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Ellen M. Gillespie
Michael P. O'Grodnick 4
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THE LAW OFFICES OF
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George A. Mauro, Jr. (1933-2006)
Alan Bart Grant (1948-2015)

1. Also NY Bar
2. Also ME Bar
3. Cert. Civil Trial Atty
4. U.S. Supreme Court

November 2, 2020

Borough of Raritan
Attn: Land Use Board
22 First Street
Raritan, NJ 08869

**Re: Application: Preliminary & Final Major Site Plan
Project: Riverview at Raritan
Applicant: Orlando Heights Realty, LLC
Property: Block 116, Lot 13**

Dear Members of the Board,

Please be advised that this firm has been retained to represent Orlando Heights Realty, LLC, in connection with an application for preliminary and final major site plan approvals.

This application first seeks bi-furcated use variance approval, with bulk variances, under M.L.U.L. 40:55D-60. If the use variance is approved, the applicant will supplement the application with additional checklist items necessary for preliminary and final major site plan approval.

A. Narrative

The Applicant is the current owner of Block 13, Lot 116, which was formally known as the Zeus property, and is currently a vacant pharmaceutical manufacturing building. The property is located east of the Mill Street/Orlando Drive intersection and extends north from Orlando Drive toward the Raritan Borough central business district. There are currently two vacant, obsolete manufacturing buildings on the subject property.

Raritan at Riverview is seeking a use (d(1)) variance to allow for a residential use that will allow the property to be redeveloped as seventy (70) luxury apartment units within a four (4) story building, similar in scale to the adjacent Lena Apartments. This application proposes a 10% set-aside for COAH housing in furtherance of the Borough's fair share obligation under Mt. Laurel.

The property includes a paved parking area toward the southern end of the property, a one story vacant manufacturing building and a two-story vacant manufacturing building. The site has approximately three hundred (300) feet of frontage along Orlando Drive. The applicant has provided for an emergency access to John Street.

The proposed use of the subject property continues the redevelopment of obsolete, unsightly properties into a residential link between the Raritan River Greenway and the central business district. The multi-family housing proposed on the site will help support the existing business uses in the central business district, the permitted business uses in the RC Zone and the business uses in the shopping center at the corner of Orlando Drive and Route 206.

As detailed in the Planning Report, adjacent shoppers for the Borough’s businesses are particularly important in light of the impact on commercial uses resulting from COVID-19 health safety practices.

Lastly, it is submitted that the redevelopment of the subject property will help create the attractive Gateway to the downtown that the 2003 Master Plan specifically envisioned.

B. Zoning Relief

A. Variances

The residential use is not permitted in the OMR zone and will require a use (d(1)) variance.

In addition, the applicant has identified the following “c” bulk variances for the proposed structure which deviates from the bulk zone requirements, as follows:

<u>Item</u>	<u>Permitted/Required Existing</u>	<u>Proposed</u>
1. Max Lot Coverage (Preexisting) 60%	71.22%	71.22%

Existing site conditions and historic development of this and adjoining properties prevent strict compliance with the bulk zone standards. **Please note:** the applicant has provided the PDRD zoning schedule on the site plan for informational purposes only to compare this applicant under the adjacent residential Lena development PDRD bulk zone standards (as if the PDRD zone was extended to include this adjacent lot).

In support of the variance relief requested, the proposed apartment building is intended to blend in with the Lena development in both architecture and scale as the properties along Orlando Drive shift from historic manufacturing/commercial/industrial uses to more desirable residential uses.

B. Waiver Requests

The Applicant respectfully requests waivers as part of the bi-furcated use variance application, which will be supplemented in the event of the use variance approval, as follows:

- Signage/lighting (#27)
- Soil Erosion and Sediment Control (#29)

SAVO, SCHALK, GILLESPIE, O'GRODNICK & FISHER, P.A.

- Landscaping Plan (#30)
- Utilities (#31)
- Construction Cost Estimates
- NOTE: Traffic Impact Study and EIS to be submitted shortly.

D. Application Documents and Checklists

Please find enclosed herewith the following documents in support of the application:

1. Borough of Raritan Development Application
2. Preliminary Site Plan Completeness Checklist
3. Final Site Plan Checklist
4. Affidavit of Stockholders/Owner/Site Walk Authorization
5. Title Insurance
6. Planning Report in Support of Variance Relief
7. Property Owners within 200'
8. Proof of Taxes Paid
9. Somerset County Planning Board Application
10. Site Plan: six (6) signed and sealed copies for completeness and twenty-two (22) ½ size sets.
11. Architectural Drawings: six (6) signed and sealed copies for completeness
12. USB Drive: application documents in PDF format

E. Fees & Escrows

The applicant has submitted \$5000 in initial escrow fees and is working with Mr. Gara in calculating the correct application fees.

Thank you for your consideration and please feel free to contact me with any additional questions or concerns that you may have regarding this application.

With best regards, I am,

Very truly yours,



Michael P. O'Grodnick

cc: Art Bernard, PP
Gary Dean, PE
Tibor Latincsics, PE

EXHIBIT “1”

BOROUGH OF RARITAN APPLICATION
SITE PLAN - SUBDIVISION PLAN - VARIANCE

A map of plat must be annexed hereto showing a plan of current and proposed uses and structures, see checklist for plat details. (Note: It is necessary for this application to be fully completed. All application and plats are to be submitted to the Administrative Officer. A 45 day review period for completeness will start upon submission of documents.)

FOR OFFICE USE ONLY:

Tax Map Page: _____ Date Received: _____
 Block: 116 Fee Received: \$5000 - initial escrow retainer from Redev. App.
 Lot(s): 13 Board of Adjustment No.: _____
 Zone: PDRD Planning Board No.: _____
 Street: 48 Orlando Drive Phone No.: 908.526.0707

NATURE OF APPLICATION AND/OR RELIEF REQUESTED:

Minor Subdivision "a" Appeal "b" Interpretation
 Preliminary Plat "c" Variance "d" Variance
 Site Plan Final Plat Other

DESCRIPTION OF PROPOSED PREMISES AND USE:

1. Record Title Owner Orlando Heights, LLC c/o Morris Neuman Project: Riverview at Raritan
 Address 2710 Ave. K, Brooklyn, NY 11210
 2. Applicant Orlando Heights, LLC Project: Riverview at Raritan
 Address 2710 Ave. K, Brooklyn, NY 11210
 3. Date of purchase May 12, 2016
 4. Current (or last) use Industrial - Pharmaceutical Manufacturing/Warehousing/Shipping
 5. Size of parcel(s) 2.215 Acres Size of building 26,511 SF - Existing
 Total square feet (in all floors) 115,000 SF - Proposed
 6. Number of new lots (including remainder) No new lots proposed.
- | | PROVIDED | REQUIREMENT
OF ZONE OMR |
|--|--------------------|----------------------------|
| 7. Percentage of lot occupied by building | <u>71.22%</u> | <u>60%</u> |
| 8. Height of building | <u>56.1'</u> | <u>60'</u> |
| 9. Area of lot | <u>96,484.4 SF</u> | <u>40,000 SF</u> |
| 10. Setback from front of property line | <u>185.4'</u> | <u>10'</u> |
| 11. Setback from left side line | <u>10'</u> | <u>10'</u> |
| 12. Setback from rear property line | <u>42'</u> | <u>30'</u> |
| 13. Percentage of impervious lot coverage | <u>71.22%</u> | |
| 14. Has there been any previous appeal involving these premises? | <u>Unknown</u> | |
| 15. If so, state character of appeal and date of disposition: | <u>N/A</u> | |
| 16. Other contiguous lots owned by applicant or owner: | <u>No</u> | |

REQUEST FOR VARIANCE

In connection with your application for zoning and/or subdivision variance relief from the terms of the Borough Land Use Ordinance, please set forth:

- | | |
|-----------------------------------|--|
| 1. Nature of Relief Requested | Section of the Zoning Ordinance from which relief is requested |
| _____ "a" appeal | _____ |
| _____ "b" appeal (interpretation) | _____ |
| X _____ "c" variance appeal | _____ Please refer to zoning table on site plan. |
| X _____ "d" variance appeal | _____ Please refer to Planning Report |
| _____ Other | _____ |

REQUEST FOR "C" VARIANCE INFORMATION

2. In what manner does the strict application of the foregoing present practical difficulties and/or hardship?

Please refer to attached cover letter with detailed narrative including variances and waivers.

3. What exceptional circumstances or conditions affect the site which are in support of the request.

Please refer to attached cover letter with detailed narrative including variances and waivers.

REQUEST FOR A,B, AND D VARIANCE INFORMATION

4. State the nature of the variance being sought, including dates of any decisions previously made on this tract.

Please refer to narrative and Planning Report

5. What are the "special reasons" for such a "d" variance request which apply to this particular case which would justify the appeal?

Please refer to narrative Planning Report

6. State other pertinent facts which support the request.

Residential luxury rentals with a 10% COAH set-aside are appropriate and consistent with neighboring properties.

EXHIBIT “2”

LAND USE AND DEVELOPMENT

207 Attachment 6

Borough of Raritan

Checklist 5

For Determining Completeness of Application For
Preliminary Site Plan
 Chapter 207, Land Use and Development
 Borough of Raritan, Somerset County, New Jersey
[Amended 4-11-2017 by Ord. No. 2017-07]

Name of Application Riverview at Raritan - Orlando Heights Realty, LLC Application No. _____

Block 116 Lot 13 Date Filed Nov. 2, 2020

An application shall not be considered complete until all the materials and information specified below and on the specific checklist for the proposed development have been submitted. Waivers shall be considered upon receipt of written waiver request from the Applicant.

Note: See Article VIII of Chapter 207, Land Use and Development, of the Code of the Borough of Raritan for further details of submission requirements and procedures.

1. Application form, including checklists, 22 copies; one CD, USB flash drive or the most recent compatible technology (please contact the Borough to determine its capabilities), with all submission materials, including plans and reports, in PDF format.
2. Plans: six sets of full-sized plans that have been signed and sealed by a New Jersey professional engineer or New Jersey professional licensed surveyor, as required, and folded into eighths with the title block revealed, and 22 sets in 1/2 size. All submission materials must be collated into 22 packets using the 1/2 size plan sets. All plans must be folded. Non-collated materials and/or unfolded plans will be rejected and all materials returned to the Applicant. Half sizes pending.

	Applicant Portion			Borough Portion		
	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Do Not Comply	Waiver Approved
1.	X					
2.	X					

RARITAN CODE

3. Protective covenants or deed restrictions applying to the land being subdivided (20 copies).
4. Application fee, executed escrow agreement and appropriate review fee. Fee Calculations Pending: \$5k initial in Escrow
5. Separate application (and fee) for any conditional use or variance with the application.
6. Certification from the Borough Tax Collector that all taxes and assessments on the property are paid in full.
7. Disclosure form pursuant to N.J.S.A. 40:55D-48, providing the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant.
8. Proof of filing with the Somerset County Planning Board, Somerset-Union Soil Conservation Service and any other outside agencies from which approval is necessary; and proof of filing by mail, hand delivery or electronic submission, with the Bridgewater Planning and Zoning Division and the Somerville Municipal Engineer when the project for the subject application meets the following thresholds:
 - a. More than 50 dwelling units within 500 feet of a municipal border;
 - b. More than 50,000 square feet of nonresidential building space within 500 feet of a municipal border.
9. Certification that applicant is owner or authorized agent, or consent of owner to file application.

Plans shall show or include the following:

10. Map scale not less than 1 inch equals 100 feet, showing the entire tract on one sheet, using 1 of 4 standard sheet sizes: 8 1/2 x 13; 15 x 21; 24 x 36; or 30 x 42 inches per ordinance.
11. A key map showing the entire tract and lands within 2,000 feet, at a scale of 1 inch equals not less than 1,000 feet.
12. Name, address and telephone number of the following:
 - a. Professional responsible for preparing the plans.
 - b. Owner or owners of the site.
 - c. Subdivider or developer.

Applicant Portion			Borough Portion		
Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Do Not Comply	Waiver Approved
	X				
X					
X					
X					
X					
X					
X					
	X				
	X				
X					
X					
X					
X					
X					
X					

LAND USE AND DEVELOPMENT

	Applicant Portion			Borough Portion		
	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Do Not Comply	Waiver Approved
13. The names of all adjoining owners of any and all property located within 200 feet of the site, as shown on the most recent tax list prepared by the Borough Tax Assessor.	X					
14. The Tax Map sheet, and existing block and lot numbers of tract to be subdivided or developed and all adjacent lots.	X					
15. Scale, North arrow and reference meridian. The reference source (i.e., deed, etc.) of the meridian should be identified.	X					
16. Zoning district(s), including district names and zone schedule.	X					
17. Boundary and acreage of original tract to the nearest tenth of an acre; number, acreage and configuration of all proposed lots; location of all existing buildings or structures to be removed or relocated.	X					
18. Title block containing the name of the development, the name of the Borough, county and state, date of original preparation and all revisions.	X					
19. An index for the complete set of plans.	X					
20. Location, size and nature of the entire lot or lots in question and contiguous lots in common ownership or interest.						
21. Location, use and ground floor area of all existing and proposed buildings or structures and all accessory buildings or structures, with setbacks, sideline and rear line distances, and finished grades at all corners.	X					
22. Location, names and widths of all existing and proposed streets, including cross sections and profiles across the tract and within 200 feet; and the location of proposed entrances and exits, traffic signals, channelization, acceleration and deceleration lanes, etc.	X					
23. Location, size and nature of all existing and proposed rights-of-way, easements and other encumbrances affecting the tract.	X					
24. Location, size and nature of all existing and proposed curbs, sidewalks, driveways, fences, retaining walls, parking areas, and the layout thereof, all off-street loading areas, with dimensions, on site and within 100 feet.	X					
25. Location, type and size of all existing and proposed catch basins, storm drainage facilities and utilities, per ordinance.	X					

RARITAN CODE

	Applicant Portion			Borough Portion		
	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Do Not Comply	Waiver Approved
26. Existing topography based on NJ Geodetic Control Survey datum and proposed grading, per ordinance.	X					
27. All existing and proposed signs and lighting standards, utility poles and their sizes, type of construction and location.			X			
28. Location, size and description of any lands to be dedicated to the Borough or county.		X				
29. A soil erosion and sediment control plan if required by N.J.S.A. 4:24-39 et seq.			X			
30. A landscaping plan showing the size, species and spacing of trees, plants and other landscaping treatment of unpaved areas.			X			
31. The nature and location of public and private utilities, including maintenance and solid waste disposal and/or storage facilities.			X			
32. Preliminary architectural plans for the proposed buildings or structures, with typical floor plans, elevations, heights and general architectural styling.	X					
33. Cost estimates of all on-site improvements.			X			
34. Signature and seal of a licensed professional engineer.	X					
35. Environmental impact statement, per § 207-69.			X			
36. For industrial or manufacturing uses, a description of any proposed machinery, products, by-products and processes on site; and a statement of the hours of operation, anticipated number of shifts and employees for shift.		X				

Please note that this application is for a bi-furcated use variance so full engineering not yet completed.

LAND USE AND DEVELOPMENT

The Board reserves the right to acquire additional information before granting preliminary approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and the surrounding area. Such information may include but not be limited to drainage calculations and traffic analyses; provided, however, that no application shall be declared incomplete for lack of such additional information.

Application Deemed Complete Date _____

Application Deemed Incomplete Date _____

Completeness subject to the Board approving the written requests for the following completeness items:

Application Deemed Incomplete Date _____

Submission of additional information or written request for waivers of the following completeness items is required.

EXHIBIT “3”

LAND USE AND DEVELOPMENT

207 Attachment 7

Borough of Raritan

Checklist 6

For Determining Completeness of Application For
Final Site Plan

Chapter 207, Land Use and Development
Borough of Raritan, Somerset County, New Jersey
[Amended 4-11-2017 by Ord. No. 2017-07]

Name of Application Riverview at Raritan - Orlando Heights Realty, LLC Application No. _____

Block 116 Lot 13 Date Filed November 2, 2020

An application shall not be considered complete until all the materials and information specified below and on the specific checklist for the proposed development have been submitted. Waivers shall be considered upon receipt of written waiver request from the Applicant.

Note: See Article VIII of Chapter 207, Land Use and Development, of the Code of the Borough of Raritan for further details of submission requirements and procedures.

	Applicant Portion			Borough Portion		
	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Do Not Comply	Waiver Approved
1. Application form, including checklists, 22 copies; one CD, USB flash drive or the most recent compatible technology (please contact the Borough to determine its capabilities), with all submission materials, including plans and reports, in PDF format.	X					
2. Plans: six sets of full-sized plans that have been signed and sealed by a New Jersey professional engineer or New Jersey professional licensed surveyor, as required, and folded into eighths with the title block revealed, and 22 sets in 1/2 size. All submission materials must be collated into 22 packets using the 1/2 size plan sets. All plans must be folded. Non-collated materials and/or unfolded plans will be rejected and all materials returned to the Applicant. Half sizes pending	X					

RARITAN CODE

3. Protective covenants or deed restrictions applying to the land being subdivided (20 copies).
 4. Application fee, executed escrow agreement and appropriate review fee. Escrow Agreement on file from Redevelopment Application.
 5. Separate application (and fee) for any conditional use or variance with the application.
 6. Certification from the Borough Tax Collector that all taxes and assessments on the property are paid in full.
 7. Disclosure form pursuant to N.J.S.A. 40:55D-48, providing the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant.
 8. Proof of filing with the Somerset County Planning Board, Somerset-Union Soil Conservation Service and any other outside agencies from which approval is necessary; and proof of filing by mail, hand delivery or electronic submission, with the Bridgewater Planning and Zoning Division and the Somerville Municipal Engineer when the project for the subject application meets the following thresholds:
 - a. More than 50 dwelling units within 500 feet of a municipal border;
 - b. More than 50,000 square feet of nonresidential building space within 500 feet of a municipal border.
 9. Certification that applicant is owner or authorized agent, or consent of owner to file application.
- Plans shall show or include the following:**
10. Map scale not less than 1 inch equals 100 feet, showing the entire tract on one sheet, using 1 of 4 standard sheet sizes: 8 1/2 x 13; 15 x 21; 24 x 36; or 30 x 42 inches per ordinance.
 11. A key map showing the entire tract and lands within 2,000 feet, at a scale of 1 inch equals not less than 1,000 feet.
 12. Name, address and telephone number of the following:
 - a. Professional responsible for preparing the plans.
 - b. Owner or owners of the site.
 - c. Subdivider or developer.

Applicant Portion			Borough Portion		
Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Do Not Comply	Waiver Approved
X					
X					
X					
X					
X					
X					
	X				
	X				
X					
X					
X					
X					
X					
X					

LAND USE AND DEVELOPMENT

	Applicant Portion			Borough Portion		
	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Do Not Comply	Waiver Approved
13. The names of all adjoining owners of any and all property located within 200 feet of the site, as shown on the most recent tax list prepared by the Borough Tax Assessor.	X					
14. The Tax Map sheet, and existing block and lot numbers of tract to be subdivided or developed and all adjacent lots.	X					
15. Scale, North arrow and reference meridian. The reference source (i.e., deed, etc.) of the meridian should be identified.	X					
16. Zoning district(s), including district names and zone schedule.	X					
17. Boundary and acreage of original tract to the nearest tenth of an acre; number, acreage and configuration of all proposed lots; location of all existing buildings or structures to be removed or relocated.	X					
18. Title block containing the name of the development, the name of the Borough, county and state, date of original preparation and all revisions.	X					
19. An index for the complete set of plans.	X					
20. Location, size and nature of the entire lot or lots in question and any contiguous lots under common ownership or interest.	X					
21. Location, use and ground floor area of all existing and proposed buildings or structures and all accessory buildings or structures, with setbacks, sideline and rear line distances, and finished grades at all corners.	X					
22. Location, names and widths of all existing and proposed streets, including cross sections and profiles across the tract and within 200 feet; and the location of proposed entrances and exits, traffic signals, channelization, acceleration and deceleration lanes, etc.	X					
23. Location, size and nature of all existing and proposed rights-of-way, easements and other encumbrances affecting the tract.	X					
24. Location, size and nature of all existing and proposed curbs, sidewalks, driveways, fences, retaining walls, parking areas, and the layout thereof, all off-street loading areas, with dimensions, on site and within 100 feet of tract.	X					
25. Location, type and size of all existing and proposed catch basins, storm drainage facilities and utilities, per ordinance.	X					

RARITAN CODE

- 26. Existing topography based on NJ Geodetic Control Survey datum and proposed grading, per ordinance.
- 27. All existing and proposed signs and lighting standards, utility poles and their sizes, type of construction and location.
- 28. Location, size and description of any lands to be dedicated to the Borough or county.
- 29. A soil erosion and sediment control plan if required by N.J.S.A. 4:24-39 et seq.
- 30. A landscaping plan showing the size, species and spacing of trees, plants and other landscaping treatment of unpaved areas.
To be supplemented in phase 2 of bi-furcated application
- 31. The nature and location of public and private utilities, including maintenance and solid waste disposal and/or storage facilities.
- 32. Preliminary architectural plans for the proposed buildings or structures, with typical floor plans, elevations, heights and general architectural styling.
- 33. Cost estimates of all on-site improvements.
- 34. Signature and seal of a licensed professional engineer.
- 35. Environmental impact statement, per § 207-69. Pending.
- 36. Final contours on site and within 100 feet at two-inch intervals; final elevations at building corners, paved areas and property corners.

Applicant Portion			Borough Portion		
Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Do Not Comply	Waiver Approved
X					
		X			
	X				
		X			
		X			
X					
X					
		X			
X					
X					

LAND USE AND DEVELOPMENT

The Board reserves the right to acquire additional information before granting preliminary approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and the surrounding area. Such information may include but not be limited to drainage calculations and traffic analyses; provided, however, that no application shall be declared incomplete for lack of such additional information.

Application Deemed Complete Date _____

Application Deemed Incomplete Date _____

Completeness subject to the Board approving the written requests for the following completeness items:

Application Deemed Incomplete Date _____

Submission of additional information or written request for waivers of the following completeness items is required.

EXHIBIT “4”

Project: Riverview at Raritan
Applicant: Orlando Heights Realty, LLC
Property: Block 116, Lot 13

The applicant, Orlando Height Realty, LLC is the owner of the subject property from having an address at 2710 Ave. K, Brooklyn, NY 12210 (the "Buyer"). Owner hereby authorizes the filing of the land use application and for a site walk.

Applicant, Orlando Height Realty, LLC, is owned, as follows:

<u>Name</u>	<u>Address</u>	<u>Percentage</u>
Morris Neuman	2710 Ave. K, Brooklyn, NY 12210 11210	100%

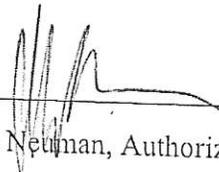

Dated: Oct. 20, 2020
Morris Neuman, Authorized Member,

EXHIBIT “5”



Commitment for Title Insurance

Issued By Old Republic National Title Insurance Company

Old Republic National Title Insurance Company, a Florida corporation ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the Land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate 180 days after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The company will provide a sample of the policy form upon request.

This Commitment shall not be valid or binding until countersigned by a validating officer or authorized signatory.

IN WITNESS WHEREOF, Old Republic National Title Insurance Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

Issued through the Office of:
**Old Republic National Title Insurance
Company**
2 Hudson Place, 5th Floor
Hoboken, NJ 07030


Authorized Signatory

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

By  President
Attest  Secretary

SCHEDULE A

Effective Date of Commitment:
March 13, 2016

File No: SOM-13793-16

Prepared for: Avrom R. Vann, Esq.
Avrom R. Vann, P.C.
1211 Avenue of the Americas, 40th Floor
New York, NY 10036

Inquiries should be directed to: Susan Icklan
(201) 610-9455
sicklan@oldrepublictitle.com

1. Policy or Policies to be issued:

(a) () ALTA Owners Policy - 6-17-06

Proposed Insured: Orlando Heights Realty, LLC, a New Jersey limited liability company

Amount: \$736,000.00

(b) () ALTA Loan Policy – 6-17-06

Proposed Insured: TBA

Amount: \$TBA

2. The estate or interest in the land described or referred to in the Commitment and covered herein is Fee Simple and vested in **Zeus Industrial Products, Inc., a New Jersey corporation**, by the following deeds:
- by Deed of Consolidation, from Zeus Industrial Products, Inc., a New Jersey corporation, dated April 28, 1992, and recorded May 28, 1992, in the Somerset County Clerk's Office in Deed Book 1858 Page 123; and
 - by deed from Middlesex Plastics, Inc., a corporation of the state of New Jersey, dated April 28, 1992, and recorded May 28, 1992, in the Somerset County Clerk's Office in Deed Book 1858 Page 120; and
 - by deed from Middlesex Chemicals, Inc., a corporation of the State of New Jersey, dated October 20, 1976, and recorded October 20, 1976 in the Somerset County Clerk's Office in Deed Book 1340 Page 24.
3. The land referred to in this Commitment is situated in the
Borough of Raritan
County of Somerset
State of New Jersey
Note for Information: Lot: 13 Block: 116
4. ALL that tract or parcel of land and premises, situate, lying and being in the Borough of Raritan, County of Somerset and State of New Jersey, more particularly described as follows:

See attached Schedule A-4 Legal Description.

Continued . . .

Old Republic National Title Insurance Company

SCHEDULE B

SECTION I

The following are the requirements to be complied with:

1. Instruments necessary to create the estate or interest to be insured must be properly executed, delivered and duly filed for record:
Deed from Zeus Industrial Products, Inc., a New Jersey corporation, to Orlando Heights Realty, LLC, a New Jersey limited liability company.
2. A standard form Seller's Affidavit of Title to be executed at the closing of title and provided to this Company.
3. A standard form Mortgagor's Affidavit of Title to be executed at the closing of title and provided to this Company, if applicable.
4. Payment of the full consideration to, or for the account of the grantors or mortgagors.
5. Payment of the premium, costs and fees to the Company.
6. New Jersey Superior Court and U.S. District Court judgments, for the District of New Jersey, if any. **JUDGMENT SEARCHES** are attached and show the following:

vs. Zeus Industrial Products, Inc.:	No Returns
vs. Purchaser:	Not ordered yet.

7. Payment of all taxes, water rents, sewer rents and assessments, if any.

TAX, ASSESSMENT, WATER & SEWER SEARCH

Tax and Assessment Map

- a. **Tax Search** dated March 15, 2016 shows: Block: 116 Lot: 13

First quarter 2016	-	\$9,238.53 PAID
Second quarter 2016	-	\$9,238.52 OPEN
Third quarter 2016	-	TO BE DETERMINED
Fourth quarter 2016	-	TO BE DETERMINED
First quarter 2017	-	TO BE DETERMINED
Second quarter 2017	-	TO BE DETERMINED

2015: \$26,954.09 PAID IN FULL

- b. **Water:** PRIVATE.
 NJ American Water Co (800) 272-1325
- c. **Sewer:** Included with Taxes. Subject to excess charges.
- d. **Assessment Search** dated March 15, 2016 shows none.

Continued . . .

SCHEDULE B

SECTION I

The following are the requirements to be complied with:

8. Discharge, cancellation, or other disposition of **Mortgage:**

Mortgagor: Zeus Industrial Products, Inc.
Mortgagee: National Westminster Bank NJ
Dated: February 27, 1991
Recorded: March 4, 1991
Book/Page: Mortgage Book 1995 Page 187
Principal Amount: \$2,965,000.00

9. Termination or other disposition of **Assignment of Leases:**

Assignor: Zeus Industrial Products, Inc.
Assignee: National Westminster Bank NJ
Dated: February 27, 1991
Recorded: March 4, 1991
Book/Page: Mortgage Book 1995 Page 204

10. UCC Financing Statement Searches on Zeus Industrial Products, Inc.:

- a. Somerset County: No Returns
- b. State of NJ: Returns - see attached Search # 50122094 through 3/11/2016. Please advise if copies of filings are required.

11. Evidence that **Zeus Industrial Products, Inc.**, is a valid and subsisting corporation in the State of New Jersey and is authorized to hold and dispose of real estate, including evidence that said corporation is qualified to do business in this State, and that no lien exists for nonpayment of franchise taxes.

Note: NJ Standing Certificate on **Zeus Industrial Products, Inc.**, dated March 17, 2016, is attached and shows said Company to be "an active business in Good Standing in the State of New Jersey and its Annual Reports are current."

12. A copy of the corporate resolution of **Zeus Industrial Products, Inc.**, authorizing the sale/mortgage/lease of the premises must be produced at or prior to closing of title and provided to this Company. The corporate resolution must be certified to be a true copy adopted by the Board of Directors in accordance with the Certificate of Incorporation, etc., and that same has not been modified or rescinded.

13. Franchise Tax Report on **Zeus Industrial Products, Inc.**, has been ordered, but not yet received.

Continued . . .

SCHEDULE B

SECTION I

The following are the requirements to be complied with:

14. Company reserves the right to add additional requirements and exceptions to this Commitment as may be warranted by further disclosure of the details of this transaction.
15. If a mortgage is contemplated in this transaction, please contact the company immediately. Additional requirements and exceptions to this Commitment will be added as warranted.

End - Schedule B Section I.

NOTE: A Notice of Settlement must be filed within 20 days prior to closing. The name and address of the seller, purchaser and mortgagee must be provided to the Company to file same.

SCHEDULE B

SECTION II

Schedule B of the policy or policies to be issued will contain exceptions to the following matter unless the same are disposed of to the satisfaction of the Company.

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date proposed insured acquired for value of record the estate or interest or mortgage thereof covered by this Commitment.
2. Rights or claims of parties in possession not shown by the public records.
3. Easements, or claims of easements, not shown by the public records.
4. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey and inspection of the premises.
5. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Taxes, charges and assessments.
7. Unpaid taxes, water and sewer rents, if any, for the year 2016 which are a lien but are not yet due and payable. Taxes paid through 1st quarter 2016.
8. Possible additional taxes and assessments for the year 2016 assessed or levied under N.J.S.A. 54:4-63.1 et seq.
9. Rights of tenants, if any, as tenants only.
10. Easement for railroad siding as set forth in Lease and Agreement Book 3 Page 207.
11. Easement as set forth in Deed Book J4 Page 26.
12. Easement for sewer line as set forth in Deed Book Z23 Page 173, and as shown on the Tax and Assessment Map of the Borough of Raritan.
13. Easement for access, ingress, egress and railroad spur as set forth in Deed Book 893 Page 115.
14. Right-of-way grant for utility poles, anchor and guys to Public Service Electric and Gas Company as set forth in Deed Book 985 Page 148.
15. 10 foot wide easement for gas line to Public Service Electric and Gas Company as set forth in Deed Book 988 Page 421.
16. Right-of-way grant to Public Service Electric and Gas Company and New Jersey Bell Telephone Company as set forth in Deed Book 1012 Page 359.

Continued . . .

SCHEDULE B

SECTION II

Schedule B of the policy or policies to be issued will contain exceptions to the following matter unless the same are disposed of to the satisfaction of the Company.

17. Right-of-way grant to Public Service Electric and Gas Company and New Jersey Bell Telephone Company as set forth in Deed Book 1084 Page 309.
18. 10 foot wide easement for gas line to Public Service Electric and Gas Company as set forth in Deed Book 1140 Page 504.
19. Easements, covenants and restrictions, including maintenance obligations in Deed from Middlesex Chemicals, Inc., to Zeus Industrial Products, Inc., as set forth in Deed Book 1340 Page 24; as partially amended by Easement Agreement between Raritan Town Center, L.L.C. and Zeus Industrial Products, Inc. as set forth in Deed Book 5605 Page 549.
20. Easements and notes as shown on Filed Map No. 2388 and Filed Map Map No. 2872.

End - Schedule B Section II.

**Note: Copies for Schedule B - Section II items:
Schedule B - Section II Exceptions**

Note: Flood Hazard Determination - See Attached.

Note: Tidelands Search Certificate shows premises in question as Unclaimed - See Attached.

Note: Please advise as to Survey.

Note: Please advise as to requested endorsements.

SCHEDULE A-4 LEGAL DESCRIPTION

ALL that tract or parcel of land and premises, situate, lying and being in the Borough of Raritan, County of Somerset and State of New Jersey, more particularly described as follows:

BEGINNING at a point on the northerly sideline of Mill Street Extension, said point distant the following courses from the intersection of the southerly sideline of existing Mill Street and the easterly sideline of Thompson Street:

- A. North $23^{\circ} - 06' - 46''$ East, a distance of 35.47 feet to a point on the said sideline of Thompson Street; thence
- B. North $81^{\circ} - 06' - 33''$ East, a distance of 8.20 feet to the Point and Place of Beginning; thence
- 1. Upon a curve to the right that connects the northerly sideline of Mill Street Extension (now known as Orlando Drive) with the easterly sideline of Thompson Street (20 feet wide) upon a radius of 16.77 feet, arc distance of 17.05 feet (delta $58^{\circ} 15' - 57''$, chord distance of 16.33 feet, chord bearing North $06^{\circ} - 01' - 12''$ West) to a point being the most southwesterly corner of Lot 14, Block 116 (n/f Tozzi Fuel Oil Co.); thence
- 2. Along the southerly line of Lot 14, South $82^{\circ} - 10' - 33''$ East, 153.09 feet to a corner; thence
- 3. Continuing along Lot 14 and Lot 4, North $11^{\circ} - 21' - 09''$ East, 460.52 feet to a corner; thence
- 4. North $75^{\circ} - 24' - 21''$ East, 105.98 feet along Lot 3 to a corner; thence
- 5. North $14' - 05' - 33''$ West, 16.00 feet to a corner on the southerly sideline of Elizabeth Street; thence
- 6. North $75^{\circ} - 24' - 21''$ East, 17.47 feet along Elizabeth Street to a corner of lands owned by Middlesex Plastics, Inc.; thence
- 7. South $14^{\circ} - 33' - 31''$ East, 23.45 feet to a point of curvature along Lot 12; thence
- 8. Along Lot 12 and the line of a former railroad spur upon a curve to the right having a radius of 619.27 feet, an arc distance of 303.67 feet to a point of tangency; thence
- 9. South $17^{\circ} - 22' - 19''$ West, a distance of 298.73 feet along Lot 12 to a point on the new northerly sideline of Mill Street, known as Orlando Drive; thence
- 10. Westerly on a curve to the right having a radius of 493.00 feet and an arc length of 76.76 feet to a point of tangency; thence
- 11. North $66^{\circ} - 42' - 00''$ West, a distance of 213.30 feet to a point of curvature; thence
- 12. Northerly on a curve to the right having a radius of 16.77 feet and an arc length of 9.23 feet to the Point and Place of Beginning.

Note for Information: Being known and designated as Tax Lot 13 in Block 116 on the Tax Map of the Borough of Raritan, County of Somerset, State of New Jersey.

Note for Information: Being commonly known as 48 Orlando Drive, Raritan, New Jersey.

CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. This policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000.00 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.
You may review a copy of the arbitration rules at: <http://www.alta.org/>.

COMMITMENT

IMPORTANT NOTICE AND DISCLOSURE

1. By law Old Republic National Title Insurance Company is required to advise you that the Title Insurance Commitment issued by us may contain conditions, exceptions, exclusions, limitations and requirements governing our liability and the coverage you may receive. **REAL ESTATE TITLE TRANSACTIONS ARE COMPLEX. THE COMPANY DOES NOT REPRESENT YOU AND CANNOT GIVE YOU LEGAL ADVICE. YOU ARE ENTITLED TO REVIEW THE TITLE INSURANCE COMMITMENT WITH AN ATTORNEY AT LAW OF YOUR OWN CHOOSING, AT YOUR EXPENSE, PRIOR TO THE TRANSFER OF TITLE. WE STRONGLY ADVISE THAT YOU DO SO.**
2. **THE ATTORNEY RETAINED BY YOU, OR BY YOUR LENDER, CLOSING OR SETTLING THIS TITLE IS NOT AN AGENT FOR AND DOES NOT ACT ON BEHALF OF OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY. THE COMPANY ASSUMES NO LIABILITY FOR ANY LOSS, COST, OR EXPENSE INCURRED BY YOU BECAUSE YOUR ATTORNEY OR YOUR LENDER'S ATTORNEY HAS MADE A MISTAKE OR MISAPPLIED YOUR FUNDS.** Because the attorney is not our agent, we assume no responsibility for any information, advice, or title insurance promises the attorney may give or make. Our only liability to you is under the terms of the Commitment, Policy and Closing Service Letter if you choose to obtain one.
3. If you desire to obtain protection from this company regarding the application of your funds or compliance with requirements relating to the issuance of the proposed policy, the company will, on request and the payment of the fees filed with, and approved by, the Department of Insurance, provide for a settlement service.
4. By law we are also required to advise you that we have been asked to issue a mortgagee policy to the lender in the amount shown in Schedule A of the enclosed Title Insurance Commitment. If you have not already requested it, you have the right and the opportunity to obtain title insurance in your own favor for an additional premium which we will quote on request.



Privacy Policy Notice

PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of Old Republic National Title Insurance Company. We may collect nonpublic personal information about you from the following sources:

- Information we receive from you such as on applications or other forms.
- Information about your transactions we secure from our files, or from others.
- Information we receive from a consumer reporting agency.
- Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated third parties as permitted by law.

We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

- Financial service providers such as companies engaged in banking, consumer finance, securities and insurance.
- Non-financial companies such as envelope stuffers and other fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

We appreciate this opportunity to be of service to you.

EXHIBIT “6”

Art Bernard and Associates, L.L.C.

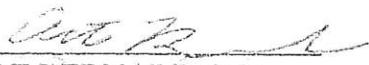
Housing and Land Use Planning

PLANNING REPORT IN SUPPORT OF VARIANCE RELIEF BLOCK 116, LOT 13

OCTOBER 21, 2020

PREPARED FOR
ORLANDO HEIGHTS REALTY, L.L.C.

PREPARED BY


ART BERNARD, P.P.

77 North Union Street, Lambertville, New Jersey 08530 Phone (609) 397-8070

E-mail: yuckygolfer@gmail.com

INTRODUCTION

I have prepared this report on behalf of Riverview at Raritan's use variance application, involving the redevelopment of Block 116, Lot 13. The property is located east of the Mill Street/Orlando Drive intersection and extends north from Orlando Drive toward the Raritan Borough central business district. There are currently two vacant, obsolete manufacturing buildings on the subject property.

Raritan at Riverview is seeking a use (d(1)) variance that will allow the property to be redeveloped as 70 apartment units within a four (4) story building, similar in scale to the adjacent Lena Apartments. This report will demonstrate that the site is particularly suited for the proposed use. It will also demonstrate that the proposal advances the 2003 Master Plan's vision for the area and also advances various purposes of the Municipal Land Use Law.

CREDENTIALS

I am a licensed professional planner and the managing member of my own firm. Over the past 25 years, I have served as a consulting planner for 27 municipalities. As a private sector consultant, I have testified before Boards of Adjustment all over New Jersey. I have qualified as an expert witness in most of the State's vicinages; and I have served the Court as a Special Master in 7 municipalities. I have provided my curriculum vitae as Exhibit 1.

DOCUMENTS REVIEWED

In preparing this report, I reviewed the Raritan Borough 2003 Maser Plan and the Borough's zoning ordinance. I have reviewed the applicant's plan for the property. I have also reviewed DEP records and have performed several visits to the subject property.

EXISTING LAND USE

Block 116, Lot 13 (Exhibit 2) is 2.215 acres and is known as the Zeus property, based on the abandoned manufacturing use on the property. The property includes a paved parking area toward

the southern end of the property, a one story vacant manufacturing building and a two-story vacant manufacturing building.

The site has approximately 300 feet of frontage along Orlando Drive. However, the site's frontage lies in the flood plain of the Raritan River. Thus, DEP will require an emergency access to provide adequate ingress and egress to and from the site. Also, due to the mapped flood areas, parking on the site must be elevated above the area impacted by flooding and/or moved to the back of the property. The applicant has provided for an emergency access to John Street and proposes compliance with the DEP parking requirements.

DEP records indicate that Lot 13 has groundwater contamination. The property is currently undergoing ground water monitoring.

The lot, as it exists, provides an unsightly gateway as one looks north from the Raritan River to the Borough's central business district. The difference in appearance between the subject property and the adjacent Lena Apartments is striking.

Putting the site in the context of surrounding land uses, the property lies between a four story multi-family community (the Lena Apartments), a commercial fuel and energy use, a laundromat and a two story apartment building. To the north, the subject property is adjacent to a parking area for the St. Joseph's Church. The property is within walking distance of the B-1 Central Business District and the commercial and service uses in the downtown area. It is also in close proximity to the scenic and recreational opportunities associated with the Raritan River.

THE MASTER PLAN

The 2003 Master Plan includes a land use vision statement and land use goals that are relevant to properties which span an area between the Raritan River and the Central Business District. The vision statement (Page 9 of the Master Plan) tells the reader what the Borough hopes to achieve for the area. It states:

The Borough has also made significant progress in implementing its planning agenda and is known for its lively downtown central business district, expanded Raritan River Greenway, revitalized former industrial areas and upgraded train station. Raritan's success is measured by increased private sector employment, new tax revenues, high occupancy rates in the downtown central business district, new parks and community facilities as well as the construction of several miles of bicycle/pedestrian friendly greenways.

In order to move toward the vision statement, the Master Plan (at Page 10) recommendations include:

- Preserve and enhance the residential character of the Borough by protecting established neighborhoods, maintaining a balance of housing choices, providing for compatible infill housing and planning for appropriate residential development in targeted redevelopment areas where land uses are in transition.
- Encourage appropriate redevelopment in transitional focus areas that will return underutilized land to productive use, improve quality of life, enhance community character, create new employment opportunities and strengthen the municipal tax base.
- Continue the revitalization of the Central Business District as a mixed-use destination and support other commercial districts through selective redevelopment, compatible infill development, infrastructure improvements, updated zoning, public-private partnerships and increased regional cooperation.

When the Master Plan was being prepared, the focus of the redevelopment area was the Raritan Woolen Mills property. The Woolen Mills property has since been redeveloped into the Lena Apartments, which are immediately adjacent to the subject property. The language in the Master Plan (at pages 12-14) is as true today for the subject property as it was at the time for the Woolen Mills property. Specifically, the site is strategically located between the central business district along Somerset Street and the Raritan River Greenway planned by Somerset County. Like the Raritan Woolen Mills site, the vacant Zeus property is underutilized in its current condition. As with the Raritan Woolen Mills site, much of the subject property is contaminated and is constrained by the flood hazard zone of the Raritan River.

Like the Woolen Mills property, the subject property:

- Is strategically located between the central business district and the planned Raritan River Greenway.
- Can establish a new residential community in a downtown setting that will provide needed multi-family housing and support the continued revitalization of the central business district. In addition, the multi-family housing will support the struggling shopping center to the east of the Lena Apartments.
- Can help establish an attractive Gateway to the Borough that will create a sense of arrival in the downtown, reinforce community character/design, increase the visibility of the central business district and enhance the visual environment.

The Master Plan was adopted in 2003. It recommended (at page 14) that the Woolen Mills site be rezoned to permit the greater of four stories or 60 feet. Since then the Raritan Woolen Mills site has been developed as four (4) story luxury apartments. The properties to the south of Orlando Road have been rezoned to promote the Greenway designed to create a more attractive Gateway to the central business district.

Specifically, the properties are zoned RG (Riverfront Greenway) and RC (Riverfront Commercial)
The RG Zone is designed to:

The Riverfront Greenway District is intended primarily for public recreational use including a greenway, and other public uses. This district can also accommodate compatible private uses on public lands such as boat clubs and small marinas, boat and bicycle rentals, festivals, outdoor markets, entertainment venues, and mobile vendors. All such uses shall be subject to applicable licensing and permit requirements either currently in place or developed for such purposes by the Borough. All such uses must be designed, located, and operated so as not to interrupt access to or enjoyment of the riverfront and surrounding green spaces.

The ordinance explains the RC Zone as follows:

The Riverfront Commercial District is intended to accommodate a well-designed mix of hospitality, restaurant, interpretive, heritage, tourism, and recreation uses as well as complementary retail uses. All development in this district shall be compatible with and take advantage of its waterfront location and ensure the continuation of the riverfront greenway.

Thus, the proposed use of the subject property continues the redevelopment of obsolete, unsightly properties into a residential link between the Raritan River Greenway and the central business

district. The multi-family housing proposed on the site will help support the existing business uses in the central business district, the permitted business uses in the RC Zone and the business uses in the shopping center at the corner of Orlando Drive and Route 206. More adjacent shoppers for the Borough's businesses are particularly important in light of the impact on commercial uses resulting from COVID 19 health safety practices. The redevelopment of the subject properties will help create the attractive Gateway to the downtown that the 2003 Master Plan was trying to create.

THE STATE DEVELOPMENT AND REDEVELOPMENT PLAN

Block 116, Lots 13 is situated adjacent to multi-family housing, various business uses and a church parking lot. It is in close proximity to the retail and service uses within the downtown area and a struggling shopping center located to the east of the Lena Apartments. It is also in close proximity to the scenic and recreation opportunities offered by the Raritan River.

New Jersey has adopted a State Development and Redevelopment Plan (SDRP) that has divided the State into various Planning Areas. Each Planning Area has different goals and objectives. With the exception of the portions of the subject properties that are flood prone, the subject properties are in Planning Area 1. Planning Area 1 is an area where the SDRP encourages growth and redevelopment. It encourages high density housing to promote business activity in centers. The SDRP promotes the concept of being able to walk from high density residences to areas providing shopping, recreation and service uses. The redevelopment of the subject property is clearly consistent with smart growth principles incorporated in the SDRP.

CONCLUSION

Based on the surrounding land uses and the language within the 2003 Master Plan, I conclude that the site is particularly suited for the proposed multi-family housing. I also conclude that the site promotes various purposes of the Municipal Land Use Law, including the following purposes:

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

- d. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
- e. To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;
- g. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens; and
- i. To promote a desirable visual environment through creative development techniques and good civic design and arrangement.

With regard to Purposes (a), (e) and (g), I have demonstrated how the proposal is compatible with the residential and non-residential uses in the area and that the use and density proposed are consistent with the use and density within the adjacent Lena Apartments. The use and density of the project will benefit the many businesses in close proximity to the site. It will benefit the many younger and older households seeking to live in a rental unit in close proximity to a downtown area. The site's linkage to other residential, business, service and recreational uses is consistent with the smart growth principles articulated in the SDRP (Purpose (d)). In addition, replacing the antiquated, vacant Zeus manufactured buildings with a modern apartment use will promote a desirable visual environment (Purpose (i)).

I find that the proposal will not be a detriment to the Master Plan. In my opinion, the proposal advances the goals of the 2003 Master Plan which supported four story multi-family housing next door to the subject property. In addition, I reconcile the omission of the use from the zoning plan based on the goals of the 2003 Master Plan and the subsequent development of the Lena Apartments. The applicant's proposal addresses the 2003 goals of: providing a productive use for underutilized properties; promoting local businesses and improving the appearance of the Borough's Gateway. In addition, since the Master Plan, the construction of the four story LENA apartments has significantly altered the character of the area in favor of an additional four story community.

Block 116, Lot 13 lies in the OMR zone, permitting office, manufacturing and recreational uses. One would not expect that the bulk standards associated with the OMR Zone would provide standards that are appropriate for a multi-family use. Thus, pursuant to case law, if the Board grants the use variance, the bulk standards would be subsumed by the use variance. The PDRD standards that guided the development of the LENA Apartments provide a more suitable model. However, Block 116, Lot 13 is a much narrower property and requires different standards to redevelop and mitigate the property for multi-family housing.

I look forward to supplementing this report when I testify before the Board.

EXHIBIT 1
CURRICULUM VITAE

Art Bernard and Associates, L.L.C.

Housing and Land Use Planning

ART BERNARD, P.P CURRICULUM VITAE

EDUCATION

Master of City and Regional Planning, Rutgers University, 1974
BA, History, Lafayette College, 1971

LICENSES AND AFFILIATIONS

New Jersey Professional Planners License #02507
American Planning Association
New Jersey Federation of Planning Officials
New Jersey Builder's Association Land Use Committee
New Jersey State Planning Commission Housing Advisory Committee
Highlands Technical Advisory Committee

PROFESSIONAL EXPERIENCE

Private Consultant

1994 to present

Managing Member of Art Bernard and Associates, L.L.C. Provide consulting services related to general land use and affordable housing. Activities include preparation of municipal plans, development ordinances and development reviews. Represent developers before municipal boards and in litigation. Specialize in representing municipalities and developers in exclusionary zoning matters before the Superior Court and the Council on Affordable Housing. Serve the Superior Court as Special Master.

New Jersey Council on Affordable Housing (COAH)
Executive Director

1993 to 1994

Developed recommendations to the Governor and Legislature. Negotiated contracts for consulting services as necessary for the proper operation of the Council. Represented the Council before relevant interest groups, governmental bodies and the general public. Acted as a hearing officer in accordance with the provisions of the Fair Housing Act and the rules established by the Council

77 North Union Street, Lambertville, New Jersey 08530 Phone (609) 397-8070 Fax (609) 397-8084
E-mail: yukygolfer@aol.com

Deputy Director

1986 to 1993

Responsible for developing all regulatory and policy recommendations for COAH. Managed the review of housing elements and the negotiations between municipalities and parties objecting to municipal housing elements. Developed and supervised a work program pertaining to mediation training, municipal and legislative outreach, housing element review and the production of publications. Negotiated housing settlements involving over 5,000 low and moderate income housing units.

New Jersey Department of Community Affairs (DCA)
Program Development Specialist

1982 to 1986

Responsible for developing the rules for the Neighborhood Preservation Balanced Housing Program, a low and moderate income housing grant program designed to supplement the goals of New Jersey's Fair Housing Act. Co-authored the program guidelines, application criteria and review criteria for New Jersey's Small Cities Community Development Block Grant Program.

Project Manager of the New Jersey Model Subdivision and Site Plan Ordinance, designed to provide quality municipal improvements without adding unnecessary costs to the development process.

Project Manager of the New Jersey Class C Boarding House Study. Analyzed the costs associated with operating a boarding house. Assisted in developing New Jersey's Life Safety Improvement Program for boarding homes.

Responsible for representing DCA on the Delaware Valley Regional Planning commission and the New Jersey Clean Water Council. Responsible for providing technical assistance to the Division of Coastal Resources, the Pinelands Commission and the Meadowlands Commission on housing issues.

Principal Planner

1979 to 1982

Provided technical assistance to municipalities on land use and housing issues. Co-authored the *Affordable Housing Handbook* which discussed various means of reducing the cost of housing.

Hunterdon County Planning Board
Senior Planner

1974 to 1977

Responsible for subdivision and site plan review and for providing technical assistance at municipal planning board meetings. Prepared the *Hunterdon County Economic Base Study* and the *Hunterdon County Transportation Plan*.

New Jersey Department of Health
Health Consultant

1977 to 1979

Surveyed health providers throughout New Jersey and incorporated findings into the *New Jersey Health Master Plan*.

PUBLICATIONS

"Limits to the Builder's Remedy", New Jersey Municipalities
"COAH and Its Rules: Time to Pay Attention", New Jersey Planning Officials
"Low & Moderate Income Housing in NJ Faces Double Barreled Opposition", Dimensions
"Planning for Affordable Housing", New Jersey Planning Officials
"Planning Update", THP Newsletter
"Strategies for Addressing Low Income Housing Needs", New Jersey Municipalities
Mount Laurel II: Methods of Calculating Fair Share
"The New Jersey Experience: Affordable Housing Seen as a Constitutional
Obligation", Trends in Housing
"Mount Laurel II: Revisited Five Years Later", Federation Planner.
"Mount Laurel II: Working Toward Compliance", New Jersey Municipalities
"Looking Beyond COAH's Numbers, New Jersey Municipalities
Requirements of a Housing Element and Fair Share Plan
"COAH Counts Successes Along Road to Affordable Housing", CUPREPORT

LECTURES/AWARDS

Associate of the Year, New Jersey Builder's Association, 1997 and 2006
New Jersey Federation of Planning Officials Citation of Merit
Edward J. Bloustein School of Planning and Public Policy, Rutgers University
Camden Law School, Rutgers University
American University Law School
Housing Conferences in New York, New Jersey, Rhode Island and Pennsylvania
Colloquium of The Seton Hall University Center for Social Justice

Municipal Clients – Served the following municipalities as municipal planner and/or affordable housing planner.

Allendale Borough, Avon Borough, Bernardsville Borough, Carteret Borough, Cherry Hill Township, Closter Borough, Delanco Township, Hampton Borough, Harrison Township, High Bridge Borough, Marlboro Township, Medford Township, Milltown Borough, Mount Laurel Township, North Plainfield Borough, Piscataway Township, Princeton Township, Ramsey Borough, South River Borough, Tinton Falls Borough, Ramsey Borough, Wall Township, Wanaque Borough, West Caldwell Township.

Court Master Assignments

Burlington City, Cinnaminson Township, Edgewater Park Township, Franklin Lakes Borough, Little Falls Township, Old Bridge Township.

Private Sector Assignments Before Local Boards, COAH and Court.

Atlantic County – Absecon City, Brigantine City, Galloway Township, Egg Harbor Township, Hammonton Town, Northfield City, Somers Point City.

Bergen County – East Rutherford Borough, Fair Lawn Borough, Glen Ridge Borough, Hohokus Borough, Little Ferry Borough, Mahwah Township, Milltown Borough, North Arlington Borough, Oakland Borough, Oradell Borough, Paramus Borough, Park Ridge Borough, Ramsey Borough, Ridgewood Borough, River Vale Township, Rutherford Borough, Tenafly Borough, Upper Saddle River Borough, Verona Borough, Wallington Borough, Woodcliff Lake Borough.

Burlington County – Bordentown Township, Delran Township, Evesham Township, Mansfield Township, Moorestown Borough, Mount Laurel Township, Pemberton Township, Springfield Township, Westampton Township.

Camden County – Berlin Township, Haddonfield Borough, Pine Hill Township, Stratford Borough.

Cape May County – West Cape May Borough.

Cumberland County – Vineland City.

Essex County – Cedar Grove Township, Fairfield Township, Livingston Township, Nutley Borough, Roseland Borough, South Orange Village Township, West Orange Township.

Gloucester County – Clayton Borough, Deptford Township, East Greenwich Township, Logan Township, Newfield Borough, South Harrison Township, Swedesboro Borough, West Deptford Township, Woolwich Township.

Hudson County – Bayonne City, Hoboken City, Secaucus Town.

Hunterdon County – Alexandria Township, Clinton Town, Clinton Township, Delaware Township, East Amwell Township, Lebanon Borough, Milford Borough, Raritan Township, Readington Township, Union Township.

Mercer County –East Windsor Township, Hamilton Township, Hopewell Township, Princeton Borough, Robbinsville Township, Trenton City, West Windsor Township.

Middlesex County – Cranbury Township, East Brunswick Township, Edison Township, Highland Park Borough, Monroe Township, North Brunswick Township, Sayreville Borough, South Brunswick Township, South Plainfield Borough.

Monmouth County – Aberdeen Township, Atlantic Highlands Borough, Avon Borough, Belmar Borough, Eatontown Borough, Farmingdale Borough, Freehold Township, Hazlet Borough, Highlands Borough, Holmdel Township, Howell Township, Keyport Borough, Little Silver Borough, Manalapan Township, Marlboro Township, Middletown Township, Neptune City Borough, Ocean Township, Red Bank Borough, Rumson Borough, Sea Bright Borough, Shrewsbury Borough, Tinton Falls Borough, Wall Township.

Morris County - Chester Borough, Denville Township, Dover Town, East Hanover Township, Florham Park Borough, Hanover Township, Lincoln Park Borough, Long Hill Township, Mine Hill Township, Montville Township, Morris Township, Morris Plains Borough, Morristown Town, Mountain Lakes Borough, Mount Arlington Borough, North Hanover Township, Parsippany Troy-Hills Township, Randolph Township.

Ocean County – Barnegat Township, Berkeley Township, Brick Township, Jackson Township, Little Egg Harbor Township, Manchester Township, Toms River.

Passaic County -- Bloomingdale Borough, Clifton City, Elmwood Park Borough, Passaic City, Pompton Lakes Borough, Ringwood Borough, Wanaque Borough, Wayne Township, Woodland Park Borough.

Salem County -- Oldmans Township, Pittgrove Township.

Somerset County – Bedminster Borough, Bernards Township, Branchburg Township, Bridgewater Township, Far Hills Borough, Franklin Township, Green Brook Township, Hillsborough Township, Manville Borough, Millstone Borough, Montgomery Township, Raritan Borough, Warren Township.

Sussex County – Frankford Township, Fredon Township, Green Township, Hampton Township, Hardyston Township, Lafayette Township, Newton Town.

Union County -- Berkeley Heights Township, Clark Township, Cranford Township, Fanwood Borough, Hillside Township, Mountainside Borough, New Providence Township, Roselle Park Borough, Scotch Plains Township, Springfield Township, Westfield Township.

Warren County – Alpha Borough, Greenwich Township, Hacketstown Town, Harmony Township, Hopatcong Township, Oxford Township.

Pennsylvania -- Buckingham Township, Forks Township, Plumstead Township, Tincum Township, Upper Mount Bethel Township, Williams Township.

New Jersey Builders Association

Wrote comments to each iteration of COAH's proposed third round rules.

EXHIBIT 2
AERIAL VIEW OF BLOCK 116, LOT 13

A. Block 116, Lot 13 - Raritan, NJ
Orlando Heights Realty, LLC (Owner)

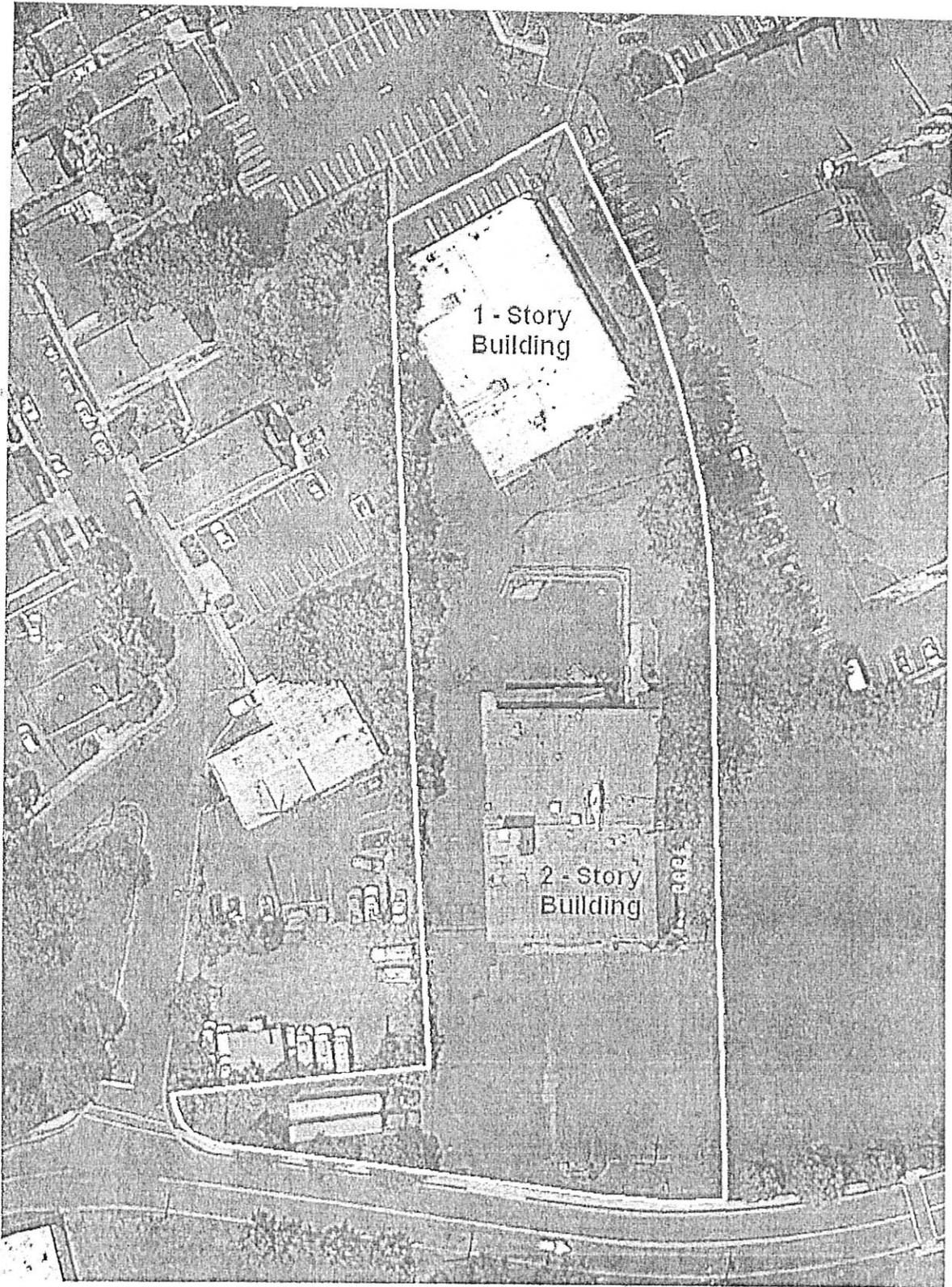


EXHIBIT "7"

Orlando Wright
7379-001



September 21, 2020

BOROUGH OF RARITAN

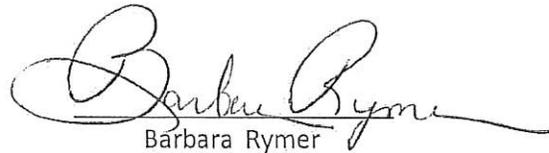
Certified List of Property Owners within 200 feet Radius

Applicant /Requestor: SAVO SCHALK, GILLESPIE, O'GRODNICK, & FISHER, P.A.
56 East Main Street, Suite 301
Somerville, NJ 08876

Property Requested – Certified List of Property Owners within 200 feet
Block 108, Lot 4,5, 6
Block 116, Lot 13 & 14
Somerset County, New Jersey

I certify that the attached list contains the names and addresses of the owners of properties adjoining and/or within 200 feet of the above-described properties, in all directions, as indicated by the current Raritan Borough Tax Map and Tax List.

Sept 21, 2020
Date


Barbara Rymer

Note: Notice to be served on adjoining municipalities when the property involved is within 200 feet of an adjoining municipality. Notice of said hearing must be given to the Municipal Clerk of such municipality by certified mail at least 10 days prior to the hearing.



RARITAN BOROUGH
Parcel Offset List

Target Parcel(s): Block-Lot: 116-13
ORLANDO HEIGHTS REALTY LLC
Block-Lot: 116-14
SKYLANDS ENERGY SERVICE, INC.

20 parcels fall within 200 feet of this parcel(s).

Block-Lot: 108-7

GONZALEZ, GERARDO & JIMENEZ, ALBA
12 THOMPSON ST
RARITAN NJ 08869

Block-Lot: 108-8

GILLENWATER, VANCE
30 GREGORY LANE
WARREN, NJ 07059

Block-Lot: 107-12

PERNINI, DONALD
1-3 CANAL STREET
RARITAN, NJ 08869

Block-Lot: 108-3

ST. JOSEPHS CHURCH
16 E SOMERSET ST
RARITAN, N. J. 08869

Block-Lot: 109-1.02

HIGHLAND PARK ACQUISITIONS & HOLDIN
499 ERNSTON ROAD,SUITE B9
PARLIN, NJ 08859

Block-Lot: 107-10

PERNINI, DONALD
1-3 CANAL STREET
RARITAN, NJ 08869

Block-Lot: 116.02-7

BRYGIER, BLAIR AKA BNB ASSOCIATES
35-41 ORLANDO DR
RARITAN, NJ 08869

Block-Lot: 109-1.03

RANI PROPERTIES LLC,
106 LIBERTY CORNER ROAD
WARREN, NJ 07059

Block-Lot: 115-2

SOMERSET COUNTY,
P.O. BOX 3000
SOMERVILLE, NJ 08876

Block-Lot: 108-5

6 THOMPSON RARITAN, LLC %K.BOYLE
1170 HWY 22E, SUITE 300
BRIDGEWATER, NJ 08807

Block-Lot: 116-12

CL RIVER PARK L.P.
60 ORLANDO DRIVE
RARITAN, NJ 08869

Block-Lot: 107-9

CAO, YUXIN & LI, YUE
7 NOSTRAND ROAD
HILLSBOROUGH, NJ 08844

Block-Lot: 107-14
RUNYON, DAVID C
9 CANAL ST
RARITAN, NJ 08869

Block-Lot: 108-6
KING, BARBARA, BALOGH, JAMIE
10 THOMPSON STREET
RARITAN, NJ 08869

Block-Lot: 107-16
QUESADA, VICTOR & ELSI
24 DOUGHTY STREET
RARITAN, NJ 08869

Block-Lot: 116.02-12.01
RARITAN BOROUGH
22 FIRST ST
RARITAN, NJ 08869

Block-Lot: 107-15
TRADING POST REALTY #2 LLC
BOX 544
MIDDLESEX NJ 08846

Block-Lot: 107-11
TAMEDL, BRIAN
4 TWIN CROOK RD
MARTINSVILLE, NJ 08836

Block-Lot: 108-4
CAC & KC ENTERPRISES, INC.
4 THOMPSON STREET
RARITAN, NJ 08869

Block-Lot: 107-13
FRANCHINO, ROBERT & JOSEPH L.
3 MILLS COURT
FLEMINGTON, NJ 08822



RARITAN BOROUGH

Parcel Offset List

Target Parcel(s): Block-Lot: 108-4
CAC & KC ENTERPRISES, INC.
4 THOMPSON ST.
Block-Lot: 108-5
6 THOMPSON RARITAN, LLC %K.BOYLE
6 THOMPSON ST
Block-Lot: 108-6
KING, BARBARA, BALOGH, JAMIE
10 THOMPSON ST

25 parcels fall within 200 feet of this parcel(s).

Block-Lot: 108-7
GONZALEZ, GERARDO & JIMENEZ, ALBA
12 THOMPSON ST
RARITAN NJ 08869
RE: 12 THOMPSON ST

Block-Lot: 107-12
PERNINI, DONALD
1-3 CANAL STREET
RARITAN, NJ 08869
RE: 1-3 CANAL ST.

Block-Lot: 116-13
ORLANDO HEIGHTS REALTY LLC
2710 AVE. K
BROOKLYN, NY 11210
RE: 48 ORLANDO DR

Block-Lot: 107-5
RARITAN INVESTORS PROPERTY MGT.,LLC
2 NORTH FINLEY AVENUE
BASKING RIDGE, NJ 07920
RE: 1 W SOMERSET ST

Block-Lot: 115-2
SOMERSET COUNTY,
P.O. BOX 3000
SOMERVILLE, NJ 08876
RE: CANAL ST & MILL ST

Block-Lot: 116-12
CL RIVER PARK L.P.
60 ORLANDO DRIVE
RARITAN, NJ 08869
RE: 60 ORLANDO DR

Block-Lot: 108-8
GILLENWATER, VANCE
30 GREGORY LANE
WARREN, NJ 07059
RE: 14 THOMPSON ST

Block-Lot: 107-3
ARC PANJOH54, LLC C/O NTS LLC.
303 E. WACKER DR. #1040
CHICAGO, IL 60601
RE: 9 W SOMERSET ST

Block-Lot: 107-7
GRZEBYK, KRZYSZTOF & AGNIESZKA
74 WINDY WILLOW WAY
BRANCBURG, NJ 08876
RE: 13 THOMPSON ST

Block-Lot: 108-3
ST. JOSEPHS CHURCH
16 E SOMERSET ST
RARITAN, N. J. 08869
RE: 16 E SOMERSET ST

Block-Lot: 107-10
PERNINI, DONALD
1-3 CANAL STREET
RARITAN, NJ 08869
RE: 5 THOMPSON ST

Block-Lot: 109-1.03
RANI PROPERTIES LLC,
106 LIBERTY CORNER ROAD
WARREN, NJ 07059
RE: 1 ELIZABETH ST.

Block-Lot: 107-9
CAO, YUXIN & LI, YUE
7 NOSTRAND ROAD
HILLSBOROUGH, NJ 08844
RE: 7 THOMPSON ST

Block-Lot: 107-14
RUNYON, DAVID C
9 CANAL ST
RARITAN, NJ 08869
RE: 9 CANAL ST

Block-Lot: 116-14
SKYLANDS ENERGY SERVICE, INC.
2 THOMPSON ST
RARITAN, NJ 08869
RE: 2 THOMPSON ST

Block-Lot: 107-16
QUESADA, VICTOR & ELSI
24 DOUGHTY STREET
RARITAN, NJ 08869
RE: 24 DOUGHTY ST

Block-Lot: 107-19
BARRETT, WILLIAM E & LORI A
1103 RIVER RD
HILLSBOROUGH, NJ 08844
RE: 14 DOUGHTY ST

Block-Lot: 108-9
PAUL HONG IRREVOCABLE HERITAGE TRST
309 BARRINGTON DRIVE
BRIDGEWATER, NJ 08807
RE: 16 THOMPSON STREET

Block-Lot: 107-17
VON HORN, FREDRICK & HEIDI
46 LUDLOW AVE.
BELLE MEAD, NJ 08502
RE: 22 DOUGHTY ST

Block-Lot: 107-8
DUTAN, LUZ M.
11 THOMPSON STREET
RARITAN, NJ 08869
RE: 11 THOMPSON ST

Block-Lot: 107-11
TAMEDL, BRIAN
4 TWIN CROOK RD
MARTINSVILLE, NJ 08836
RE: 3 THOMPSON ST

Block-Lot: 108-2
FORTE, ROSEMARY C.
8 E SOMERSET ST
RARITAN, N J 08869
RE: 8 E SOMERSET ST

Block-Lot: 107-13
FRANCHINO, ROBERT & JOSEPH L.
3 MILLS COURT
FLEMINGTON, NJ 08822
RE: 5-7 CANAL STREET

Block-Lot: 108-1
STARYCKI, WALTER A.
122 GREEN STREET
SOMERVILLE, NJ 08876
RE: 2-4 E SOMERSET ST

Block-Lot: 107-18
DEMELIO, GERALD C.
18 DOUGHTY STREET
RARITAN, NJ 08869
RE: 18 DOUGHTY ST

Additional Require Certified Mailing List for the following:

Somerset County Planning Board
P.O. Box 3000
Somerville, NJ 08876

N. J. Dept. of Transportation
1035 Parkway Ave.
P.O. Box 600
Trenton, NJ 08625-0600

Public Service Electric & Gas Co.
Manager – Corporate Properties
80 Park Plaza, T6B
Newark, NJ 07102

Bell Atlantic
540 Broad St.
Newark, NJ 07102

Sherwin Ulep, P.E. / Facility Engineer
The Somerset Raritan Valley Sewage Authority
P.O. Box 6400
Bridgewater, NJ 08807

New Jersey American Water Co.
1025 Laurel Oak Rd.
Voorhees, NJ 08043

Borough of Raritan
Borough Clerk
22 First St.
Raritan, N.J. 08869

Cable Vision
275 Centennial Ave.
Piscataway, N.J. 08855-6805
CN 6805

Somerville Borough Clerk
25 West end Avenue
Somerville, N.J. 08876

Bridgewater Township Clerk
100 Commons Way
Bridgewater, NJ 08807

EXHIBIT “8”

William B. Savo 4
Charles Z. Schalk 1,4
Ellen M. Gillespie
Michael P. O'Grodnick 4
Alexander G. Fisher 1,4
Christopher M. Corsini 1

Kaitlyn J. Michko
Matthew R. Flynn

Michael J. Camerino 4
John F. Bracaglia, Jr.

THE LAW OFFICES OF
SAVO SCHALK
GILLESPIE, O'GRODNICK & FISHER, P.A.

56 East Main Street, Suite 301
Somerville, New Jersey 08876

(908) 526-0707
Fax (908) 725-8483

www.centraljerseylaw.com

Michael G. Friedman 2
Edward A. Halpern
Henry B. Rzemieniewski
Frederick H. Allen, III
Stanley F. Rizzolo

George A. Mauro, Jr. (1933-2006)
Alan Bart Grant (1948-2015)

1. Also NY Bar
2. Also ME Bar
3. Cert. Civil Trial Adv
4. U.S. Supreme Court

October 29, 2020

VIA E-MAIL

Karin Kneafsey, Tax Collector
Borough of Raritan
22 First Street
Raritan, NJ 08869

**Re: Orlando Heights Realty, LLC
Block 108, Lot 4, 5, 6
Block 116, Lot 13 & 14
Raritan, NJ 08869**

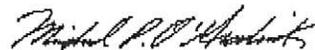
Dear Ms. Kneafsey:

Please be advised that this firm represents Orlando Heights Realty, LLC.

Please provide me with a Certification of Taxes Paid as soon as possible regarding Block 108, Lot 4, 5, 6 and Block 116, Lot 13 & 14.

Thank you for your cooperation. Please feel free to contact me with any additional questions or concerns that you may have regarding this matter.

Very truly yours,



Michael P. O'Grodnick

MPO/ck

October 29, 2020
02:28 PM

BOROUGH OF RARITAN
Tax Account Detail Inquiry

Page No: 1

BLQ: 108. 4.
Owner Name: CAC & KC ENTERPRISES, INC.

Tax Year: 2020 to 2020
Property Location: 4 THOMPSON ST.

Tax Year: 2020	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
Original Billed:	3,068.28	3,068.27	3,089.94	3,089.93	12,316.42
Payments:	3,068.28	3,068.27	3,089.94	3,089.93	12,316.42
Balance:	0.00	0.00	0.00	0.00	0.00

Date	Qtr	Type	Code	Check No	Mthd	Reference	Batch Id	Principal	Interest	2020 Prin Balance
								12,316.42		12,316.42
		Original Billed								
12/30/19	1	Payment	001	1160	CK	7901	7 WINDOW	3,068.28	0.00	9,248.14
04/09/20	2	Payment	001	1172	CK	8091	11 WINDOW	3,068.27	0.00	6,179.87
09/01/20	3	Payment	001	1187	CK	8374	6 WINDOW	3,089.94	0.00	3,089.93
10/06/20	4	Payment	001	1193	CK	8471	8 WINDOW	3,089.93	0.00	0.00

Total Principal Balance for Tax Years in Range: 0.00

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BOROUGH OF RARITAN
Tax Account Detail Inquiry

Page No: 1

BLQ: 108. 5. Tax Year: 2020 to 2020
Owner Name: 6 THOMPSON RARITAN, LLC %K.BOYLE Property Location: 6 THOMPSON ST

Tax Year: 2020	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
Original Billed:	3,570.00	3,570.00	3,595.20	3,595.20	14,330.40
Payments:	3,570.00	3,570.00	3,595.20	0.00	10,735.20
Balance:	0.00	0.00	0.00	3,595.20	3,595.20

Date	Qtr	Type	Code	Check No	Mthd	Reference	Batch Id	Principal	Interest	2020 Prin Balance
								14,330.40		14,330.40
		Original Billed								
02/20/20	1	Payment	001	1097	CK	8032	18 WINDOW	3,570.00	26.00	10,760.40
02/20/20	2	Payment	001	1097	CK	8032	19 WINDOW	3,570.00	0.00	7,190.40
09/17/20	3	Payment	001	175	CK	8416	15 WINDOW	3,595.20	0.00	3,595.20

Total Principal Balance for Tax Years in Range: 3,595.20

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BOROUGH OF RARITAN
Tax Account Detail Inquiry

Page No: 1

BLQ: 108. 6.
Owner Name: KING, BARBARA, BALOGH, JAMIE

Tax Year: 2020 to 2020
Property Location: 10 THOMPSON ST

Tax Year: 2020	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
Original Billed:	2,814.57	2,814.56	2,834.43	2,834.43	11,297.99
Payments:	2,814.57	2,814.56	2,834.43	0.00	8,463.56
Balance:	0.00	0.00	0.00	2,834.43	2,834.43

Date	Qtr	Type	Code	Check No	Mthd	Reference	Batch Id	Principal	Interest	2020 Prin Balance
		Description								
		Original Billed						11,297.99		11,297.99
02/05/20	1	Payment	001	399	CK	7991	14 WINDOW	2,814.57	0.00	8,483.42
06/08/20	2	Payment	001	414	CK	8189	5 WINDOW	2,814.56	33.68	5,668.86
06/08/20	3	Payment	001	414	CK	8189	4 WINDOW	100.13	0.00	5,568.73
09/14/20	3	Payment	001	468	CK	8404	10 WINDOW	2,734.30	0.00	2,834.43

Total Principal Balance for Tax Years in Range: 2,834.43

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BOROUGH OF RARITAN
Tax Account Detail Inquiry

Page No: 1

BLQ: 116. 13. Tax Year: 2020 to 2020
Owner Name: ORLANDO HEIGHTS REALTY LLC Property Location: 48 ORLANDO DR

Tax Year: 2020	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
Original Billed:	1,917.60	1,917.60	1,931.14	1,931.13	7,697.47
Payments:	0.00	0.00	0.00	0.00	0.00
Balance Adjust:	1,917.60-	1,917.60-	1,931.14-	1,931.13-	7,697.47-
Balance:	0.00	0.00	0.00	0.00	0.00

Date	Qtr	Type	Code	Check No	Mthd	Reference	Batch Id	Principal	Interest	2020 Prin Balance
		Description								
		Original Billed						7,697.47		7,697.47
07/25/19	1	Adjustment	071			7523	3 CCOOK	1,917.60-	0.00	5,779.87
		moved pymt fr 2019								
07/25/19	2	Adjustment	071			7523	4 CCOOK	1,917.60-	0.00	3,862.27
		moved pymt fr 2019								
07/25/19	3	Adjustment	071			7523	5 CCOOK	8,702.90-	0.00	4,840.63-
		moved pymt fr 2019								
07/28/20	3	Adjustment	063			8281	1 CCOOK	6,771.76	0.00	1,931.13
		trf to 4Q20/1Q/2Q/3Q								
07/28/20	4	Adjustment	063			8281	2 CCOOK	1,931.13-	0.00	0.00
		trf o/p fr 3Q 2020								

Total Principal Balance for Tax Years in Range: 0.00

October 29, 2020
02:30 PM

BOROUGH OF RARITAN
Tax Account Detail Inquiry

Page No: 1

BLQ: 116. 14.
Owner Name: SKYLANDS ENERGY SERVICE, INC.

Tax Year: 2020 to 2020
Property Location: 2 THOMPSON ST

Tax Year: 2020	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
Original Billed:	2,529.60	2,529.60	2,547.46	2,547.45	10,154.11
Payments:	2,529.60	2,529.60	2,547.46	0.00	7,606.66
Balance:	0.00	0.00	0.00	2,547.45	2,547.45

Date	Qtr	Type	Code	Check No	Mthd	Reference	Batch Id	Principal	Interest	2020 Prin Balance
								10,154.11		10,154.11
		Original Billed								
02/03/20	1	Payment	001	6077	CK	7978 44	WINDOW	2,529.60	0.00	7,624.51
05/04/20	2	Payment	001	6406	CK	8124 73	WINDOW	2,529.60	0.00	5,094.91
09/08/20	3	Payment	001	6790	CK	8389 79	WINDOW	2,547.46	0.00	2,547.45

Total Principal Balance for Tax Years in Range: 2,547.45

EXHIBIT “9”

PART I – PROJECT INFORMATION

For new land development applications, complete Sections A-E and sign the application in Section F. For resubmissions and revisions, fill out Section A, update Sections B-E for any change in information, and sign the application in Section F.

SECTION A – PROJECT IDENTIFICATION

PROJECT NAME Riverview at Raritan - Orlando Heights Realty, LLC
MUNICIPALITY Borough of Raritan
BLOCK(S) 116 LOT(S) 13
STREET ADDRESS 48 Orlando Drive, Raritan
TAX MAP PAGE _____ DATE OF PLANS BEING SUBMITTED Nov. 2, 2020
LOCAL BOARD REVIEWING APPLICATION:
PLANNING BOARD _____ BOARD OF ADJUSTMENT X
COUNTY PLANNING BOARD FILE # _____ (for resubmissions/revisions)

SECTION B – APPLICANT AND CONTACT INFORMATION

APPLICANT'S NAME Orlando Heights Realty, LLC c/o Morris Neuman
ADDRESS 2710 Ave. K, Brooklyn, NY 11210
TELEPHONE 718.614.4646 FAX 908.725.8483
E-MAIL morrisneuman@icloud.com

PLAN PREPARER'S NAME Tibor Latincsics, PE - Conklin Associates
PLAN PREPARER'S ADDRESS 29 Church Street, P.O. Box 282, Ramsey, NJ 07446
TELEPHONE 201.327.0443 FAX 201.934.1097
E-MAIL tibor@conklinassociates.com

ATTORNEY'S NAME Michael P. O'Grodnick, Esq. - Savo Schalk Law Firm
ATTORNEY'S ADDRESS 56 East Main Street, Suite 301, Somerville, NJ 08876
TELEPHONE 908.526.0707 FAX 908.725.8483
E-MAIL ogrodnick@centraljerseylaw.com

SECTION C – SITE DATA

AREA OF TRACT 2.215 acres
DEDICATED OPEN SPACE 0 acres

PUBLIC SEWER YES X NO _____
 PUBLIC WATER YES X NO _____
 REDEVELOPMENT YES X NO _____

SECTION D – SUBDIVISION INFORMATION

SUBDIVISION TYPE RESIDENTIAL (✓) X NONRESIDENTIAL (✓) _____
 NUMBER OF NEW BUILDING LOTS N/A
 NEW BUILDING LOTS PROPOSED UNDER FAIR HOUSING ACT N/A
 TOTAL AREA OF NEW BUILDING LOTS _____ acres
 AVERAGE AREA OF NEW BUILDING LOTS _____ acres
 NUMBER OF MULTI-FAMILY LOTS _____
 LENGTH OF NEW STREET _____ linear feet

SECTION E – SITE PLAN INFORMATION

<u>TYPE (✓)</u>	<u>NUMBER OF UNITS</u>	<u>AMOUNT OF NEW SQ. FOOTAGE</u>	<u>NUMBER OF NEW PARKING SPACES</u>
<u>X</u> RESIDENTIAL	<u>70</u>	<u>115,000 SF</u>	<u>158</u>
Living Units	_____	_____	_____
Attached Units	_____	_____	_____
Fair Housing Act Units	<u>10% - 7</u>	_____	_____
_____ COMMERCIAL/RETAIL	_____	_____	_____
_____ OFFICE	_____	_____	_____
_____ INDUSTRIAL/WAREHOUSE	_____	_____	_____
_____ PUBLIC/INSTITUTIONAL	_____	_____	_____
_____ OTHER	_____	_____	_____

SECTION F - SIGNATURE

SIGNED  DATE 11.2.20
 (SIGNATURE OF APPLICANT OR AGENT) Fac

PART II – REVIEW FEE SCHEDULE

A review fee shall apply to each subdivision and land development submitted to the Somerset County Planning Board for review in accordance with the New Jersey County Enabling Act, Section 40 27-6.2 and 40 27-6.6. Fees shall be submitted with the submission package to the County Planning Board located in the County Administration Building, 20 Grove Street, Somerville, New Jersey. Only certified checks or money orders, payable to Treasurer, County of Somerset, will be accepted. Review will not commence until the proper fees and accompanying plans and supporting documents are received by the County Planning Board. The review fee is non-refundable.

One pre-application meeting and/or submission of a concept plan will be considered by the Planning Board when requested by the applicant. Subsequent meetings and reviews of documents will only be considered upon receipt of a completed Somerset County Land Development Application Form and Checklist with the appropriate fee.

Complete all sections of the fee schedule below that apply.

SECTION A – REVIEW FEE EXEMPTION (Check reason for exemption)

1. Lot line adjustments where no building lots are being created.
2. Minor building additions not on a county road involving less than 1,000 sq. ft. and no additional parking.
3. Plans submitted by a duly recognized nonprofit institution or municipality.
4. Housing units proposed as per the Fair Housing Act. *Only the specific housing units or lots proposed under the Fair Housing Act are exempt from the review fee.*

SECTION B – SUBDIVISION REVIEW FEE (Check appropriate category)

If uncertain whether the proposed development impacts a County facility, the applicant should submit the lesser fee. If the County determines that the project impacts a County facility, the County will notify the applicant as to the correct fee in the first County Planning Board report.

1. A minor subdivision which contains two (2) or fewer new lots, which does not impact a County road or drainage facility as determined by the County.
\$150.00 flat fee \$ _____
2. A minor subdivision which contains two (2) or fewer new lots, which impacts a County road or drainage facility as determined by the County.
\$200.00 flat fee \$ _____
3. A major subdivision which contains three (3) or more new lots, which does not impact a County road or drainage facility as determined by the County.
\$300.00 flat fee \$ _____
4. A major subdivision which contains three (3) or more new lots, which impacts a County road or drainage facility as determined by the County.
\$400.00 flat fee plus \$ _____
\$20.00 per new lot + \$ _____
5. A Final Plat
\$300.00 flat fee \$ _____

SECTION C – SITE PLAN REVIEW FEE (Check appropriate category)

If uncertain whether the proposed development impacts a County facility, the applicant should submit the lesser fee. If the County determines that the project impacts a County facility, the County will notify the applicant upon issuance of the first County Planning Board report.

1. A site plan which does not impact a County road or drainage facility as determined by the County.
\$150.00 flat fee \$ _____
2. _____ A site plan which impacts a County road or drainage facility as determined by the County.
\$400.00 flat fee plus \$ _____
\$10.00 per parking stall **Commercial/Office** + \$ _____
\$2.00 per 100 sq. ft. **Industrial** + \$ _____
\$20.00 per dwelling unit **Residential** + \$ _____

For projects requiring a more detailed engineering/planning review, an escrow account may be required to cover the actual cost of completing the review of the project. The County Planning Board will advise the applicant of this amount when applicable.

SECTION D – TOTAL APPLICATION FEE \$ 150 _____

SECTION E – REVISION FEE (Check appropriate category)

A revision fee must be submitted for revised plans, stormwater management reports, traffic reports and other supporting documentation.

1. _____ 1st revision - no revision fee
2. _____ 2nd and each subsequent revision
- \$150.00** **Minor Subdivision (2 or fewer new lots)** \$ _____
- \$300.00** **Major Subdivision (3 or more new lots)** \$ _____
- \$300.00** **All Site Plans** \$ _____

SECTION F – GEOGRAPHIC INFORMATION SYSTEM FEE (Check appropriate category)

A separate check shall be submitted for the Geographic Information System fee as listed below.

- \$25.00 per plat plus** \$ _____
- \$10.00 per new lot** \$ _____
- \$25.00 per site plan if proposed structure is greater the 400 sq. ft.** \$ 25 _____

Somerset County Land Development Completeness Checklist

The following checklist is to be completed and included with the standard application form:

I=Incomplete

NA=Not Applicable

C=Complete

General Requirements

- | I | NA | C | |
|----------------------------------|----------------------------------|----------------------------------|---|
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 1. Completed current County Land Development Application form with all required attachments. (http://www.co.somerset.nj.us/planweb/pdf/appformlist.pdf) |
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 2. Review or revision fees paid in full by certified check. |
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 3. Written description of application. Description must include existing and proposed use. Any items marked not applicable on this checklist must be fully explained within the written description. |
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 4. Copy of complete application as submitted to municipality. |
| <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | 5. Copy of all applications to other review agency (NJDEP, Soil Conservation, Canal Commission, etc.). |
| <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | 6. Historical Impact Statement (if required by Chapter 8 of Resolution). If not applicable, state reason in written description of project. |
| <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | 7. Agricultural Impact Statement (if required by Chapter 8 of Resolution). If not applicable, state reason in written description of project. |
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 8. Recycling Plan Element (if required by Chapter 8 of Resolution). If not applicable, state reason in written description of project. |
| <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | 9. Copy of Highlands Preservation Area Approval (if applicable). Please refer to http://www.highlands.state.nj.us/njhighlands/ for more information on requirements. If not applicable, state reason in written description of project. |
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 10. Number of COAH units must be listed in the written description of application and shown on plan. |

Plan Requirements

- | | | | |
|-----------------------|-----------------------|----------------------------------|---|
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 11. Title page with a legible key map, containing a north arrow, at a scale suitable to easily find the site for a field inspection. The title page must also include the project name and the 3"x 4" County acceptance stamp block. |
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 12. Construction plans showing all proposed improvements to County facilities at a scale of 1"=30' signed and sealed by a professional engineer prepared in accordance with County standards. All sheets are to contain the scale of plan (written and graphic) and a correctly oriented north arrow. Existing features must be shown consistent with the Plan of Survey. |

- | I | NA | C | |
|-----------------------|----------------------------------|----------------------------------|--|
| <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | 13. County construction details, drawn to scale, and applicable specifications. |
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 14. Title block (Per N.J.S.A.13:40-1.3) containing type/name of application, plan preparer, existing block and lot numbers, and date of plan with revision dates. |
| <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | 15. County facilities and surrounding topography and features must be shown for a minimum distance of 200' beyond the tract boundaries. For projects affecting County facilities this includes pavement, curb, drainage systems, utilities, vegetation, striping, signage (sign type and description), signals and similar features. |
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 16. Zone district of site and adjoining areas, name of applicant, owner and applicant's attorney. |
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 17. Existing and proposed square footage (per floor) and use of building(s) listed. Number and type of new units is to be specified. |
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 18. Current signed and sealed Plan of Survey of the property in question prepared in accordance with N.J.S.A.13:40-5.1. |
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 19. Names of all property owners within 200' with lot and block numbers shown and adjacent lot numbers shown on all sheets. |
| <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | 20. Right-of-way dedication(s) to the County consistent with County standards and the County Master Plan shown on the plan with signed and sealed metes and bounds descriptions by a professional land surveyor. |
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 21. Proposed access location and configuration in accordance with Chapter 4 of the Land Development Review Resolution and applicable County standards. |
| <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | 22. For improvements within the County right-of-way, the centerline of the County road is to be defined with bearings, distances and curve data with stationing every 50 feet increasing to the north or east. |
| <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | 23. Lines of sight per County standards shown in plan and profile views with proposed treatment to provide clear lines of sight. Sight easements are to be shown per County standards. |
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 24. Intersection Grading Plan drawn at 1"=20' showing pavement and curb elevations as needed to ensure proper construction and positive drainage control. Superfluous information is to be omitted from the Intersection Grading Plan. |
| <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | 25. Cross sections of the County road drawn per County standards at 1"=5' (horizontal and vertical) with existing and proposed elevations. |
| <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | 26. Typical roadway section(s) of the County road in accordance with County standards. |

- | I | NA | C | |
|-----------------------|----------------------------------|----------------------------------|---|
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 27. Proposed utility connections within the County right-of-way (sanitary, water, gas, electric, etc.) with pavement restoration details and specifications per County standards. |
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 28. Profile of driveway or sidestreet intersecting the County road showing smooth profile with grades matching cross sections and intersection-grading plan. |
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 29. Provisions for the collection of recyclables in multi-family residential and commercial developments. |
| <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | 30. Signage and striping plan per County standards. |
| <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | 31. Traffic control plan for construction of improvements to County facilities. |

Stormwater Management Requirements

- | | | | |
|----------------------------------|----------------------------------|----------------------------------|--|
| <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | 32. Stormwater management report prepared in accordance with County standards, signed and sealed by a professional engineer. |
| <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | 33. Full-scale drainage area maps for existing and proposed conditions showing correct delineation of sub-areas, times of concentration with flow paths and slopes, soil and cover types and downstream point of analysis. |
| <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | 34. Proposed treatment consistent with County standards for intercepting, detaining and treating all stormwater runoff directed to County facilities. |
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 35. Adequate drainage improvements to ensure proper drainage at access point(s) and along the County road. |
| <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | 36. Drainage calculations showing proposed drainage facilities in accordance with the appropriate requirements. |
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 37. Contours and spot elevations to determine existing and proposed drainage patterns. |

Traffic Requirements

- | | | | |
|-----------------------|-----------------------|----------------------------------|--|
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 38. Traffic Impact Study including: Existing, No Build, and Build Traffic Volumes, New Trip Distribution Figures, Pass-by Trip Distribution Figures, Site Generated New Trip Figures, Site Generated Pass-by Trip Figures, Site Generated Total Trip Figures, Existing, No Build, Build, and Build with Mitigation Levels of Service Figures, Proposed Mitigation Measures, Sketch of Proposed Mitigation Measures and Cost Estimate for Proposed Mitigation Measures. |
| <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | 39. Traffic Impact Study Technical Appendix, including: Traffic Count Data (Manual Count Sheets / ATR's), Trip Generation Calculations, including pass-by calculations, Gravity Model (if applicable) and Capacity Analysis Worksheets. |