APP. NO. ZB1058 DATE FILED: 9/8/21

APP. NAME: Runfola FEE PAID: 9/8/21

Action by the Zoning Board
Recommended ____ Granted ____ Denied ____
Date: ____

TOWNSHIP OF COLTS NECK
Monmouth County, New Jersey
VARIANCE APPLICATION

1. I, ANTHONY RUNFOLA, the applicant herein, whose post office address is 2517 HIGHWAY 35, BLDG H, SUITE 101 MANASQUAN, NJ 08736 am the LESSEE (owner, lessee, prospective purchaser, etc.) of property located at or on 400 NJ STATE HIGHWAY 34, COLTS NECK and designated as Block 31, Lot(s) 25.01 on the Tax Map of the Township of Colts Neck.

Home Phone: ____ Work Phone: 848-207-0706 (CELL)

2. Said property is in a B-1 Zone, is 1.253± AC (give dimensions and area) and has the following structures:
2 STORY BANK BUILDING WITH DRIVE-THRU
(indicate type of structure and use thereof)

3. Request is hereby made for permission to
MOVE DUNKIN DONUTS BUSINESS AND UTILIZE
(State in detail the proposed construction and use)
THE ALREADY ESTABLISHED DRIVE-THRU.

4. The proposed building or use thereof is contrary to Article: ____ Sections: ____ of the Zoning Ordinance ____
(Other Ordinance)
of the Township of Colts Neck in the following particulars:
102-109 DRIVE-THRUS ARE NOT PERMITTED IN THE B-1 BUSINESS DISTRICT.

5. The conditions obtaining and the reasons for this request are as follows:

6. The names, addresses, lot and block numbers as they appear on the latest Tax Duplicate and Tax Map of the Township of Colts Neck, and of adjoining municipalities, of all owners of property within 200 feet of the boundaries of the property affected by this application are:

NAME	ADDRESS	BLOCK	LOT

1

(Attach Rider if Space is Insufficient)

7. Does applicant propose to use the entire tract of land? YES

8. Has the property been separated from a larger tract of land? _____ If so, when? _____ Has the Planning Board approved the Subdivision? _____ When? _____.

9. Has there been any previous appeal involving these premises? _____ If so, state date of filing: _____; character of appeal _____ disposition of same _____

10. By filing a second application do applicant and owner, if other than applicant, waive any and all rights gained in the first application? _____

11. Attached hereto and made a part hereof are the following:

a. Two sets of drawings, drawn to scale, and containing all necessary measurements and all features involved in this application.

b. Duplicate plot plans, drawn to scale, showing dimensions and area of property in question and all properties within 200 feet of the boundaries of said property.

c. Check or money in the sum of $_____ in payment of the filing fee. Make checks payable to the "Township of Colts Neck".

I, the undersigned, being duly sworn according to law upon my oath do depose and say that all of the statements contained herein are based on my own knowledge and are true and correct.

Dated: 3/10/21 Signature of Applicant X Anthony J. Ruffolo

Sworn and Subscribed to before me this 10TH day of MARCH 20 21

Crystal D Kaplan

CRYSTAL D. KAPLAN
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50093121
My Commission Expires 11/1/20 21

If applicant is not the owner of property herein, owner must sign the following consent:

The foregoing application is hereby consented to this 10TH day of MARCH 20 21.

X Antoinette Mosello
Signature of Owner

Post Office Address

DEVELOPER'S ESCROW AGREEMENT

PLEASE READ THE FOLLOWING INFORMATION AND SUBMIT A SIGNED ORIGINAL ACKNOWLEDGING YOUR CONSENT, AS PART OF YOUR APPLICATION.

Article 4 Section 411

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

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

1. Charges for reviews by professional consultants and/or professional personnel of applications, plans and accompanying documents;

2. Issuance of reports by professional consultants and/or professional personnel to the municipal agency setting forth recommendations resulting from the review of any documents submitted by the applicant;

3. Charges for any telephone conference or meeting requested or initiated by the applicant, his attorney or any of his experts or representatives;

4. Review of additional documents submitted by the applicant and issuance of reports relating thereto;

5. Review of proposed or prior easements, developers agreements, deeds, resolutions or the like;

6. Preparation for and attendance at all meetings by Professionals such as Planning Consultant, Traffic Engineer or other experts as required; and

7. The cost of expert advice or testimony obtained by the municipal agency for the purpose of corroborating testimony of applicant's experts.

8. The use of a court reporter or transcriber is at the discretion of the applicant. The applicant bears the responsibility of retaining a court reporter or transcriber if the applicant deems such services to be necessary. If a transcript of any proceedings made, the applicant shall provide a copy of the same to the Township free of charge.

CERTIFICATION

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

The Applicant and Owner agree that if no payment is made within thirty (30) days of receipt of the request for same, the Township may bring a legal action against the Applicant and Owner for the collection of same. The Applicant and Owner will be responsible for all of the Township's fees including legal fees at the regular hourly rate charged by the Township's Attorney and costs in connection therewith in addition to all pre-judgment and post-judgement interest. Any legal action commenced by the Township shall be in addition to, and not an alternative to, any other rights or remedies Colts Neck may have under this escrow agreement, the ordinances of the Township or the laws of the State of New Jersey.

The Owner hereby agrees that if and in the event the amounts required under this agreement are not paid, same shall be deemed to be a lien on the above described property and shall be collectible as in the case of taxes by the adoption of a resolution of the Township Governing Body upon receipt of a certification that the amounts are due and owing in contravention of this agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date first above written.

WITNESS:

X _____
(Applicant)

WITNESS:

X _____
(Owner)

STATE OF NEW JERSEY)
SS:
COUNTY OF MONMOUTH)

BE IT REMEMBERED, that on the 10TH day of MARCH 2021 before me, the subscriber, a Notary Public of the State of New Jersey, personally appeared, who acknowledged under oath, to my satisfaction, that he/she:

(a) is named in and personally signed this document; and
(b) signed, sealed and delivered this document as his/her act and deed.

_____

CRYSTAL D. KAPLAN
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50093121
My Commission Expires 11/1/2021

COLTS NECK TOWNSHIP
1847

HOLD HARMLESS

Date: 3/10/2021

Gentlemen:

The undersigned will at all times hold harmless the Township of Colts Neck and its Officers and its Engineer from any loss due to damage resulting from the grading, drainage, or development of the lands designed as Block 31, Lot 25.01 on the Tax Map of Colts Neck Township commonly known as 400 NJ STATE HIGHWAY 34, Colts Neck, New Jersey, sustained or incurred by reason or in consequence of development and site improvements in accordance or conditionally approved as the same appears on file in the office of the Planning Board of the Township of Colts Neck, Application No. ZB1058.

The assurances herein contained are intended to fully comply with the requirements of Section 102-36A2 of the Colts Neck Development Regulations Ordinance.

WITNESS our hand and seal this 10TH day of MARCH, 2021.

X Anthony J Scaffidi
Applicant's Signature

Sworn to and subscribed before me this 10TH day of MARCH, 2021

Crystal D Kaplan
Notary

CRYSTAL D. KAPLAN
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50093121
My Commission Expires 11/1/2021

TOWNSHIP OF COLTS NECK
124 CEDAR DRIVE, COLTS NECK, NJ 07722
TEL (732) 4625470; FAX (732) 431-3173

ARCHITECTURAL REVIEW COMMITTEE

Application No.: ZB1058

Applicant's Name: ANTHONY RULFOLA

Project Street Address: 400 NJ STATE HIGHWAY 34

Project: Block No: 31 Lot No: 25.01

Project Zone: _____ Lot Size: _____

Project Summary: TURN BANK BLDG. W/ DRIVE THRU INTO A DUNKIN DONUTS W/ DRIVE THRU

Date Reviewed: _____

PROJECT'S EXTERIOR MATERIALS - COMMITTEE'S CRITIQUE TO FOLLOW * SEE ARCHITECTURAL PLANS *

Roof: Material _____ Color _____

Siding:
Front Elev: Material _____ Color _____

Right Side Elev: Material _____ Color _____

Left Side Elev: Material _____ Color _____

Rear Elev: Material _____ Color _____

Exposed Found'n: Material _____ Color _____

Exposed Chimney: Material _____ Color _____

Windows: Material _____ Color _____

Terrace/Deck: Material _____ Color _____

Other Exterior Elements And Their Colors:

_____

_____

CHECKLIST NO. 6
TOWNSHIP OF COLTS NECK
VARIANCE APPLICATION

Application No.: ZB1058 Date Received By Board: 9/8/21

Project Name: DUNKIN DONUTS

Applicant's Name: ANTHONY RUSSO

Block (s): 31 Lot(s): 25.01

Latest Issue Date of Plat Cover Sheet: MARCH 9, 2021

NOTICE

THIS FORM MUST BE COMPLETED AND RETURNED TO THE ADMINISTRATIVE OFFICER WITH THE VARIANCE APPLICATION WHEN FILED. FAILURE TO INCLUDE *ALL* ITEMS REQUIRED ON SUBMITTED PLANS OR ATTACHMENTS MAY RESULT IN THE APPLICATION BEING CONSIDERED INCOMPLETE FROM A SUBMISSION STANDPOINT AND CERTIFICATION AS A COMPLETE APPLICATION DENIED. TO BE CONSIDERED AT A REGULAR BOARD MEETING, ALL INFORMATION AND DOCUMENTS MUST BE RECEIVED BY THE BOARD A MINIMUM OF TEN (10) DAYS PRIOR TO THE MEETING.

FOR BOARD USE ONLY		TO BE CHECKED BY APPLICANT Yes	No
( ) 1.	For application under Section 102-8H1 (**), three copies of application and checklist and all required and submitted documents and prints plus required fee.	X	
( ) 2.	For application under Section 102-8H2, four copies of completed application and checklist and all required and submitted documents and completed prints plus required fee.	X	
( ) 3.	For application under Section 102-8F, four copies of variance application plus checklist, fees, number of copies of all documents required by this ordinance for the type of application(s) involved. (See Sections 102-38 or 102-39)	X	

( ) 4. One copy of information and documents required in Section 102-24, Public Hearing Notice and Proof of Service must be provided at or prior to the Public Hearing. X

( ) 5. Certification that all Real Estate taxes are paid to date (obtain from Tax Collector). X

( ) 6. Three copies of identification of information missing and reasons for not providing required information at this time. N/A

* On a separate page list all items not provided, with appropriate ordinance reference, example: 102-71A or 102-93B1(6) and reasons for not providing required information at this time and when it will be provided.

** Reference in Colts Neck Township Development Regulations Ordinance.

CERTIFICATION BY APPLICANT AND PERSON COMPLETING THIS FORM (Both must sign)

I (We) believe the above information is accurate, I (we) understand that "certification of the application as complete" determines the commending of the applicable time period for action by the approving authority and understand that certification of the application for time period purposes does not mean that all applicable ordinance requirements have been met or that all required information, data and/or documents required for approval of the application have been received or that any waivers have been granted.

Signed: X Anthony J Pupillo Date: 3/10/21
Applicant

Date: 3/10/21
Person preparing this check list