co., LLC

Municipality: Barnegat Township

Block 92.09, Lots 15 & 16

Regional Growth Area, RH Zoning District: 0.53 acres

Proposed Development

Two lot resubdivision

Plan(s) Subject of Certificate of Filing

Subdivision Plan, consisting of 1 sheet, prepared by K2 Consulting Engineers, Inc., dated 12/9/2019

for Charles M. Horner, P.P.
Director of Regulatory Programs

February 5, 2020

Date

Please see reverse side for additional information and conditions.

BACKGROUND

Existing development:

- ♦ Vacant land

Relevant Information:

- ♦ On March 17, 2006, the Commission issued a Certificate of Filing for the development of 428 single family dwellings within the Barnegat Township portion of Ocean Acres (App. No. 1990-0788.116).
- ♦ That Certificate of Filing included the construction of a single family dwelling on each of the existing lots subject of the current application.
- ♦ That Certificate of Filing remains valid and may be utilized to pursue any necessary permit or approval for the development of the single family dwellings.

CONDITIONS

None

NEXT STEPS

- ♦ This Certificate of Filing is not an approval.
- ♦ Submit a copy of this Certificate of Filing to all county and municipal agencies that are required to review and act on your application (municipal planning board, building department, county health department, etc.).
- ♦ Send a copy of all approvals/permits that are issued by the county or municipality to the Pinelands Commission for review. Please use the attached *Local Agency Approval Submission Checklist* to make sure you are submitting all required documentation related to the approval/permit.
- ♦ No local approval/permit takes effect and no development can occur until the Pinelands Commission has reviewed the approval. When we complete our review, we will issue you a letter stating that the approval/permit can take effect.



LOCAL AGENCY APPROVAL SUBMISSION CHECKLIST

- ✓ All approvals (including permits) issued by local agencies (including counties and municipalities) must be submitted to the Pinelands Commission. **No approval shall take effect and no development may occur until the Commission issues a letter indicating that the approval may take effect.**
- ✓ Identify the approvals required for your development proposal in the list below. Be sure to submit all items listed as quickly as possible as each approval is issued to you.
- ✓ Be sure that all approved plans contain all specified site restrictions and conditions listed in your Certificate of Filing (e.g., wetlands/wetland buffers, threatened/endangered species protection, scenic setback). This includes notes as well as depictions of clearly labeled lines, clearing limits, envelopes, etc.

	Type of approval(s):	Submit a copy to the Commission:
MUNICIPAL	<ul style="list-style-type: none"> • Subdivision approval (<i>preliminary, final, major and minor</i>) • Site plan approval (<i>preliminary, final, major and minor</i>) • Variance and/or waiver • Certificate of Appropriateness • General development plan approval 	<input type="checkbox"/> Resolution granting approval <input type="checkbox"/> Approved plan(s), signed and sealed <input type="checkbox"/> Municipal engineer's and planner's reports <input type="checkbox"/> Stormwater management report (<i>if revised since issuance of Certificate of Filing</i>)
	<ul style="list-style-type: none"> • Construction permit • Zoning permit • Demolition permit • Forestry permit • Mining permit • Certificate of Occupancy 	<input type="checkbox"/> Permit
COUNTY	<ul style="list-style-type: none"> • Subdivision approval (<i>preliminary/conditional, final, major and minor</i>) • Site plan approval (<i>preliminary/conditional, final, major and minor</i>) • Soil Conservation District certification 	<input type="checkbox"/> Approval <input type="checkbox"/> Approved plan(s), signed and sealed
	<ul style="list-style-type: none"> • Standard septic system permit 	<input type="checkbox"/> Permit <input type="checkbox"/> Approved plan (<i>only necessary if your Certificate of Filing contains a wetland protection condition and/or threatened/endangered species protection condition</i>)
	<ul style="list-style-type: none"> • Alternate design septic system permit 	<input type="checkbox"/> Permit <input type="checkbox"/> Approved plan <input type="checkbox"/> Written certification of approved plan by alternate design system manufacturer

List of Professionals & Consultants

Applicants Name: Walters Development Co., LLC

Address: 500 Barnegat Boulevard North, Building 100

Barnegat, New Jersey 08005

Email: ewalters@walters-group.com & mrhea@walters-group.com

Telephone Number: 609 607-9500

Fax Number: 609 607-9550

1. Attorney: Steven W. Ward, Esquire

Giordano, Halleran and Ciesla

Address: 125 Half Mile Road, Red Bank, New Jersey 07701

Email: sward@ghclaw.com

Telephone Number: 732 741-3900

Fax Number: 732 224-6599

2. Engineer: Steven Bagge, P.E.

K2 Consulting Engineers, Inc.

Address: 36 Tanner Street, Suite 100, Haddonfield, NJ 08033

Email: sbagge@k2ce.com

Telephone Number: 856 310-5202

Fax Number: 856 616-2441

3. Planning Consultant: _____

Address: _____

Email: _____

Telephone Number: _____

Fax Number: _____

4. Architect: _____

Address: _____

Email: _____

Telephone Number: _____

Fax Number: _____

NOTICE OF PUBLIC HEARING

TOWNSHIP OF BARNEGAT PLANNING BOARD OCEAN COUNTY, NEW JERSEY

PLEASE TAKE NOTICE that the Township of Barnegat Planning Board ("Board") will hold a Public Hearing on _____ at 7:30 p.m. at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, 08005, or at such other time and place as the Board may adjourn to thereafter to consider the application (the "Application") made by Walters Development Co., LLC ("Applicant"), for the purpose of obtaining Minor Subdivision approval with bulk variance relief pursuant to N.J.S.A. 40:55D-70c, for the properties located at 543 Mermaid Drive and 125 Windjammer Drive, Barnegat, New Jersey, which are also known and designated as Block 92.09, Lots 15 and 16 on the Tax Map of the Township of Barnegat (the "Property"). The Property is located in the Township of Barnegat's Residential High Zone. The Property is currently vacant.

The Applicant proposes to consolidate the two (2) existing lots and resubdivide them into two (2) new lots. New lot 15.01 will be located on the corner of Mermaid Drive and Windjammer Drive and will have an area of 12,926 sq. ft. and new lot 16.01 will front on Windjammer Drive and will have an area of 10,008 sq. ft. The Applicant proposes a right-of-way dedication of 134.13 sq. ft. to the Township at the intersection of Mermaid Drive and Windjammer Drive.

The Applicant requests bulk variance relief pursuant to N.J.S.A. 40:55D-70c from Ordinance Section 55-47(D), for lot depth, whereas 120 feet is required for proposed new lot 15.01, whereas 108.20 feet is proposed. The Applicant will seek such additional variances, waivers, permits, and exceptions from the Township Ordinance pursuant to the Ordinance and the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., as the Board may deem necessary for this application without further notice.

A copy of the application and supporting documentation is on file in the Office of the Board Secretary at 900 West Bay Avenue, Barnegat, New Jersey, 08005, and is available for public inspection during regular business days and hours. This Notice is given pursuant to N.J.S.A. 40:55D-1 et seq. Any interested person may appear in person, through his attorney, or through his designated agent at the Public Hearing at the time and place herein stated and be heard on this Application.

WALTERS DEVELOPMENT CO., LLC

By: Giordano, Halleran & Ciesla, P.C.
Steven W. Ward, Esq.
125 Half Mile Road
Red Bank, NJ 07701
Attorneys for Applicant

Dated: _____

AFFIDAVIT OF NON-COLLUSION

STATE OF NEW JERSEY

SS

COUNTY OF OCEAN

Walters Development Co., LLC

Name of Applicant (s)

being duly

sworn, according to law, upon my oath
my/our
depose and say:

1. I am/We are the applicant (s) in connection with a proposed site plan/subdivision/variance of property know as

Block 92.09 Lot (s) 15 and 16

Block _____ Lot (s) _____

Block _____ Lot (s) _____

Block _____ Lot (s) _____

as shown on the Tax Map of the Township of Barnegat.

2. There has been no collusion between me/us and any member of the Barnegat Planning/Zoning Board or any officials of the Township of Barnegat with respect to said application.

Sworn to and subscribed before

me this 18th day of

March, 2020

Mary M. Rhea

MARY M. RHEA
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 7/23/2022

WALTERS DEVELOPMENT CO., LLC

BY:

Edward M. Walters, Jr.
Edward M. Walters, Jr., Member

Township of Barnegat
County of Ocean

Municipal Offices
900 West Bay Avenue
Barnegat, NJ 08005



Finance Office
Ph: (609) 698-0080
Fax: (609) 698-3806

APPLICANT/DEVELOPER ESCROW AGREEMENT

*PLEASE READ THE FOLLOWING INFORMATION AND SUBMIT THIS ORIGINAL FORM
SIGNED IN BLUE INK AND THREE COPIES ACKNOWLEDGING YOUR CONSENT WITH
YOUR APPLICATION PACKAGE.*

Chapter 55, Article III, Section 80.1, 80.2, & 80.3

"Escrow Account Deposits" are minimums required, promulgated on the basis of the applicant submitting a complete application and plans. The applicant shall be responsible and pay the township of Barnegat upon notification, for any additional costs for professionals' services involved with the review, reports, expert advice or testimony, or other information required in the process of an application before a municipal agency.

The "Escrow Account Deposits" are required to pay the costs of professional services including engineering, planning, legal and other expenses connected with the review of submitted materials, including any traffic engineering review of the submitted materials or any special analysis related to the Planning or Zoning Board of Adjustment's review of the submitted materials, or any necessary studies regarding "off-tract" improvements. An applicant is responsible to reimburse the Township of Barnegat for all expenses of professional personnel incurred and paid by the Township for the review process of an application for development and/or appeal before a municipal agency, such as, but not limited to:

1. Charges for reviews by professional consultants and/or professional personnel of applications, plans, and accompanying documents;
2. Issuance of reports by professional consultants and/or professional personnel to the municipal agency setting for the recommendations resulting from the review of any documents submitted by the applicant;
3. Charges for any telephone conference or meeting requested or initiated by the applicant, his attorney or any of his experts or representatives;
4. Review of additional documents submitted by the applicant and issuance of reports relating thereto;
5. Review of proposed or prior easements, developer's agreements, deeds, resolutions or the like;
6. Preparation for an attendance at all meetings by Professionals such as Planning Consultant, Traffic Engineer, or other experts as required;
7. The cost of expert advice or testimony obtained by the municipal agency for the purpose of corroborating testimony of applicant's experts.
8. The use of a court reporter or transcriber is at the discretion of the applicant. The applicant bears the responsibility of retaining a court reporter or transcriber if the applicant deems such services to be necessary. If a transcript of any proceeding is made, the applicant shall provide a copy of same to the Township free of charge;
9. The procedure for close out and refund of escrow funds shall be in accordance with the provisions of the Municipal Land Use Law, N.J.S.A. C.40:55D-53.2(d) as reflected in the Barnegat Township Land Use Code §55-80.1B (attached).

CERTIFICATION

I, Edward M. Walters, Jr. the Applicant/Developer understand that a sum to be determined by the Administrative Officer, will be deposited in an Escrow Account, in accordance with the Ordinances of the Township of Barnegat. I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and/or other expenses associated with the review of submitted materials. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days. I the Applicant/Developer, as signed below, acknowledge familiarity with the procedure set forth in the Barnegat Township Land use Code (Chapter 55) for submittals and required action and agree to be bound by it.

DATE

3/18/2020

SIGNATURE OF OWNER OR APPLICANT

Edward M. Walters, Jr., Member

SOCIAL SECURITY OR FEDERAL TAX ID NUMBER: 22-3445895

*IF APPLICANT IS AN INDIVIDUAL DATE OF BIRTH IS REQUIRED _____

Request for Taxpayer Identification Number and Certification

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

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

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Walters Development Co., LLC	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► P Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ►	
	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>	
	5 Address (number, street, and apt. or suite no.) See instructions. 500 Barmegat Boulevard North, Building 100	Requester's name and address (optional)
	6 City, state, and ZIP code Barnegat, NJ 08005	
	7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

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

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

Social security number								
			-			-		
or								
Employer identification number								
2	2	-	3	4	4	5	8	5

Part II Certification

Under penalties of perjury, I certify that:

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

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

Sign Here	Signature of U.S. person ► 	Date ► 3/18/20
------------------	--	--------------------------

General Instructions

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

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

Purpose of Form

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

- Form 1099-DIV (interest earned or paid)

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

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



Township of Barnegat

Tax & Utilities Billing Department
609-698-0080 ext. 143, 144 & 140
Fax 609-698-8746

Crystal M Brinson, CTC
Tax Collector

TAX RELEASE

Date: February 14, 2020

Block & Lots: 92.09/15&16

Owner: WALTERS DEVELOPMENT CO LLC

This is to certify that the above properties ARE paid current as of this date.

Crystal M. Brinson, CTC
Tax/Utility Collector

**BARNEGAT TOWNSHIP
CONTRIBUTION DISCLOSURE STATEMENT**

Pursuant to Ordinance 2005-04 dated February 22, 2005, Ethics Code of Article 10-19, requiring Contribution Disclosure Statements in Land Use Applications, the following contributions were made in Barnegat Township, Ocean County, NJ:

Item 1: No contributions were made within one (1) year of the filing of the referenced application:



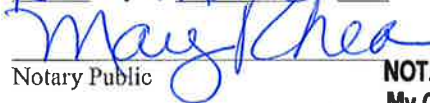
Signature

Edward M. Walters, Jr., Member

Print Name and Title

Date

Sworn and subscribed before me this
18th Day of May, 20 20



Notary Public

MARY M. RHEA
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 7/23/2022

Item 2: The following contributions were made within one (1) year of the filing date of the referenced application:

Signature

Print Name and Title

Date

Sworn and subscribed before me this
____ Day of _____, 20 ____

Notary Public

Re: Minor Subdivision
Ocean Acres Phase 11
Block 92.09, Lots 15 and 16
543 Mermaid Drive and 125 Windjammer Drive

BARNEGAT TOWNSHIP CONTRIBUTION DISCLOSURE STATEMENT

Pursuant to Ordinance 2005-04 dated February 22, 2005, Ethics Code of Article 10-19, requiring Contribution Disclosure Statements in Land Use Applications, the following contributions were made in Barnegat Township, Ocean County, NJ:

Item 1: No contributions were made within one (1) year of the filing of the referenced application:

Signature

Print Name and Title

Date

[Signature]
JANET KORNICK, PRESIDENT

2/19/2020

VICTORIA J HALLOWELL
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Oct.24, 2020

Sworn and subscribed before me this

19 Day of Feb., 2020

[Signature]
Notary Public

Item 2: The following contributions were made within one (1) year of the filing date of the referenced application:

Signature

Print Name and Title

Date

Sworn and subscribed before me this
____ Day of _____, 20____

Notary Public

Re: Minor Subdivision
Ocean Acres Phase 11
Block 92.09, Lots 15 and 16
543 Mermaid Drive and 125 Windjammer Drive

BARNEGAT TOWNSHIP CONTRIBUTION DISCLOSURE STATEMENT

Pursuant to Ordinance 2005-04 dated February 22, 2005, Ethics Code of Article 10-19, requiring Contribution Disclosure Statements in Land Use Applications, the following contributions were made in Barnegat Township, Ocean County, NJ:

Item 1: No contributions were made within one (1) year of the filing of the referenced application:

St. Ward
Signature

Steven W. Ward, Esq., Attorney for Applicant
Print Name and Title

2/19/2020
Date

Sworn and subscribed before me this
19th Day of FEBRUARY, 2020.

Nadine L Carter
Notary Public

NADINE L CARTER
Notary Public, State of New Jersey
My Commission Expires Sept. 14, 2021

Item 2: The following contributions were made within one (1) year of the filing date of the referenced application:

Signature

Print Name and Title

Date

Sworn and subscribed before me this
____ Day of _____, 20____

Notary Public