

Application No.

Filed:

BOARD OF ADJUSTMENT
ZONING ORDINANCE
CITY OF LINDEN

Appeal to Vary or Modify certain Provisions of the Zoning Ordinance.

TO THE BOARD OF ADJUSTMENT:

Request is hereby made for permission

to:

contrary to the requirements of Sections

_____ of the Zoning Ordinance,

upon the premises known as Block(s) 436 Lots 11.01

Linden, N.J. in accordance with the plans hereto attached.

The proposed building or use thereof is contrary to the Ordinance in the following particulars:
(State Specifically)

1. _____
2. _____
3. _____
4. _____
5. _____

The following is a description of the proposed building and premises:

1. Name of Owner: M Inc. - C/O = LINDEN EDGAR, LLC
2. Address of Owner: 4 Caufield Place, Suite 102, Newtown, PA ~~18904~~ 18940
3. Location of Premises: 1951 E. Edgar Road, Linden, NJ
4. Zone District: 4A Commercial
5. Use of Proposed Building and Premises: 5,051 sf convenience store, 7,200 retail
6. Size of Lot: 2.42 Acres
7. Size of Proposed Building:
At Street Level: 5,051 sf convenience store 7,200 retail
Height: 33 ft
8. Use of Existing Building and Premises: Exton gas station w/convenience store and car wash
9. Name of Lessee: _____

Has the Building Department examined the plans for the proposed building, and refused a Building Permit? _____.

Has there been any previous appeal involving these premises? _____.

If so, state data of filing, character of appeal and disposition of same.

The following arguments are urged in support of this appeal.

- 1.
- 2.
- 3.
- 4.
- 5.

Attached hereto and made a part of this appeal are submitted the following papers:

(These papers must be submitted with the appeal)

1. A set of drawings, containing all necessary measurements and all features involved in this appeal;
2. A letter of authority, or power of attorney, in case the appeal is made by a person other than the actual owner of the property.

I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true and correct.

Sworn to before me this

24TH day of March, 2020

By: _____

Applicant

9 LAWFIELD PLACE, SUITE 102, NEWTON, PA 18940

Address

Commonwealth of Pennsylvania - Notary Seal
ERIKA L. REED, Notary Public
Bucks County
My Commission Expires June 13, 2022
Commission Number 1283291



City of Linden
Union County, New Jersey
Board of Adjustment

Brian C. Fritzsche
Secretary of the Board
(908) 298-3819

Affidavit of Consent & Ownership Authorization

Applicant: LINDEN EDGAR, LLC


Address of Property: 1951 E. EDGAR ROAD, LINDEN, NJ

Hearing Date: _____

Case no.: _____

RICHARD C. DREHER ^{EQUITY} (property owner) of full age, being duly sworn
under oath, deposed and says:

I hereby certify that I reside at 1951 E. EDGAR ROAD, LINDEN, NJ in
the County of UNION and State of NJ;
and that I am the owner of all that certain lot, piece or parcel of land known as Block(s)
436 Lot(s) 11.01 on the Tax Map of the City of Linden, which property is the
subject of the above application, and that said application is hereby authorized by me.



Owner or Agent

Sworn to me this 24TH day of MARCH, 2020



Notary Public

Commonwealth of Pennsylvania - Notary Seal
ERIKA L. REED, Notary Public
Bucks County
My Commission Expires June 13, 2022
Commission Number 1283291

PLAT PLAN / SURVEY

Your application is required to have copies of a plat plan or survey to scale, not less than one inch equals 50 feet that shall show all properties within 200' of the subject properties and shall include:

- (1) North point
- (2) Lot lines, with dimensions
- (3) Lot area in total square feet or acreage to the nearest hundredth, (e.g. 13.57)
- (4) Tax Map Block and Lot numbers
- (5) Zoning district(s)
- (6) Name of the road or roads on which the lot fronts
- (7) Easements and right-of-way, if any
- (8) Location of streams, if any
- (9) Location of all existing buildings, if any
- (10) Location of the proposed structure or change, showing the front, rear, and side yard
- (11) Building area allowed – (draw lines showing required front, rear and side yard set backs)
- (12) Location, arrangement and dimensions of parking area, driveway or service areas, if any
- (13) Names of adjoining property owners
- (14) Location of all buildings on all adjoining properties, (including set backs)

NOTE: If the plat plan is prepared by other than a surveyor, engineer or architect, it must be accompanied by an affidavit certifying that all of the information shown on the plan is correct.



City of Linden
Union County, New Jersey
Board of Adjustment

Brian C. Fritzsche
Secretary of the Board
(908) 298-3819

Affidavit of Service

Applicant: LINDEN EDGAR, LLC
Address of Property: 1951 E. EDGAR ROAD, LINDEN, NJ
Hearing Date: _____
Date of Service: _____

_____ (agent) of full age, being duly sworn
under oath, deposed and says:

That I personally, acting as agent for the above, delivered and served **NOTICE**, at least ten (10) days prior to the above hearing date, to the resident property owners within 200 feet of the property in appeal before the Linden Board of Adjustment and/or by mailing to the attached listed property owners in accordance with the manner described by law and providing the Certified Receipts of such mailing.

Owner or Agent

Sworn to me this _____ day of _____, 20____

Notary Public

NOTICE

TO: _____

Commonly known as owner of property within 200 feet of:

Block(s): 436 Lot(s): 11.01

Address of property: 1951 E. EDGAR ROAD, LINDEN, NJ

Owned by: M INC. C/O LINDEN EDGAR LLC

YOU ARE HEREBY NOTIFIED that the undersigned owner or agent has taken an appeal from the decision of the Building/Zoning Officer, in the City of Linden, Union County, New Jersey, in which he refused to grant a permit for the (construction / use) of a building to consist of :

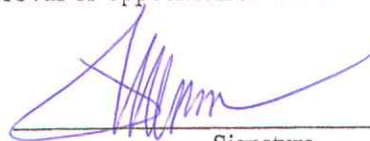
on said property in violation of Section :

of the Zoning Ordinance of the City of Linden to the Board of Adjustment of the City of Linden. Application has been made for (hardship / use) variance, (together with subdivision, site plan, conditional use) approval.

YOU ARE HEREBY NOTIFIED that the Board of Adjustment has designated the _____ day of _____, 20 ____ at Linden City Hall, located at 301 North Wood Avenue, Linden, New Jersey at 7:00 PM, as the time and place at which the said Board of Adjustment will hear said application in the Planning Room, Room # 215 on the third floor of City Hall.

YOU ARE HEREBY NOTIFIED that all persons interested will be given as opportunity to be heard and **YOU MUST BE PRESENT IN PERSON OR REPRESENTED BY AN ATTORNEY**, at the said hearing of the Board of Adjustment and you may voice your approval or opposition of the said application.

Richard C. Dacher
Owner / Agent


Signature

Date

Please bring this Notice to the hearing of you are in favor or oppose to the appeal
Plan are on file at the Construction Code / Building Inspector's Office, 301 N. Wood Avenue, Linden, NJ
And may be inspected between the hours of 9:00 AM and 5:00 PM

LEGAL PUBLIC NOTICE

(AD)

(This is to serve as example only)

PLEASE TAKE NOTICE that on _____, the _____, 20____, at the Linden City Hall, located at 301 N. Wood Avenue, Linden, New Jersey, the Board of Adjustment will hold a hearing on the application of the undersigned, at which time and place all interested persons will be given an opportunity to be heard. Said meeting will take place at 7:00 PM.

The premises in question is located in the _____ Zone, _____ and is the _____ ward, Tax Map of Linden, Block 436, Lot 11.01, and more commonly known as 1951 E. EDGAR ROAD, LINDEN, N.J.

The applicant is seeking a _____ for the purposes of _____ as waiver of the survey requirements of the City's Ordinance.

A copy of said application and documents is on file with the Building Inspector's Office, and may be inspected during the hours of 9:00 AM and 5:00 PM by all interested parties in City Hall at 301 N. Wood Avenue, Linden, NJ prior to meeting.

Any interested party may appear at said hearing and participate therein in accordance with the rules of the Linden Board Of Adjustment.

By Applicant: _____



LEGAL ADVERTISEMENT

Home News Tribune

Telephone Sales Office Hours

Weekdays: 8 am - 6:30 pm

Saturday: 9 am - 1 pm

To place a Straight Classified Ad in APP or HNT,

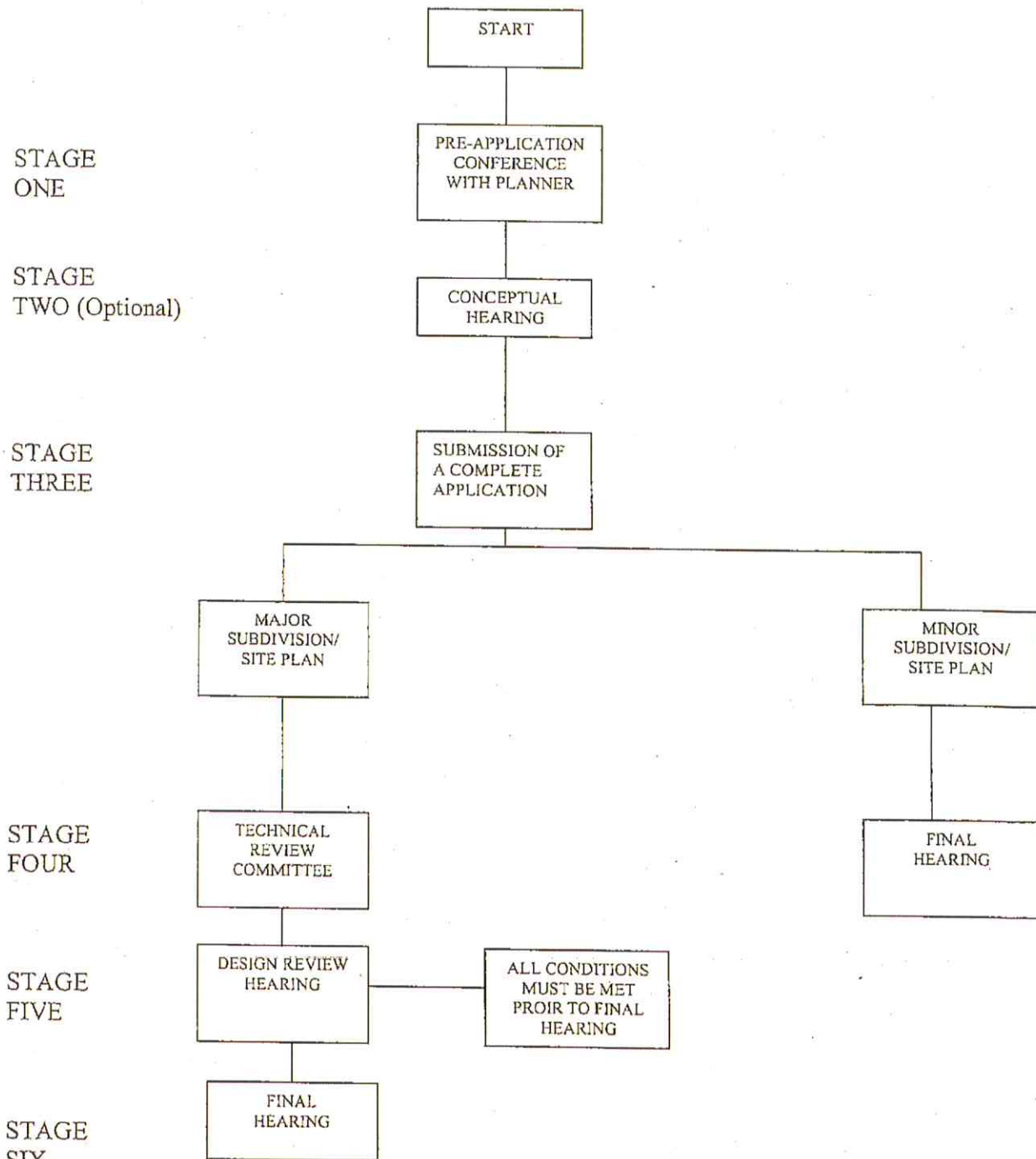
call 1-877-735-SELL (7355)

To cancel, call 1-877-483-SOLD (7653)

Home News Tribune

FAX: 732-565-7469

FLOW CHART OF THE SUBDIVISION/ SITE PLAN
REVIEW PROCESS



TIME FRAME: MINOR SUBDIVISION/SITE PLAN = 4 TO 6 WEEKS (APPROXIMATE)
MAJOR SUBDIVISION/SITE PLAN = 4 TO 10 WEEKS (APPROXIMATE)

APPLICATION FOR SITE PLAN REVIEW

I hereby apply for Site Plan Review and acknowledge that the plan will comply with Linden's Zoning Ordinance, Subdivision and Site Plan Regulations.

I have filled out the enclosed application and have thoroughly reviewed and completed the attached checklist.

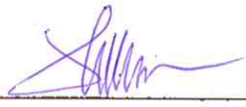
I have submitted for review an application, eighteen (18) prints, one (1) mylar copy, one (1) reduced 11" x 17" copy of the plan, and paid all subdivision application fees.

The owners, by filing of this application, hereby give permission to the Linden Zoning and Planning Boards, Planning and Economic Development Coordinator, City Engineer, Conservation Commission, and such agents or employees of the City as the Zoning Board may authorize to enter upon the property, which is the subject of this application, at all reasonable times for the purpose of conducting examinations, surveys, tests, inspections as maybe appropriate; to enable release of any claim or right we may now or hereafter possess against any of the above individuals as a result of any examinations, survey tests, or inspections, conducted on my/our property in connection with this application.

I have read the above and have met all the requirements for submittal in accordance with the Non-Residential Site Plan Regulations.

EQUITABLE

Owners(s) Name (print): RICHARD C. DUTTON

Owners(s) Signature: 

Effective Date: Jan 8, 2002

APPLICATION FOR SITE PLAN REVIEW

Date: 3/20/2020

1. Application is submitted for Final Approval?: Yes: X No: _____

2. Is applicant a corporation, partnership or trust? Yes: X No: _____

3. Location: Tax Map No.: 436 Lot No.: 11.01 Zoning District: 4A - Commercial

4. Applicant/Owner's Name: Linden Edgar, LLC

5. Business Address: 4 Caufield Place, Suite 102

Town: Newtown, PA Zip: 18904

Phone: 609-430-3055 Fax: 609-454-3948 E-Mail Address: rcd@thedrehergroup.com

6. Agent/Surveyor/Engineer's Name: Maser Consulting PA - Lena Balorda-Barone, PE

7. Address: 331 Newman Springs Road, Ste. 203

Town: Red Bank, NJ Zip: 07701

Phone: 732-383-1950 Fax: 732-383-1984 E-Mail Address: jbarone@maserconsulting.com

8. Name of Development: Wawa Linden

9. Present use of the property: partially developed with an Exxon Gasoline Station & Car Wash

10. Proposed use of the property: Gas station with convenience store and an office building & Retail Building

11. Does this application require a Conditional Use Permit?: Yes: _____ No: X

12. Number of employees: currently: _____ proposed: TBD

13. Gross Sq. Ft. presently: 2,098 proposed: 12,251

14. Telecommunication Facility, height of tower or antenna array: N/A

15. Attached are the names and mailing addresses of all abutters to this site? Yes: X No: _____

16. I certify that I have developed my plan in accordance with the Non-Residential Site Plan Regulations and Zoning Ordinance: Yes: X No: _____

17. I have reviewed the City of Linden's Master Plan: Yes: X No: _____

Agent(s) Name (Print): RICHARD C. DREHER

Signature: 

Owner's Name (Print): EQUITABLE RICHARD C. DREHER

Signature: 

SITE PLAN CHECK LIST

All plans shall be submitted fifteen (15) days prior to the Zoning Board of Adjustment meeting.

	APPLICANT	ZONING BOARD
1. Location of site, name, address of owners(s) of record;	<u>X</u>	<u> </u>
2. Names and addresses of abutters on the plan and on a separate sheet of paper;	<u>X</u>	<u> </u>
3. Name and address of person(s) or firm preparing drawing;	<u>X</u>	<u> </u>
4. Bar scale of map (1" = 20') and North point;	<u>X</u>	<u> </u>
5. Lot area and Boundary description;	<u>X</u>	<u> </u>
6. Map and lot number;	<u>X</u>	<u> </u>
7. Easement(s) or Right of way;	<u>X</u>	<u> </u>
8. Individual square feet of all building on site;	<u>X</u>	<u> </u>
9. Total square feet of all buildings on site;	<u>X</u>	<u> </u>
10. Proposed structure, shape, height, size, location including expanding existing building(s);	<u>X</u>	<u> </u>
11. Proposed curb cut(s);	<u>X</u>	<u> </u>
12. Proposed street(s) and/or driveway(s);	<u>X</u>	<u> </u>
13. Parking spaces existing and/or proposed;	<u>X</u>	<u> </u>
14. Setback lines (front, side, rear);	<u>X</u>	<u> </u>
15. Drainage plan;	<u>X</u>	<u> </u>
16. Topographic map (based on datum plane established by USGA);	<u>X</u>	<u> </u>
17. Location of public and private utilities;	<u>X</u>	<u> </u>
18. Existing or proposed septic, leach field and well locations;	<u>N/A</u>	<u> </u>
19. Soil based lot size study (when applicable):	<u>N/A</u>	<u> </u>
20. Proposed landscape plan;	<u>X</u>	<u> </u>
21. Dumpster location;	<u>X</u>	<u> </u>
22. Proposed lighting;	<u>X</u>	<u> </u>
23. Location of all natural or manmade features (wetlands, marshes, ponds, etc ...);	<u>X</u>	<u> </u>

**Application for Waiver of Site Plan
Requirement**

Zoning Board of Adjustment
City of Linden
Linden, New Jersey

Dear Chairman _____ and members of the Board of Adjustment:

On the _____ day of _____, 20____, an application was submitted
to the Zoning Board for subdivision approval for land located at _____

_____, Map: _____ Lot: _____.

Application was accompanied by a plan entitled _____

_____. The plan was prepared by _____

_____ and dated _____.

Pursuant to section _____ of the subdivision regulations of the Board,
The following requirement(s) is/are imposed: (Attach sheet(s) if necessary)

(1) _____

(2) _____

It is respectfully requested that the Board grant a waiver from this requirement for the following
reasons:

(1) _____

(2) _____

(3) _____

Respectfully submitted,



Dated: 3/20/2020 _____

ATTACHMENT II

[For use with general and limited partnership applicant]

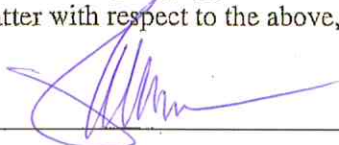
Certificate of Authorization

Application of: LINDEN EDGAR, LLC (Owner)

Street address: 1951 E. EDGAR ROAD, LINDEN, NJ (Map 436, Lot 11.01)

To the Members of the Linden Zoning Board of Adjustment:

The undersigned, being all the duly authorized general partners of Linden Edgar LLC (the "Partnership"), hereby authorize the following individual to represent the Partnership in all respects before the Linden Board of Adjustment with respect to the above – described matter, including, but not limited to, signing applications and binding the Partnership to any agreement, condition or any other matter with respect to the above, and certify we have all necessary powers to grant that authority:



Signed under the penalties of perjury this 20th day of March, 20 20.




MANAGING
MEMBER
general
partner

general
partner

STATE OF NEW JERSEY Pennsylvania
COUNTY OF BUCKS, SS.

Personally appeared before me this 20th day of March, 20 20,
the above named Richard C. DeGroot and made oath that the foregoing
statements are true to the best of his/her knowledge and belief.

Commonwealth of Pennsylvania - Notary Seal
ERIKA L. REED, Notary Public
Bucks County
My Commission Expires June 13, 2022
Commission Number 1283291


Notary Public / Justice of the Peace

STATE OF NEW JERSEY
_____, SS.

Personally appeared before me this _____ day of _____, 20 _____,
the above named _____ and made oath that the foregoing
statements are true to the best of his/her knowledge and belief.

Notary Public / Justice of the Peace

ALL COMPLETED MAPS MUST BE FILED 21 DAYS PRIOR TO THE MEETING
If plans are not complete, application will be heard at the next available meeting
PLEASE SPEAK TO THE COURT REPORTER REGARDING YOUR TRANSCRIPT FOR THE
MEETING!! 20 plans must be submitted (speak to secretary) to the Planning Board Office.
APPLICATION FOR FORMAL SITE PLAN

Application # _____ Date filed 3/20/2020
Received by _____ Fee _____

To: City of Linden Planning Board Application is hereby made for Site Plan approval in accordance with the provisions of the City of Linden Zoning Ordinance and more particularly described:

1. Location of remises 1951 E. Edgar Road, Linden, NJ
(Street)

<u>436</u>	<u>11.01</u>	<u>141</u>
Tax map block)	(Lot number)	(Map sheet number)
Zone <u>4A Commercial</u>		
2. Owner's Name M Inc. C/O LINDEN EDGAR, LLC Phone# 609-430-3055
Address 1951 E. Edgar Road, Linden, N 07036
3. Applicant's Name Linden Edgar, LLC
(If a corporation - state name of corporation and registered Agent)
Address 4 Caulfield Place, Ste 102, Newtown, PA 18904
4. Proposed Use Gas station with convenience store and a retail building

<u>5,051 convenience/7,200 retail</u>	<u>TBD</u>
(building floor area proposed)	(no. of employees)
If apartments: Total Units _____	Size of units _____
5. Area of entire tract 2.42 Acres Zone Redevelopment Zone/Light Industrial
6. Brief explanation of request: Amended previously approved site plan for a convenience store with gas sales and office building to construct.
7. Prior Use Partially developed Exxon Gas Station & car wash
8. List of all variances (if applicable by Ordinance Section) _____
See attached variance list
9. Applicant must give notice of HEARING if VARIANCE is required as per 40:55D-7.1(a)
10. Applicant agrees to Waiver of Time for action by Board: Yes _____ No _____
NAME AND ADDRESS OF PERSON PREPARING PLAT:
Architect _____ PhoneNo. _____
Engineer Maser Consulting PA - Lena Balorda-Barone, PE Phone No. 732-383-1950
Signature Owner [Signature]
APPLICANT [Signature]
(do not write below this line)

Action of Planning Board:

Approved _____ Waived _____ Disapproved _____ Date _____
Signature of Planning Board Chairman and Secretary if application is approved
Chairman _____ Secretary _____

ALL PLANS MUST BE IN BY 12:00 P.M. 21 DAYS BEFORE THE MEETING. IF NOT, THE APPLICANT WILL MAKE THE NEXT AVAILABLE MEETING DATE