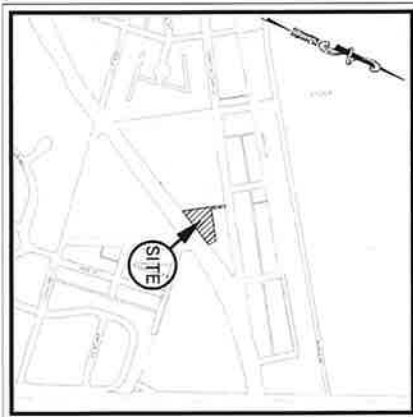




N.J.D.O.T. MILE POST ±47.4



ZONING MAP

NJDOT STANDARD DETAILS AND SPECIFICATIONS TO BE USED

SHEET NO.	DESCRIPTION	LAST REVISION
	SHEET INDEX	

I CERTIFY THAT I HAVE PREPARED THIS PLAN AND THAT ALL DIVERS AND INFORMERS ARE COVERED.

APPROVED BY THE CITY OF BURLINGTON PLANNING BOARD,
APPLICATION NO. _____

APPLICATION NO.

PLANNING BOARD CHAIRPERSON

DATE _____

PLANNING BOARD SECRETARY

MC

DATE _____
JOHN W. KORNICK, P.E., Mayor
MAYOR, CITY OF CHICAGO
NYPE LIC. NO. 24CE04928500

THE UNDERSIGN CERTIFIED THAT HE IS THE OWNER OR CONTRACT
PURCHASER OF RECORD OF BLOCK 227, LOTS 4 & 4.01 AND
CONCURS WITH THIS PLAN.

OWNER: STEPHEN BERGENFELD
176 ROCK ROAD E

KNOWLEDGE AND BELIEF FIND IT CONFORMS TO THE APPLICABLE CONDITIONS OF THE ZONING BOARD APPROVAL AND THE MUNICIPAL ORDINANCES AND REQUIREMENTS THEREOF. THIS PLAN IS HEREBY APPROVED BY THE CITY OF BURLINGTON PLANNING BOARD ENGINEER:

CMN	DATE

PLANNING BOARD ENGINEER	DATE
-------------------------	------

THIS SET OF PLANS HAS BEEN PREPARED FOR PURPOSES OF MUNICIPAL AND OTHER AGENCY REVIEW AND APPROVAL. THIS SET OF PLANS SHALL NOT BE UTILIZED AS CONSTRUCTION DOCUMENTS UNTIL ALL CONDITIONS OF APPROVALS HAVE BEEN SATISFIED ON THE DRAWINGS AND EACH DRAWING HAS BEEN REVISED TO INDICATE FINAL ISSUED FOR CONSTRUCTION.

NOTE

<https://www.state.nj.us/transportation/eng/CADD/vb/>

13 or 14 (contribution to the loss of services)

376 ROCK ROAD E
LAMBERTVILLE, NJ 08530

OF THE ZONING BOARD APPLIES TO THE REQUIREMENTS THEREOF. THE

ROBINAS

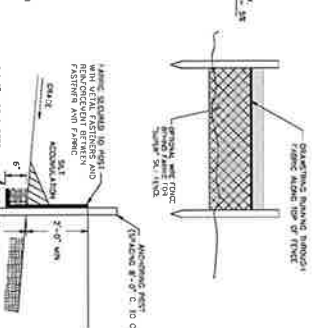
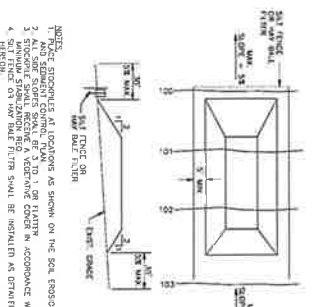
JOHN W. KORNICK, P.E.
 Professional Engineer, New Jersey Lic. No. 24GE-04926300
 DATE: 01/01/2026
 BY: [Signature]
 TITLE: MFR
 FIRM: MFR
 PROJECT: AS SHOWN
 DRAWING: PD25-096
 SHEET: 1 OF 13

COVER SHEET
1021 & 1031 E ROUTE 130 SOUTH
BLOCK 227 - LOTS 4 & 4.03 - TAX MAP SHEET 59
SITUATE IN THE
CITY OF BURLINGTON, BURLINGTON COUNTY, NEW JERSEY

 K2 © 2008 K2 Corporation	Published and Field Inspection Conditions of Approval Approved by:	35, Lewis Way, Suite 300 Indianapolis, IN 46204 Phone: 317.634.8441 www.k2corp.com
AS	NOV 14, 2011	AS

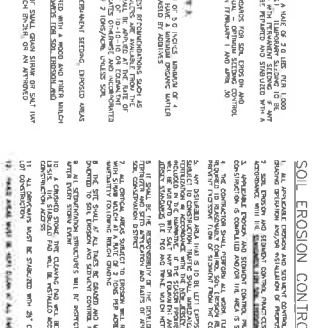
STANDARD NOTES FOR SLOPE MAINTENANCE

1. Slope maintenance shall be performed in accordance with the following:
2. Slope maintenance shall be performed in accordance with the following:
3. Slope maintenance shall be performed in accordance with the following:
4. Slope maintenance shall be performed in accordance with the following:



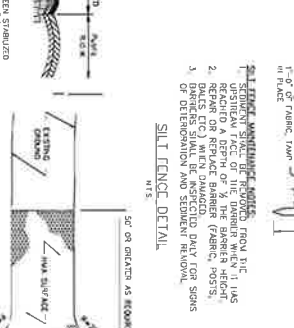
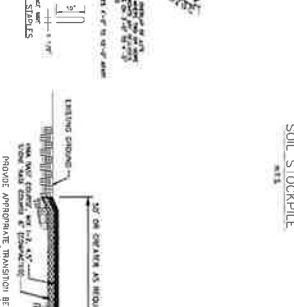
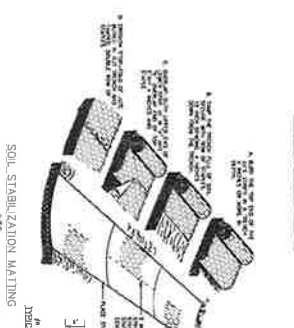
STANDARD NOTES FOR CONSTRUCTION ENTRANCE MAINTENANCE

1. Construction entrance maintenance shall be performed in accordance with the following:
2. Construction entrance maintenance shall be performed in accordance with the following:
3. Construction entrance maintenance shall be performed in accordance with the following:
4. Construction entrance maintenance shall be performed in accordance with the following:



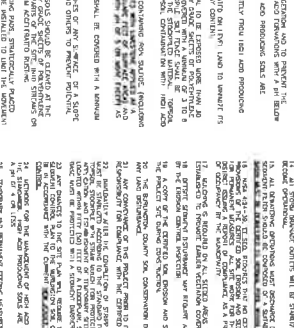
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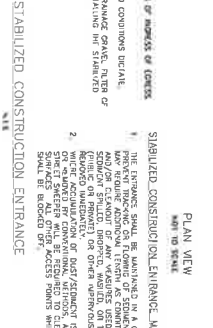
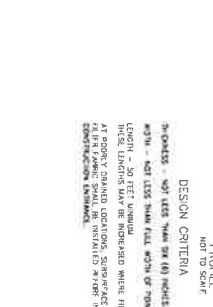
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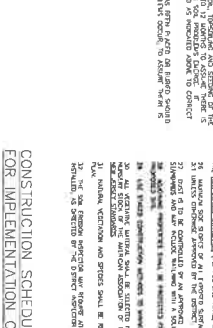
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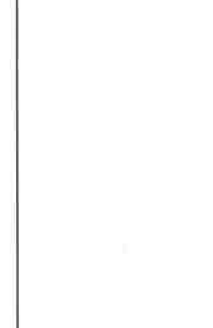
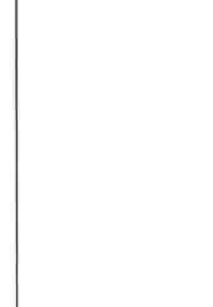
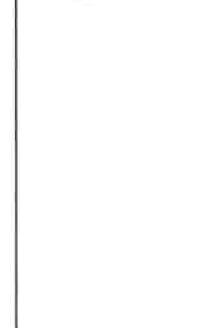
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4. Slope maintenance shall be performed in accordance with the following:

1.0 GENERAL NOTES

- 1.1. The design of this project is based on the following assumptions:
 - a. The site is a flat, open area with no existing structures or utilities.
 - b. The soil is a uniform, undisturbed, medium-textured soil.
 - c. The water table is at least 4 feet below the ground surface.
 - d. The wind speed is 100 mph.
 - e. The seismicity is in accordance with the International Building Code (IBC) for Seismic Design Category C.
- 1.2. The design of this project is based on the following assumptions:
 - a. The site is a flat, open area with no existing structures or utilities.
 - b. The soil is a uniform, undisturbed, medium-textured soil.
 - c. The water table is at least 4 feet below the ground surface.
 - d. The wind speed is 100 mph.
 - e. The seismicity is in accordance with the International Building Code (IBC) for Seismic Design Category C.
- 1.3. The design of this project is based on the following assumptions:
 - a. The site is a flat, open area with no existing structures or utilities.
 - b. The soil is a uniform, undisturbed, medium-textured soil.
 - c. The water table is at least 4 feet below the ground surface.
 - d. The wind speed is 100 mph.
 - e. The seismicity is in accordance with the International Building Code (IBC) for Seismic Design Category C.

2.0 MATERIALS

- 2.1. The materials to be used in this project are as follows:
 - a. Concrete: 4000 psi compressive strength.
 - b. Steel: A36 steel.
 - c. Masonry: 8000 psi compressive strength.
 - d. Grout: 4000 psi compressive strength.
 - e. Mortar: Type S.
 - f. Reinforcing steel: #4.
- 2.2. The materials to be used in this project are as follows:
 - a. Concrete: 4000 psi compressive strength.
 - b. Steel: A36 steel.
 - c. Masonry: 8000 psi compressive strength.
 - d. Grout: 4000 psi compressive strength.
 - e. Mortar: Type S.
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- 2.3. The materials to be used in this project are as follows:
 - a. Concrete: 4000 psi compressive strength.
 - b. Steel: A36 steel.
 - c. Masonry: 8000 psi compressive strength.
 - d. Grout: 4000 psi compressive strength.
 - e. Mortar: Type S.
 - f. Reinforcing steel: #4.

3.0 CONSTRUCTION

- 3.1. The construction of this project is to be in accordance with the following:
 - a. The foundation shall be constructed of concrete.
 - b. The walls shall be constructed of masonry.
 - c. The roof shall be constructed of steel.
 - d. The floor shall be constructed of concrete.
 - e. The exterior finish shall be stucco.
 - f. The interior finish shall be drywall.
- 3.2. The construction of this project is to be in accordance with the following:
 - a. The foundation shall be constructed of concrete.
 - b. The walls shall be constructed of masonry.
 - c. The roof shall be constructed of steel.
 - d. The floor shall be constructed of concrete.
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 - f. The interior finish shall be drywall.
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 - a. The foundation shall be constructed of concrete.
 - b. The walls shall be constructed of masonry.
 - c. The roof shall be constructed of steel.
 - d. The floor shall be constructed of concrete.
 - e. The exterior finish shall be stucco.
 - f. The interior finish shall be drywall.

4.0 FINISHES

- 4.1. The finishes to be used in this project are as follows:
 - a. Exterior walls: Stucco.
 - b. Interior walls: Drywall.
 - c. Floor: Concrete.
 - d. Roof: Steel.
- 4.2. The finishes to be used in this project are as follows:
 - a. Exterior walls: Stucco.
 - b. Interior walls: Drywall.
 - c. Floor: Concrete.
 - d. Roof: Steel.
- 4.3. The finishes to be used in this project are as follows:
 - a. Exterior walls: Stucco.
 - b. Interior walls: Drywall.
 - c. Floor: Concrete.
 - d. Roof: Steel.

5.0 UTILITIES

- 5.1. The utilities to be installed in this project are as follows:
 - a. Water supply.
 - b. Sewer.
 - c. Gas.
 - d. Electric.
- 5.2. The utilities to be installed in this project are as follows:
 - a. Water supply.
 - b. Sewer.
 - c. Gas.
 - d. Electric.
- 5.3. The utilities to be installed in this project are as follows:
 - a. Water supply.
 - b. Sewer.
 - c. Gas.
 - d. Electric.

6.0 SCHEDULE

- 6.1. The schedule for this project is as follows:
 - a. Foundation: 1 week.
 - b. Walls: 2 weeks.
 - c. Roof: 1 week.
 - d. Floor: 1 week.
 - e. Exterior finish: 1 week.
 - f. Interior finish: 1 week.
- 6.2. The schedule for this project is as follows:
 - a. Foundation: 1 week.
 - b. Walls: 2 weeks.
 - c. Roof: 1 week.
 - d. Floor: 1 week.
 - e. Exterior finish: 1 week.
 - f. Interior finish: 1 week.
- 6.3. The schedule for this project is as follows:
 - a. Foundation: 1 week.
 - b. Walls: 2 weeks.
 - c. Roof: 1 week.
 - d. Floor: 1 week.
 - e. Exterior finish: 1 week.
 - f. Interior finish: 1 week.



CONSTRUCTION NOTES

- [illegible]

LANDSCAPE NOTES

- [illegible]

QUALITY NOTES

- [illegible]

DEVL. OTHERS. RES. COMP. IN. IT. ES.

- [illegible]

TRAFFIC CONTROL SIGNS

- AS FOR THE UNITED STATES DEPARTMENT OF TRANSPORTATION'S MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, SECTION 2A-2J, ALL SIGNS POSTED IN A RESIDENTIAL, COMMERCIAL, AND BUSINESS DISTRICTS SHALL BE POSTED AT LEAST SEVEN (7) FEET ABOVE THE GROUND TO THE BOTTOM OF THE SIGN

GENERAL NOTES

- [illegible]

PROJECT SUMMARY

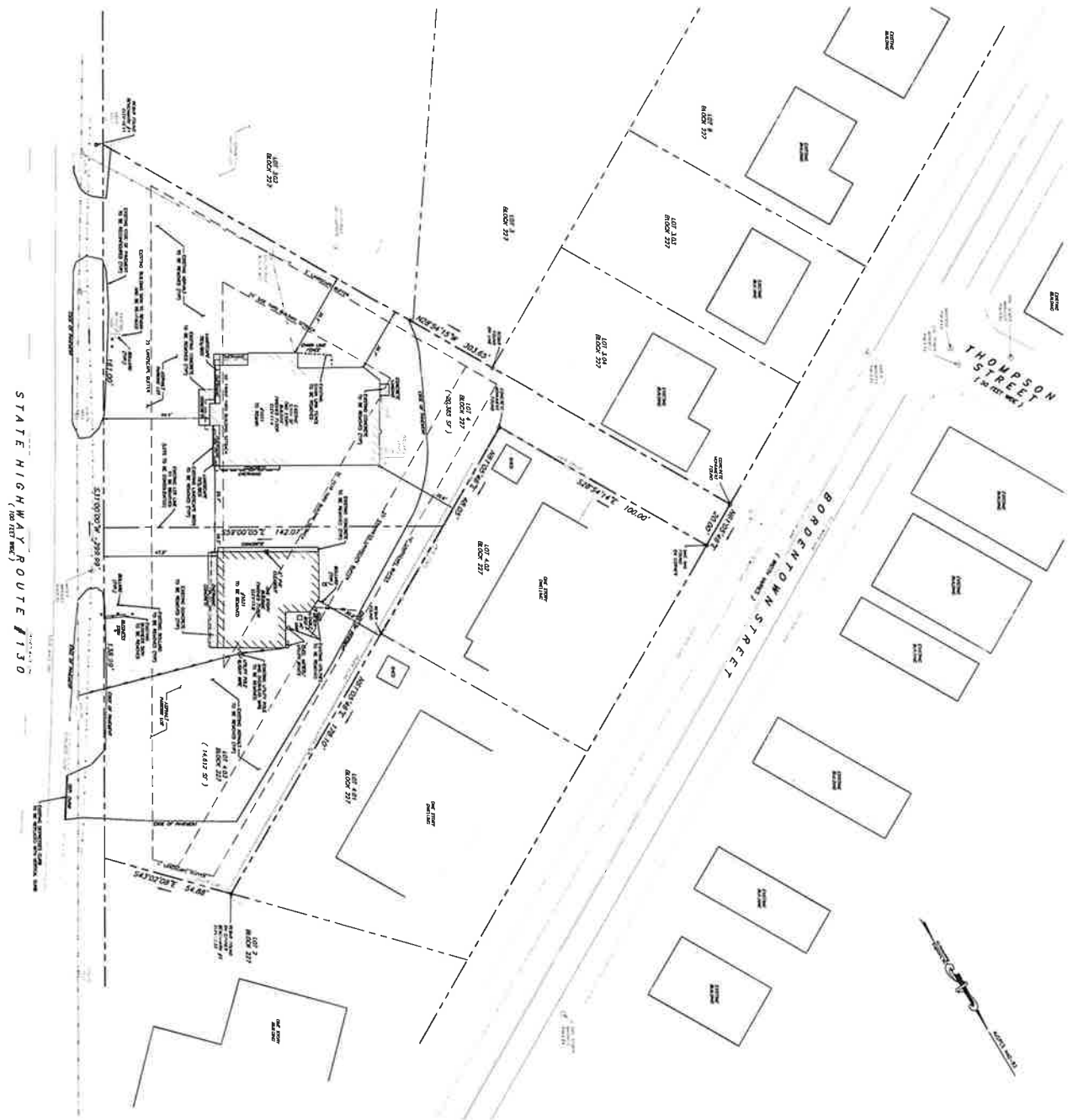
- [illegible]

HIGH-VOLTAGE PROXIMITY ACT

[illegible]

PROJECT INFORMATION SHEET
021 & 1031 E ROUTE 130 SOUTH
K 227 - LOTS 4 & 4.03 - TAX MAP SHEET 59

JOHN W. KORNICK, P.E.
Professional Engineer, New Jersey Lic. No. 24GE04928500



USGS MAP
NOT TO SCALE

DEMOLITION NOTES:

1. **PERIODICITY** The investigation was carried out over a 12-month period, from 1 January 1997 to 31 December 1997. The data were collected on a daily basis.
2. **LOCATION** The investigation was carried out in the **WEST** (London) and **EAST** (London) regions of the United Kingdom. The **WEST** region was defined as the area between 51° 30' N and 52° 30' N latitude and 0° 30' W and 1° 30' W longitude. The **EAST** region was defined as the area between 51° 30' N and 52° 30' N latitude and 1° 30' E and 2° 30' E longitude.
3. **DATA SOURCES** The data were collected from the **WEST** and **EAST** regions of the United Kingdom. The **WEST** region was defined as the area between 51° 30' N and 52° 30' N latitude and 0° 30' W and 1° 30' W longitude. The **EAST** region was defined as the area between 51° 30' N and 52° 30' N latitude and 1° 30' E and 2° 30' E longitude.
4. **ALL** **DEPARTURES** TO AND FROM THE **WEST** AND **EAST** regions of the United Kingdom were included in the investigation. The **WEST** region was defined as the area between 51° 30' N and 52° 30' N latitude and 0° 30' W and 1° 30' W longitude. The **EAST** region was defined as the area between 51° 30' N and 52° 30' N latitude and 1° 30' E and 2° 30' E longitude.
5. **CONCLUSIONS** The investigation was carried out over a 12-month period, from 1 January 1997 to 31 December 1997. The data were collected on a daily basis.
6. **REFERENCES** The investigation was carried out over a 12-month period, from 1 January 1997 to 31 December 1997. The data were collected on a daily basis.

EXISTING CONDITIONS AND DEMOLITION PLAN
1021 & 1031 E ROUTE 130 SOUTH
 BLOCK 227 - LOTS 4 & 4.03 - TAX MAP SHEET 59
 SITUATE IN THE
 CITY OF BURLINGTON, BURLINGTON COUNTY, NEW JERSEY


JOHN W. KORNICK, P.E.
Professional Engineer, New Jersey Lic. No. 24GE04928500

DATE	01/07/2016
TESTER	WFR
INSTRUMENT	WFR
DEPTH	$f = 20'$
WELL NO.	P025-096
WELL ID	J O 13

[illegible]

LEGEND

- M100 PROPOSED SPOT
- W80 EXISTING SPOT
- 100' PROPOSED CONTOUR
- EXISTING CONTOUR
- DRAINAGE FLOW ARROW
- TREE PROTECTION FENCE
- LIMIT OF CLEARING

20 0 20 40
PIVOT SCALE OF TEXT

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
 JOHN W. KORNICK, P.E. Professional Engineer, New Jersey Lic. No. 24060-01926500 GRADING PLAN 1021 & 1031 E ROUTE 130 SOUTH BLOCK 227 - LOTS 4 & 4.03 - TAX MAP SHEET 59 SITUATE IN THE CITY OF BURLINGTON, BURLINGTON COUNTY, NEW JERSEY																																																																																																			
DATE																																																																																																			
REVISION																																																																																																			
BY																																																																																																			



Run	Wavelength (nm)	Intensity (a.u.)	FWHM (nm)	FWHM (nm)
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2	415.0	1.0	1.0	1.0
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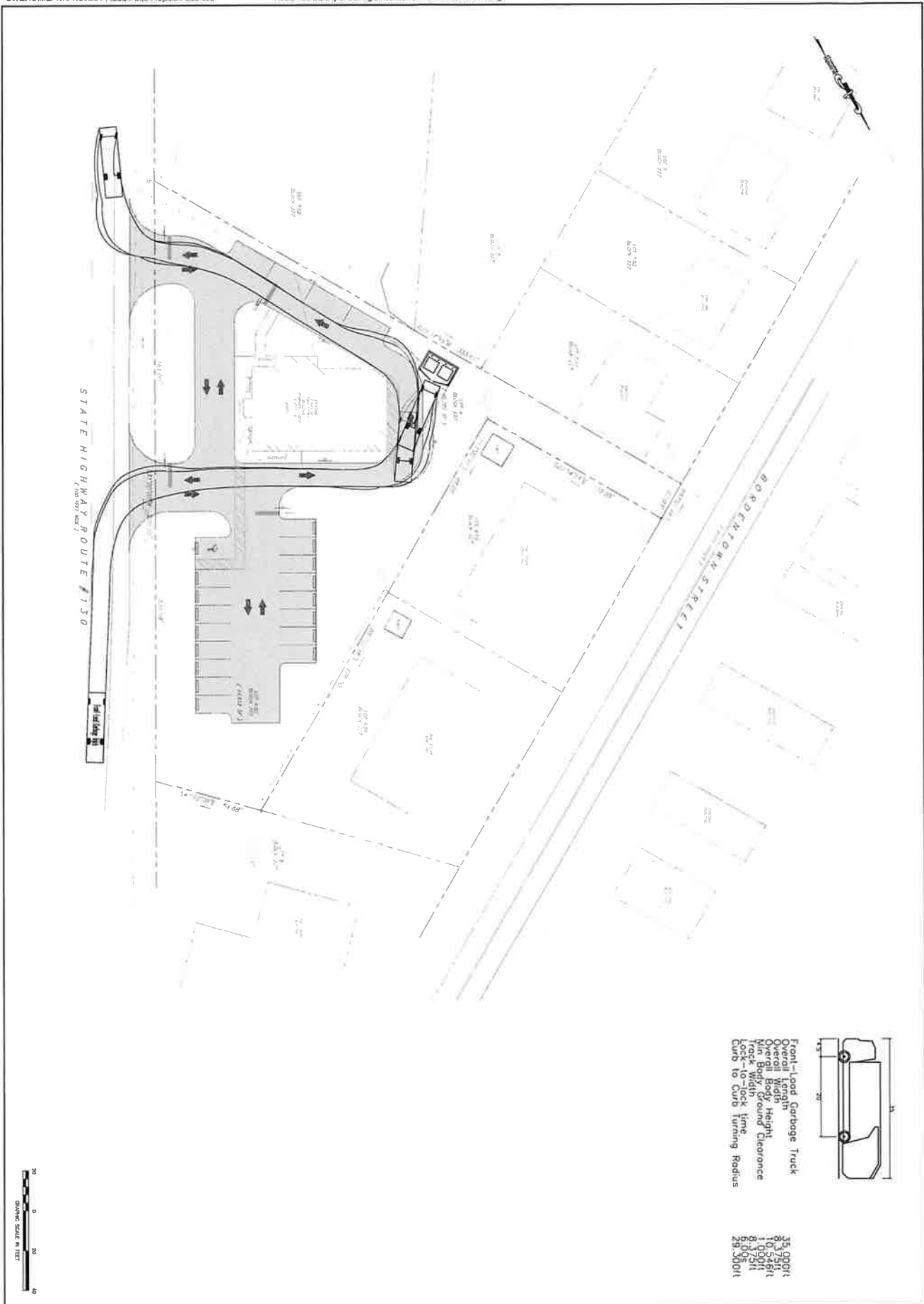
[illegible]

1. LIGHTS MUST BE INSTALLED 2 FEET ABOVE EDGE OF PARADEWAY ON CURB.
2. AT NO TIME SHALL A LIGHT SOURCE OF ANY PROPOSED OR EXISTING LIGHTS BE VISIBLE FROM ADJACENT PROPERTIES OR VEHICULAR TRAFFIC.
3. LIGHT FIXTURES TO BE INSTALLED WITH HOUSE SIDE SPEEDS WHERE ADJACENT TO RESIDENTIAL PROPERTIES.
4. PARKING LOT LIGHTING MUST BE PLACED ON A TOWER AND SHALL SHUT OFF TO SAVE ILLUMINATION AFTER NORMAL BUSINESS HOURS.

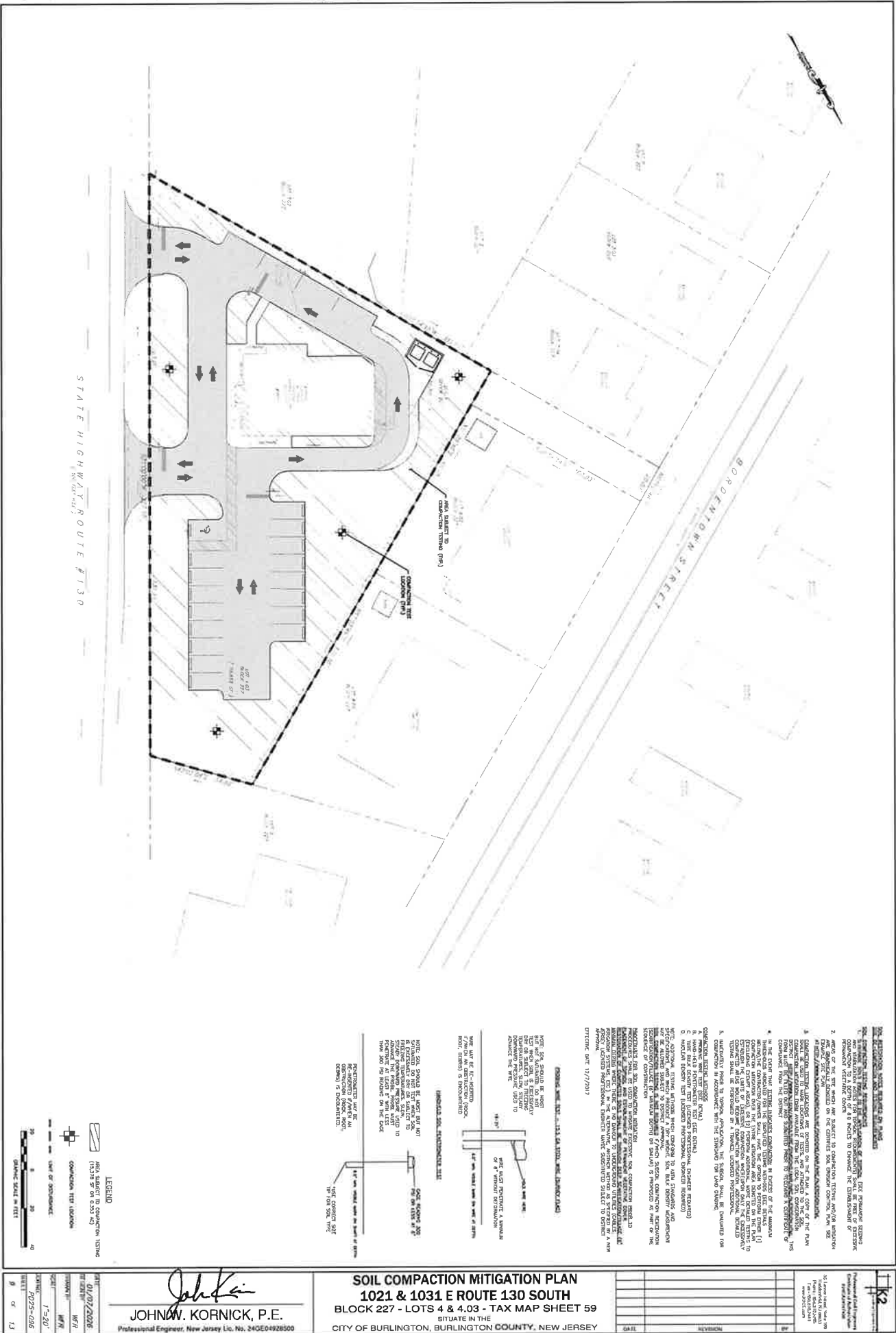
[illegible]

LANDSCAPE & LIGHTING PLAN
021 & 1031 E ROUTE 130 SOUTH
 K 227 - LOTS 4 & 4.03 - TAX MAP SHEET 59
 SITUATE IN THE
 BURLINGTON, BURLINGTON COUNTY, NEW JERSEY

JOHN W. KORNICK, P.E.
Professional Engineer, New Jersey Lic. No. 240E04928500







SOIL COMPACTION MITIGATION PLAN
1021 & 1031 E ROUTE 130 SOUTH
BLOCK 227 - LOTS 4 & 4.03 - TAX MAP SHEET 59

LEGEND

AREA SUBJECT TO COMPACTION TESTING (1/32" SP OR 0.33' X2)

COMPACTION TEST LOCATION

1" = 20'

GRAPHIC SCALE IN FEET

0 20 40

1021 & 1031 E ROUTE 130 SOUTH
BLOCK 227 - LOTS 4 & 4.03 - TAX MAP SHEET 59

SITUATE IN THE
CITY OF BURLINGTON, BURLINGTON COUNTY, NEW JERSEY

JOHN W. KORNICK, P.E.
Professional Engineer, New Jersey Lic. No. 24GE04928000

DATE: 01/07/2006
BY: JWK
CHECKED: WFO
SCALE: 1" = 20'
PROJECT: 1021 & 1031 E ROUTE 130 SOUTH
SHEET: 9 OF 13



City of Burlington Joint Land Use Board

Land Use Development Application Submission

Please review the LUB Instruction and Information Packet

Section A- *Pages 9-15 Completeness Checklist, and Maps/Plans/Surveys, etc. (if applicable) must be included in all copies of the application packets. Please make sure all required signatures and notarization are completed.*

- Land Use Development Application- **pages 2-6**
- Affidavit of Noncollusion- **page 7**
- Ownership Disclosure Statement- **page 8** *If 100% ownership please indicate on form.*
- **Completeness Checklist(s)** 40 pages- see Completeness Checklist *please include Only the applicable checklist(s).*

Section B – *Pages 9-15 are for the original application only. (2) Two separate nonrefundable checks for application and escrow fees are made payable to the City of Burlington. If all pages are not complete and submitted with the application, the application will be deemed incomplete.*

- Agreement to Pay Fees- **pages 9-11**
- Fee Calculation Worksheets- **pages 12-13**
- New Escrow Set-Up Form – **page 14**
- W-9 – **page 15**

Section C

- Request for List of Property Owners—**submit to Tax Assessor** when application is submitted to Board Secretary- **page 16**
- Property Tax Certification, Sewer Tax & Fair Share Connection Fee Certification- **submit to Tax Collector-** when application is submitted to Board Secretary- **page 17**
- Mercantile License Certification- *if applicable* – **page 18**

Completed originals of certification must be received by the Board Secretary in order for an application to be placed on the agenda.

All plans, maps, surveys, etc. must be pre-folded & a digital copy of the complete application, must be provided to the Board Secretary (see Information & Instruction packet)

Rev. 4/15/2021

LAND USE DEVELOPMENT APPLICATION
FOR OFFICE USE ONLY

Date Submitted	Application No.	App Fee Check #	Escrow Fee Check #
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1. APPLICANT/DEVELOPER

Name: Higherbreed NJ LLC
Address: 156 Hampton House Road

City: Lafayette State: NJ Zip: 07848
Phone: (310) 625-5495 Fax: ()
Email: JW@higherbreed.io
Interest in Property: Leasee

2. OWNER

Name: Stephen Bergenfeld
Address: [REDACTED]

City: Lambertville State: NJ Zip: 08530
Phone: () Fax: ()
Email: [REDACTED]@icloud.com

Complete this section if applicant is not owner.

3. TYPE OF APPLICATION (check all that apply)

- ☐ "a" Variance (Appeal)
- ☐ "b" Variance (Interpretation)
- ☒ "c" Variance (Bulk)
- ☐ "d" Variance (Use)
- ☐ Build on Lot Not Fronting on Street
- ☐ Certificate of Nonconformity
- ☐ Subdivision, Minor
- ☐ Subdivision, Major Preliminary
- ☐ Subdivision, Major Final

- ☐ Site Plan, Minor
- ☐ Site Plan, Waiver
- ☒ Site Plan, Major Preliminary (Nonres or Res)
- ☒ Site Plan, Major Final (Nonres or Res)
- ☐ Subdiv. or Site Plan, Informal Review
- ☐ Subdiv. or Site Plan, Extension of Approval
- ☐ Subdiv. or Site Plan, Amend. of Approved Plan
- ☐ Other:

4. APPLICANT'S ATTORNEY

Name: Michael Malinsky, Esq.
Address: 1301 Atlantic Avenue
Midtown Building, Suite 400
City: Atlantic City State: NJ Zip: 08401
Phone: (609) 572-2331 Fax: ()
Email: mmalinsky@foxrothschild.com

5. APPLICANT'S ENGINEER

Name: John W. Kornick, PE, PP
Address: 36 Tanner Street, St 100
City: Haddonfield State: NJ Zip: 08033
Phone: (856) 310-5205 Fax: ()
Email: jkornick@k2ce.com

6. APPLICANT'S OTHER PROFESSIONALS (Architect, Planner, Surveyor, etc.)

Name: _____
Address: _____

City: _____ State: _____ Zip: _____
Phone: (____) _____ Fax: (____) _____
Email: _____

Name: _____
Address: _____

City: _____ State: _____ Zip: _____
Phone: (____) _____ Fax: (____) _____
Email: _____

7. LOCATION OF PROPERTY

Street Address: 1021 and 1031 Route 130 Block(s): 227
Zone: HC-2 Lot(s): 4 and 4.03 Type _____
of Road Frontage: Highway - NJSH Rt. 130 (Highway, County Road, Local Road)

8. LAND USE

Existing Land Use: Retail, personal services and office

Proposed Land Use: Cannabis Dispensary and Office

9. PROPERTY DETAILS

of Existing Lots: 2 # of Proposed Lots: 1
Existing Form of Ownership: ☒ Fee Simple ☐ Rental ☐ Condominium ☐ Cooperative
Existing Deed Restrictions or Easements: ☒ No ☐ Yes (attach copies)
Proposed Deed Restrictions or Easements: ☒ No ☐ Yes (attach copies)

10. UTILITIES (check all that apply)

Existing: ☒ Public Water ☐ Private Well ☒ Public Sewer ☐ Private Septic System
☒ Natural Gas ☒ Electric ☐ Propane
Proposed: ☒ Public Water ☐ Private Well ☒ Public Sewer ☐ Private Septic System
☒ Natural Gas ☒ Electric ☐ Propane

11. ZONING SCHEDULE (complete all that apply)

	Required	Existing	Proposed
Minimum Lot Requirements			
Area	20,000 sf	44,977 sf	44,977 sf
Width	100 ft	299.99 ft	299.99 ft
Depth	150 ft	203 ft	203 ft
Principal Buildings & Structures			
1 Side Yard	25 ft	26.7 ft	26.7 ft
2 Side Yards	N/A		
Front Yard	50 ft	44.4 ft	44.4 ft
Rear Yard	50 ft	35.9 ft	35.9 ft
Accessory Building & Structures			
Side Yard			
Rear Yard			

	Required	Existing	Proposed
Maximum Building & Structure Height			
Principle	40 ft	28.3 ft	28.3 ft
Accessory			
Maximum Lot & Building Coverages			
Lot	50%	61.1%	38.5%
Building	30%	9.8%	6.5%
Open Space Preserved			
% of Tract			

Is the proposed site on an inside or corner lot?

☒ Inside ☐ Corner

12. PARKING & LOADING REQUIREMENTS

# of Parking Space Required:	<u>21</u>	# of Parking Spaces Provided:	<u>21</u>
# of Loading Space Required:	<u>1</u>	# of Loading Spaces Provided:	<u>0</u>

13. OTHER APPROVALS REQUIRED

U.S. Army Corps of Engineers	☒ No	☐ Yes
N.J. Dept. of Environmental Protection	☒ No	☐ Yes
N.J. Dept. of Transportation	☐ No	☒ Yes
Burlington County Bridge Commission	☒ No	☐ Yes
Burlington County Planning Board	☐ No	☒ Yes
Burlington County Soil Conservation District	☐ No	☒ Yes
City of Burlington Historic Commission	☒ No	☐ Yes
State of New Jersey Sewer Extension	☒ No	☐ Yes
State of New Jersey Stream Encroachment	☒ No	☐ Yes
State of New Jersey Waterfront Development	☒ No	☐ Yes
State of New Jersey Wetlands	☒ No	☐ Yes
State of New Jersey Riparian Conveyance	☒ No	☐ Yes
Other: _____	☐ No	☐ Yes
Other: _____	☐ No	☐ Yes

14. APPLICATION SUBMISSION MATERIALS (use additional sheets if necessary) Applicant is responsible for providing digital copies of application, plans, reports, exhibits, etc. to the Board Secretary; lubsecretary@burlingtonnj.us

List all plans, reports, photos, etc.	Preliminary and Final Major Site Plan consisting of 13 sheets dated January 7, 2026
	List of Variance and Waivers dated January 7, 2026
	Site Photo Exhibit dated January 7, 2026
	Plan of Survey dated December 19, 2025

15. PREVIOUS OR PENDING APPLICATIONS (use additional sheets if necessary)

List all previous or pending applications for this parcel. If current application is for the Amendment of a previously approved Subdivision or Site Plan, furnish a copy of the previously approved plan and describe the proposed amendments. None

16. RELIEF REQUESTED (use additional sheets if necessary)

List arguments for Variances, Waivers of Development Standards and/or Submission Requirements.

See attached document - List of Variance and Waivers dated January 7, 2026
as prepared by K2 Consulting Engineers, Inc.

17. EXPERT WITNESSES FOR APPLICANT

Name: John W. Kornick, PE, PP Type of Testimony: Engineering and Planning
Name: _____ Type of Testimony: _____
Name: _____ Type of Testimony: _____
Name: _____ Type of Testimony: _____

18. SIGNATURE OF APPLICANT

I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant, or that I am an Officer of the Corporate applicant or a General Partner of the Partnership applicant and am authorized to sign the application for the Corporation or Partnership.

SWORN & SUBSCRIBED before me this

8th day of January, 2026

Mary M Rhea
NOTARY

MARY M. RHEA
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES JULY 23, 2027
COMMISSION: #43837

[Signature]
SIGNATURE (applicant)

DATE

James Waltz

PRINT NAME

19. CONSENT OF OWNER

NOTE: If the property is owned by a corporation or an LLC this "consent of owner" must be signed by a corporate officer or managing member and a resolution must be attached authorizing that corporate officer/managing member to sign on behalf of the entity.

I certify that I am the Owner of the property which is the subject of this application. I hereby consent to the filing of this application and to the approval of the plans submitted therewith. I further consent to the inspection of the property in connection with this application as deemed necessary by the board and its professional staff.

I am aware that the City will incur costs for professional review fees in the course of hearing and deciding this application. I am aware that the applicant has signed an escrow agreement that requires said applicant to be responsible to pay the City for the costs incurred. By consenting to the filing of this application I agree that, in the event the applicant fails to pay all of those costs, I will be responsible to pay, and I will pay, any balance of those costs owed by the applicant to the City. I further understand that if I fail to pay the amount owed the City may seek and win a judgment against me for the amount owed plus counsel fees and costs and that that judgment may become a lien against my property.

MARY M. RHEA
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES JULY 23, 2027
COMMISSION: #43837

SWORN & SUBSCRIBED before me this

8th day of January, 2026

Mary M. Rhea
NOTARY
MARY M. RHEA
NOTARY PUBLIC
STATE OF NEW JERSEY
COMMISSION: #43837

SIGNATURE (owner)

DATE

Stephen Bergenfeld

PRINT NAME

20. DISCLOSURE STATEMENT

If applicant is a corporation, partnership or LLC please answer the following questions pursuant to N.J.S.A. 40:55D-48.1 & 48.2:

- Is this application to subdivide a parcel of land into six (6) or more lots? ☒ No ☐ Yes
- Is this application for a variance to construct a multiple dwelling unit of 25 or more units? ☒ No ☐ Yes
- Is this application for approval of a site (or sites) for non-residential purposes? ☐ No ☒ Yes

If you responded YES to any of the above questions, Ownership Disclosure Statement must be completed.

[Signature]
SIGNATURE (applicant)

DATE

21. SURVEY WAIVER CERTIFICATION

As of the date of this application, I hereby certify that the survey submitted with this application which is dated _____ shows and discloses the premises in its entirety, described as Block _____ Lot _____; and I further certify that no buildings, fences or other facilities have been constructed, installed or otherwise located on the premises after the date of the survey with the exception of the structures shown.

SWORN & SUBSCRIBED before me this

_____ day of _____, 20____

NOTARY

SIGNATURE (applicant/owner)

DATE

PRINT NAME

REQUEST FOR LIST OF PROPERTY OWNERS

To: City of Burlington
Attn: Tax Assessor 525
High Street
Burlington, NJ 08016

Subject property must be identified by Block, Lot and Street Address. If the property contains multiple lots, list each lot separately. If the property is on multiple blocks, use separate lines for each block.

Street Address	Block	Lot	Lot	Lot
1021 and 1031 Route 130	227	4	4.03	

I do hereby request that the Tax Assessor compile and certify a list of Property Owners within 200 feet of the property described above. With this request, I hereby submit the required fee of \$10.00 or \$.25 per name, whichever is greater.

Requestor's Name: John W. Kornick

Address: 36 Tanner Street, St 100

Phone: 856-310-5205

Haddonfield, NJ 08033

E-mail: jkornick@k2ce.com

Signature: 

Date: 01/08/2026

Note—Your request will be processed by the Tax Assessor within seven (7) calendar days of the filing of this form and payment of the required fees as required by N.J.S.A. 40:55D-12c. The seven (7) day time period will begin on the day that this form and the required fee are received by the Tax Assessor.

Adjoining Municipalities—If the subject property is within 200 feet of an adjacent municipality, notice of your application must be served on the Clerk of that municipality. In addition, you must request a 200' list from the municipality and notice of your application must be served on the persons and entities whose names appear on that list.

OFFICE USE ONLY

Amount Paid: _____

Date Paid: _____

Cash/Check : _____

This form is submitted directly to Tax Assessors.

AFFIDAVIT OF NONCOLLUSION

STATE OF NEW JERSEY

S

COUNTY OF BURLINGTON

Higherbreed NJ LLC being duly sworn according to law upon his oath, deposes and says:
NAME OF APPLICANT

He/she is the applicant in connection with a property known as 1021 and 1031 Route 130
Block 227 and Lot 4 and 4.03 STREET ADDRESS

There has been no collusion between the applicant and any member of the City of Burlington Joint Land Use Board or any officials of the City of Burlington with respect to said application.

SWORN & SUBSCRIBED before me this
8th day of January, 2026

Mary M Rhea
NOTARY

[Signature]
SIGNATURE (applicant) DATE
James Waltz
PRINT NAME

MARY M. RHEA
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES JULY 23, 2027
COMMISSION: #43837

**CITY OF BURLINGTON
JOINT LAND USE BOARD
AGREEMENT TO PAY FEES**

THIS AGREEMENT, made and entered on this 08 day of January, 2026
by and between the City of Burlington Joint Land Use Board (the Board) and
Higherbreed NJ LLC (the Applicant), is made upon the following terms and conditions:

1. **AGREEMENT TO PAY FEES:** Applicant hereby covenants and agrees to pay all charges and fees imposed by the Board in connection with the Joint Land Use Board Application filed contemporaneously herewith. Such fees include but are not limited to application fees, attorney review fees, engineer review fees, planner review fees, court stenographer fees, copy costs and postage. The Board will not sign plans or deeds and will not release signed plans or deeds until all such charges and fees have been paid in full.

Notwithstanding the existence or terms of any partnership, joint venture, reimbursement or other agreement between the Applicant and one or more third parties, the individual or legal entity that signs this Agreement shall be solely and exclusively responsible for all fees chargeable to the Application filed contemporaneously herewith and to the project identified at the end of this Agreement.

2. **ESCROW DEPOSIT:**

- a. Two checks are to be submitted. One check for the non-refundable application fee and a second check for the escrow deposit. The Board hereby acknowledges receipt of an escrow deposit in the amount of \$ 7,400.00. Said sum is to be placed in an escrow account to cover the cost of the aforementioned review fees. Such sum shall be charged periodically as fees and charges accrue. The balance of the escrow sum, if any, after all charges and fees have been paid shall be returned to the Applicant.
- b. Applications by individuals or business entities that owe, or business entities with one or more common principals of a business entity that owes an outstanding balance from a prior application will not be heard by the Board until the outstanding balance is paid in full. As used herein, the terms principal or common principal mean an individual or business entity that holds an ownership interest in both the applicant business entity and the debtor business entity.
- c. Whether the debt was incurred by the current owner, a previous owner or a previous applicant, if an outstanding balance remains unpaid on a previous application pertaining to this property, the Board will not hear a new application pertaining to this property or any portion of this property until the outstanding balance is paid in full.

3. **ADDITIONAL ESCROW:**

- a. The Escrow deposit is an estimate of the professional review fees that will be incurred (Engineering, Legal, Planning, Stenographic, etc.) by the Board to review the Application for Development. These Escrows are established on the basis of the Applicant submitting completed Applications and Plans in conformance with applicable Ordinance Provisions. Any further submissions required on behalf of the Applicant shall be deemed re-submissions, and the Applicant shall be required to post additional fees totaling 50% of the original escrow deposit for each plan submitted after the original submittal.

- b. If, as a result of the Applicant's failure to replenish the escrow account, the account contains insufficient sums to pay current plus anticipated additional review fees, the Board will not conduct further hearings on the application until the applicant replenishes the escrow account as directed. In addition, the Applicant's failure to replenish the escrow account will be deemed an extension of the Board's time to act on the application or, the Board may deny the application without prejudice.

4. **ESCROW ACCOUNT MANAGEMENT:** Whenever the Review and/or Inspection escrows paid under this Agreement shall exceed \$5,000.00, it shall be deposited in a banking institution or Savings & Loan Association in this State, insured by an Agency of the Federal Government, or in such deposits by the State of New Jersey in an account bearing interest at the minimum rate currently paid by the institution or depository on time or savings deposits.

- a. The City's Chief Financial Officer shall notify the Applicant, in writing, of the name and address of the institution or depository in which the deposit is made, and the amount of the deposit.
- b. If the amount of interest earned on the deposit exceeds \$100.00, the interest earned shall be refunded to the Applicant by the City on an annual basis or at the time the deposit is repaid or applied for the purpose it was deposited, as the case may be; except that the municipality may retain for administrative expenses a sum equivalent to no more than 33 1/3% of the entire amount, which shall be in lieu of all other administrative and custodial expenses.
- c. In the event that the interest paid on a deposit for a year does not exceed \$100.00, the same is to be retained by the City.
- d. For those Developments for which reasonably-anticipated inspection fees are less than \$10,000.00 fees may, at the option of the Developer, be paid in two installments. The initial amount deposited by the Developer shall be 50% of the reasonably-anticipated fees. When the balance on deposit drops to 10% of the reasonably-anticipated fees because the amount deposited by the Developer has been reduced by the amount paid to the Engineer for inspection, that Developer shall deposit the remaining 50% of the anticipated inspection fees.
- e. For those Developments for which the reasonably-anticipated inspection fees are \$10,000.00 or greater, fees may, at the option of the Developer, be paid in four installments. The initial amount deposited by the Developer shall be 25% of the reasonably-anticipated fees. When the balance drops to 10% of the reasonably-anticipated fees because the amount deposited by the Developer has been reduced by the amount paid to the Engineer for inspection, the Developer shall make additional deposits of 25% of the reasonably-anticipated fees.
- f. The municipal engineer shall not perform any inspection if sufficient funds to pay for that inspection are not on deposit.

5. **CONTEST OF REASONABLENESS:**

- a. The Applicant agrees to pay any additional sums required to pay charges and fees not covered by the initial escrow deposit within fifteen days after receipt of a billing by the appropriate City Office. The Applicant understands and agrees to pay such sum notwithstanding any dispute as to the reasonableness of fees and charges. Payment

shall not constitute a waiver of the right to challenge the reasonableness of charges and fees as set forth herein below.

- b. The Applicant agrees that the reasonableness of any fee or charge may be challenged pursuant to the procedure set forth in NJSA 40:55D-53.2a. The Applicant understands and agrees that the aforesaid procedure shall be the sole and exclusive method of challenging the reasonableness of charges and fees.
6. **REFUND OF MONEYS IN ESCROW ACCOUNTS:** When it has been determined that there is no longer any need to retain the Escrow Account, the Applicant shall be entitled to the return of any moneys which remain in the account. In accordance with the close-out procedure set forth in NJSA 40:55D-53.2d, the applicant shall send written notice by certified mail to the Chief Financial Officer, the Administrative Officer and the relevant municipal professional(s) that the application or the improvements, as the case may be, are completed and that a refund of any funds remaining in the Escrow Account is requested.
7. **COLLECTION:** Should the Applicant fail to pay any sum required to be paid hereunder when due, the City shall be entitled to pursue all remedies at law or equity. Interest shall accrue at the rate of 18% per annum simple interest on all sums unpaid after the due date. The City may collect a reasonable attorney's fee which shall not be less than \$300.00 should litigation for the purpose of collecting any sum be commenced.

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their hands on the date first above written.

APPLICANT

By: 
(Applicant's Signature)

Project Name (if applicable) Higherbreed NJ

Location or Address 1021 / 1031 Route 130

Block(s) 227, Lot(s) 4 and 4.03

Applicant's Name Higherbreed NJ LLC

Applicant's Federal I.D. No. _____

Applicant's Address 156 Hampton House Road, NJ 07848

Telephone No. 310-625-5495

CITY OF BURLINGTON

By: _____ (Secretary's Signature)

OWNERSHIP DISCLOSURE STATEMENT

NAME OF CORPORATION, PARTNERSHIP OR LLC: Higherbreed NJ LLC

Listed below are the names and addresses of all owners of 10% or more of the stock/interest* in the above referenced corporation or partnership:

	NAME	ADDRESS
1	James Waltz	603 UNIVERSE BLVD
2	KAREN WALTZ	JUNG BEACH, FL 33408
3		
4		
5		
6		
7		
8		
9		
10		

*If a corporation or a partnership owns 10% or more of the stock of a corporation or 10% or greater interest in a partnership, that corporation or partnership shall list the names and addresses of its stockholders holding 10% or more of its stock or 10% or greater interest in the partnership, and this requirement shall be followed until the names and addresses of the non-corporate stockholders and individual partners exceeding the 10% ownership criterion established have been listed.

SWORN & SUBSCRIBED before me this

8th day of January, 2026

Mary M Rhea
NOTARY

[Signature]

SIGNATURE (applicant)

DATE

James Waltz

PRINT NAME

MARY M. RHEA
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES JULY 23, 2027
COMMISSION: #43837

City of Burlington Land Use Fee Schedule Fee Calculation Worksheet

Please submit a separate checks for application fee and escrow fee made payable to "City of Burlington"

Application Type	Application Fee	App. Fee Due	Escrow Fees	Escrow Fees Due
<u>VARIANCES</u>				
"A" Appeal Variance	\$ 75.00	\$	\$ 750.00	\$
"B" Interpation of Map or Ordiance	\$ -	\$	\$ -	\$
"C" Bulk Variances				
1. Residential	\$ 75.00	\$	\$ 750.00	\$
2. Commerical or Industrial	\$ 200.00	\$ 200.00	\$ 1,000.00	\$ 1,000.00
"D" Use Variances				
1. Residential	\$ 75.00	\$	\$ 750.00	\$
2. Commerical or Industrial	\$ 150.00	\$	\$ 2,500.00	\$
<u>SUBDIVISON PLANS</u>				
Minor Subdivison	\$ 250.00	\$	\$ 1,500.00	\$
Major Subdivison	\$ 500.00	\$	\$ 2,500.00	\$
Major Subdivision-Preliminary	\$ 250.00	\$	\$ 3,500.00 plus \$150 per lot	\$ #lot(s) _____
Major Subdivision-Final	\$ 200.00	\$	\$ 1,000.00 plus \$100 per lot	\$ #lot(s) _____
<u>SITE PLANS</u>				
Site Plan Waiver	\$ 200.00	\$	\$ 750.00	\$
Minor Site Plan and/or Sketch Plan	\$ 200.00	\$	\$ 1,500.00	\$
Major Site Plan - Preliminary				
Residential	\$ 250.00	\$	\$ 2,500.00 plus \$100 per dwelling unit	\$ #units _____
Non-Residential	\$ 250.00	\$ 250.00	\$ 5,000.00 plus \$100 per acre	\$ #acre(s) 1.03 \$ 5,100.00
Major Site Plan - Final				
Residential	\$ 200.00	\$	\$ 1,200.00 plus \$100 per dwelling unit	\$ #units _____
Non-Residential	\$ 200.00	\$ 200.00	\$ 1,200.00 plus \$100 per acre	\$ #acre(s) 1.03 \$ 1,300.00
TOTAL PG. 1		650.00	TOTAL PG. 1 7,400.00	

Application Type	Application Fee	App. Fee Due	Escrow Fees	Escrow Fees Due
<u>ADMINISTRATIVE CHANGE OF USE</u>	\$ 125.00	\$	\$ 250.00	\$
<u>CONDITIONAL USES</u>	\$ 150.00	\$	\$ 2,500.00	\$
<u>CERTIFICATE OF NONCONFORMITY</u>	\$ 50.00	\$	\$ 750.00	\$
<u>TAX MAP REVISIONS</u>				
Minor Subdivisions	\$ -	\$ -	\$ 500.00	\$
Major Subdivisions	\$ -	\$ -	\$ 750.00 minimum	\$
			\$80 per lot(s) 1-10	#lot(s) \$
			\$55 per lot(s) 11-30	
			\$40 per lot(s) 31-50	
			\$30 per lots 51+	
<u>SIGN VARIANCES</u>				
Residential	\$ 75.00	\$	\$ 200.00	\$
Commercial	\$ 150.00	\$	\$ 350.00	\$
Industrial	\$ 150.00	\$	\$ 350.00	\$
<u>GRADING & DRAINAGE PLANS</u>	\$ 50.00	\$	\$ 750.00	\$
Informal or Preliminary Discussion with Professionals	\$ 50.00	\$	\$ 750.00	\$
TOTAL PG. 2			TOTAL PG. 2	
GRAND TOTAL CHECK #1		650.00	GRAND TOTAL CHECK #2 7,400.00	

City of Burlington Land Use Board

New Escrow Set-Up Form

Escrow Number _____ Amount: \$7,400.00

Name: Higherbreed NJ LLC

SS# or TIN: [REDACTED] Include W-9

Mailing Address: 156 Hampton House Road

State & Zip Lafayette, NJ 07848

Description: Pre/Final Major Site Plan for the demolition of one (1) single story building and conversion of existing pet store into a Cannabis Dispensary and office.

Block #: 227 Lot#: 4 and 4.03

Contact Name: James Waltz

Contact Phone: 310-625-5495

Contact Email: jw@higherbreed.io

Property Address: 1021 and 1031 Route 130
if different from above

Type of Account (check one)

Inspections _____ x Site Planning _____

Use Variance _____ Site Variance _____

Redevelopment _____

Interest Distribution to: _____ City _____ Client: _____

Developer Contact Information (if applicable)

Phone: _____ Email: _____

PROPERTY TAX, SEWER TAX & FAIR SHARE CONNECTION FEE CERTIFICATION

To: City of Burlington
Attn: Tax Collector
City Hall Municipal Offices
525 High Street
Burlington, NJ 08016

From:

Applicant's Name & Mailing Address

Property Information: Subject property must be identified by Block, Lot and Street Address. If the property contains multiple lots, list each lot separately. If the property is on multiple blocks, use separate lines for each block.

Owner's Name				
Street Address	Block	Lot	Lot	Lot
1021/1031 Route 130	227	4	4.03	

Property taxes for the above referenced block(s) and lot(s) are: ☐ CURRENT as of _____ ☐ DELINQUENT as of _____ Amount Due + Interest _____	Sewer taxes for the above referenced block(s) and lot(s) are: ☐ CURRENT as of _____ ☐ DELINQUENT as of _____ Amount Due + Interest _____
_____ Burlington City Certified Tax Collector Date: _____	Fair Share Connection Fee for the above referenced block(s) and lot(s) are: ☐ CURRENT as of _____ ☐ DELINQUENT as of ____ Amount Due + Interest _____

TAX OFFICE INFORMATION
Phone Number: 609-386-0200 ext. 125
Office Hours: Monday - Friday from 9 AM to 5 PM
Taxes are due quarterly on February 1, May 1, August 1 & November 1

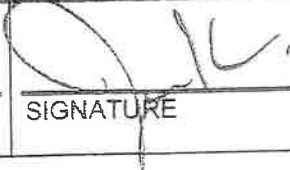
Payments must be made directly to the Tax Collector. Payments will not be accepted by the Joint Land Use Board or the Clerk's Office.

No site plan approval, site plan waivers, subdivisions, variance, certification or declaration of completeness of application can be granted unless the applicant shall have fully paid any and all taxes due to the City of Burlington. City of Burlington Township General Ordinances §207-15

This form must be completed and presented by the applicant to the Board Secretary in order for the application to be placed on the Joint Land Use Board's agenda. Payments must be kept current.

**PRELIMINARY MAJOR SITE PLAN AND
AMENDED PRELIMINARY MAJOR SITE PLAN APPLICATION
COMPLETENESS CHECKLIST**

Page 1

1. APPLICANT/DEVELOPER	2. OWNER
Name: <u>Higher Breed NJ LLC</u> Address: <u>156 Hampton House Road</u> City: <u>Lafayette</u> State: <u>NJ</u> Zip: <u>07848</u> Phone: <u>(310) 625-5495</u> Fax: <u>()</u> Email: <u>jw@highbreed.io</u> Interest in Property: <u>Leasee</u>	<i>Complete this section if applicant is not owner.</i> Name: <u>Stephen Bergenfeld</u> Address: <u>[REDACTED]</u> City: <u>Lambertville</u> State: <u>NJ</u> Zip: <u>08530</u> Phone: <u>()</u> Fax: <u>()</u> Email: <u>[REDACTED]@icloud.com</u>
3. NAME OF PROJECT & LOCATION OF PROPERTY	
Name of Project: <u>Higher Breed Dispensary TBN</u> Street Address: <u>1201 and 1031 Route 130</u> Block(s): <u>227</u> Zone: <u>HC-2</u> Lot(s): <u>4 and 4.03</u>	
4. SIGNATURE OF PERSON PREPARING CHECKLIST	
<u>John W. Kornick, PE, PP</u> PRINTED NAME AND TITLE	 SIGNATURE 01/08/2026 DATE

GENERAL REQUIREMENTS

Item #	Requirement	Provided or Shown	Waiver Requested
1	Submission of completed application form and checklist(s). 15 sets	☒	☐
2	Payment of application and escrow fees.	☒	☐
3	Certification that the applicant is the owner of the land or his properly authorized agent, or that the owner has consented in writing to the filing of this application.	☒	☐
4	Concerning corporations or partnerships, completion of the Ownership Disclosure Statement.	☒	☐
5	Certification that all taxes and assessments are paid to date.	☒	☐
6	Submission of site plan drawings (15 sets) signed and sealed by an N.J.P.L.S., N.J.P.E., N.J.P.P., N.J.R.A. or N.J.C.L.A., as required, and folded into eighths with title block revealed.	☒	☐
7	Submission of preliminary architectural plans and elevations (15 sets) signed and sealed by an N.J.R.A. and folded into eighths with title block revealed.	☐	☒

**PRELIMINARY MAJOR SITE PLAN AND
AMENDED PRELIMINARY MAJOR SITE PLAN APPLICATION
COMPLETENESS CHECKLIST
Page 2**

Item #	Requirement	Provided or Shown	Waiver Requested
8	Submission of (1) one signed & sealed survey and (15) fifteen copies of the property for which the bulk variance is requested.	☒	☐
9	Submission of Environmental Impact Statement, Composite Environmental Constraints map and test borings, percolation rates, water levels and ground water samples as set forth in Chapter 100 of the Land Use Ordinance.	☐	☒
10	Submission of Traffic Impact Analysis.	☐	☒
	If freshwater wetlands are present or are suspected to be present on or near the subject property then one of the following must be submitted:		
11a	A letter of interpretation from the N.J.D.E.P. indicating the absence of freshwater wetlands or indicating the presence and verifying the delineation of the boundaries of freshwater wetlands, classifying the resource value of the wetlands and establishing the required transition areas OR	☐ N/A	☐
11b	A letter of exemption from the N.J.D.E.P. certifying that the proposed activity is exempt from the Freshwater Wetlands Protection Act and regulations promulgated thereunder OR	N/A ☐	☐
11c	A copy of any application made to the N.J.D.E.P. for any permit concerning a proposed regulated activity in or around freshwater wetlands.	N/A ☐	☐

PLAT DETAILS

Item #	Requirement	Provided or Shown	Waiver Requested
1	Scale of not less than 1" = 50'.	☒	☐
2	Key map at scale of not less than 1" = 1,000'.	☒	☐
3	Title block in accordance with the rules governing Title Blocks and Seals for Professional Engineers & Land Surveyors (N.J.A.C. 13:40-1 et seq.) including:	☒	☐
	• name of development;	☒	☐
	• name, signature, address and license number of the professional(s) who prepared the plan(s);	☒	☐
	• and date of original preparation and of each subsequent revision thereof and a list of the specific revisions entered on each sheet.	☒	☐
4	Scale (written and graphic).	☒	☐
5	Name, address and telephone number of the owner(s) of record.	☒	☐
6	Name, address and telephone number of the developer.	☒	☐
7	North arrow with reference meridian.	☒	☐
8	Approval block with signature lines for Chairperson, Secretary and Board Engineer.	☒	☐
9	A schedule shall be placed on the map indicating the acreage of the tract, the zone and the minimum required lot areas, setbacks, yards and dimensions.	☒	☐

**PRELIMINARY MAJOR SITE PLAN AND
AMENDED PRELIMINARY MAJOR SITE PLAN APPLICATION
COMPLETENESS CHECKLIST
Page 3**

Item #	Requirement	Provided or Shown	Waiver Requested
10	Names of all owners of and property lines of parcels within two hundred (200) feet of the site shall be included on the plan, including properties across the street, as shown on the most recent records of the City.	☐	☒
11	The plan shall be based on a current, certified boundary survey. The date of the survey and the name of the person making same shall be shown on the plan.	☒	☐
12	Existing one (1) foot interval contours based on United States Coast and Geodetic Survey datum (MSL-0) shall be shown extending a minimum of one hundred (100) feet beyond the boundary of the tract in question and shall be certified by a New Jersey Licensed Land Surveyor as to accuracy, except where the slopes exceed five percent (5%), a two (2) foot interval may be used. The source of the elevation datum shall be noted on the plan.	☒	☐
13	All existing streets, watercourses, floodplains, floodway and flood hazard areas within the proposed subdivision and within two hundred (200) feet of the boundaries thereof shall be shown on the plan.	☒	☐
14	Both the width of the paving and the width of the right-of-way of each street, existing public easements and city borders within two hundred (200) feet of the site shall be shown.	☒	☐
15	The distances measured along the right-of-way line of existing streets abutting the property to the nearest intersections with other public streets shall be shown.	☒	☐
16	All existing structures shall be shown along with an indication of those which are to be destroyed or removed and the front, rear and side yard dimensions of those which are to remain. Structures to be removed shall be indicated by dashed lines; structures to remain shall be indicated by solid lines.	☒	☐
17	The boundaries, nature and extent of wooded areas and the location of any other significant physical features including swamps, bogs and ponds within the proposed site and within two hundred (200) feet thereof shall be shown.	☒	☐
18	All proposed public easements or rights-of-way, the purposes thereof and proposed streets within the proposed site shall be shown on the plan. The proposed streets shall show the right-of-way and proposed pavement width.	☒	☐
19	The detailed layout of the proposed development showing all existing and/or proposed lots, streets, utilities, curbs, sidewalks, traffic and street signs, driveways, parking and loading areas, lighting, trash enclosures, grading and drainage improvements, including plans, profiles, cross-sections and construction details drawn in accordance with the detailed provisions set forth in the City of Burlington Land Use Ordinance shall be provided.	☒	☐
20	The limits of all areas of proposed cuts and fills, exclusive of excavations for basements, shall be clearly designated on the plans.	☐	☒
21	The vehicular circulation pattern on site and the means of ingress and egress of the development, showing, in particular, the size and location of driveways and curb cuts, walkways, the proposed traffic channels, acceleration and deceleration lanes, if any, and any other means of controlling vehicular and pedestrian traffic, shall be shown.	☒	☐
22	The existing system of drainage of the site and of any larger tract of which it is a part shall be provided, together with information on how it is proposed to dispose of surface drainage.	☐	☒
23	The acreage of the drainage area or areas of each natural or man-made watercourse traversing the site shall be provided, including the area within the site and the area upstream from the site.	☐	☒

**PRELIMINARY MAJOR SITE PLAN AND
AMENDED PRELIMINARY MAJOR SITE PLAN APPLICATION
COMPLETENESS CHECKLIST
Page 4**

Item #	Requirement	Provided or Shown	Waiver Requested
24	The plans shall include a grading and drainage plan which shall show the locations of all existing and proposed drainage swales and channels, retention-recharge basins, the scheme of surface drainage and other items pertinent to drainage to demonstrate compliance with the detailed requirements of the City's drainage ordinance.	☒	☐
25	The plans shall show the proposed grading contours at one (1) foot intervals, except that if slopes exceed five percent (5%), a two (2) foot interval may be used.	☒	☐
26	The plans shall show the approximate area contributing to each inlet, and all proposed drainage shall be shown with pipe type and sizes, invert elevations, grades and direction of flow. The direction of flow of all surface water and water courses shall be shown on the plans.	☐	☒
27	The plans shall include an off-site drainage map which provides details regarding the limits of the drainage basin in which the project is located, including pertinent off-site existing drainage which receives or discharges runoff from or onto the site. The off-site drainage map shall include the existing ground contours, other basins which may impact or be impacted by the site, the invert elevations of all existing pipes, pipe types, sizes, direction of flow and other appropriate physical data for open or nonpipe conduits.	☐	☒
28	The plans shall be accompanied by a set of drainage calculations which have been prepared in accordance with the detailed requirements set forth in the City ordinances.	☒	☐
29	A copy of any existing or proposed covenants or deed restrictions applying to the site or certification that none exists shall be provided.	N/A ☐	☐
30	Detailed plans for soil erosion and sediment control shall be submitted in conformance with the requirements of the Burlington County Soil Conservation District.	☒	☐
31	The method of sewerage and solid waste disposal shall be described, with percolation tests and soil borings to a depth of four (4) feet below the septic facility where septic tanks and leaching fields are proposed.	N/A ☐	☐
32	Detailed utility layouts showing feasible connections to any existing or proposed utility systems shall be provided. The proposed locations of all fire hydrants shall be shown.	☒	☐
33	The locations and type of the nearest and/or proposed fire hydrants and sprinkler connections shall be shown.	☒	☐
34	The location and type of garbage and refuse disposal facilities shall be shown on the plans.	☒	☐
35	The location of driveways within one hundred (100) feet of the site boundaries shall be shown.	☒	☐
36	The location and use of all existing structures within one hundred (100) feet of the tract boundaries shall be shown.	☒	☐
37	The location, direction and illumination, height, intensity and hours of operation of the existing or proposed outdoor lighting shall be shown, to be expressed in average horizontal footcandles.	☒	☐
38	The location, size, type and height of directional, regulatory or advisory signs or pavement markings shall be shown.	☒	☐
39	The proposed location and area, in acres or square feet, of all required or proposed open space areas shall be shown on the plan.	N/A ☐	☐

**PRELIMINARY MAJOR SITE PLAN AND
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COMPLETENESS CHECKLIST
Page 5**

Item #	Requirement	Provided or Shown	Waiver Requested
40	If the site is to be developed in sections, then the plan shall include a sectionalization and staging plan showing each such section. The staging of the various sections shall be such that if development were to be discontinued after the completion of any section the developed portion would be provided with adequate street access, traffic circulation, pedestrian safety, drainage and utility systems.	☐ N/A	☐
41	The location, size and type of existing natural features including trees and shrubs shall be shown on the plans, both those to be removed as well as those to be preserved.	☒	☐
42	A landscape plan shall be provided showing the proposed location of all proposed plantings, buffer areas and screening strips, a legend listing the botanical and common names of each proposed plant type, the sizes at the time of planting, a planting schedule, method of irrigation, and the total quantity of each plant type.	☒	☐
43	A detailed written description of the proposed use and operation of the building(s), the proposed number of shifts to be worked, the maximum number of employees on each shift, and the hours of operation open to public use shall be submitted to the Board.	☒	☐
44	No site plan involving any street(s) which do not conform to the right-of-way widths specified in the Master Plan or on the Official Map shall be approved unless the additional half width right-of-way necessary to make the street(s) conforming shall be granted to the municipality or other agency having jurisdiction.	☐ N/A	☐
45	Site plans involving corner lot shall provide a sight triangle easement.	N/A ☐	☐
46	Site triangles shall be provided and shown on the plan as required by the City ordinances.	☒	☐
47	All required deed descriptions, including utility easements, restrictive covenants, roadway dedications and sight triangle easements, shall be submitted for approval prior to filing with the County Recording Officer.	☒	☐

THE FOLLOWING SECTION APPLIES TO RESIDENTIAL SITE PLAN APPLICATIONS ONLY.

RESIDENTIAL SITE IMPROVEMENT STANDARDS

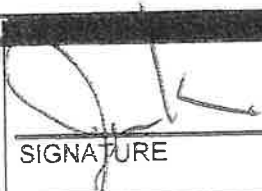
Item #	Requirement	Provided or Shown	Waiver Requested
1	An Engineering Report must be submitted which sets forth the classification of all residential streets within the proposed subdivision. In addition, the Engineering Report must demonstrate that the project has been designed in accordance with the detailed requirements set forth in Subchapter 4 of the Residential Site Improvement Standards, the appropriate curb and sidewalk requirements have been met, and an adequate number of on-street and off-street parking spaces have been provided.	☐	☐
2	A Stormwater Management Report must be submitted which demonstrates that the stormwater management system for the proposed development has been designed in accordance with the detailed requirements set forth in Subchapter 7 of the Residential Site Improvement Standards.	☐	☐

**PRELIMINARY MAJOR SITE PLAN AND
AMENDED PRELIMINARY MAJOR SITE PLAN APPLICATION
COMPLETENESS CHECKLIST
Page 6**

Item #	Requirement	Provided or Shown	Waiver Requested
3	A public water supply system must be provided to serve the proposed development. The water supply system must be designed in conformance with the detailed requirements set forth in Subchapter 5 of the Residential Site Improvement Standards. In the alternative, the applicant may propose the use of on-site wells if approved in writing by the municipality or utility authority having jurisdiction.	☐	☐
4	Sanitary sewer service must be provided to serve the proposed development. The sanitary sewer service must be designed in conformance with the detailed requirements set forth in Subchapter 6 of the Residential Site Improvement Standards. In the alternative, the applicant may propose the use of on-site septic systems if approved in writing by the municipality or utility authority having jurisdiction.	☐	☐
5	If any <i>de minimis</i> exceptions from the requirements of the Residential Site Improvement Standards are requested, an application must be filed in writing with the municipal approving authority and shall include the following:	☐	☐
	A statement of the requirements of the standards from which an exception is sought;	☐	☐
	A statement of the manner by which strict compliance with said provisions would result in practical difficulties; and	☐	☐
	A statement of the nature and extent of such practical difficulties.	☐	☐
6	If any waivers are requested, the waiver request must be submitted in writing to the New Jersey Department of Community Affairs, with a copy to the administrative officer of the City, and shall include the following information:	☐	☐
	A copy of the development application as submitted to the municipal approving authority; and	☐	☐
	- A brief memorandum to the Commissioner of the Department of Community Affairs containing sufficient information upon which to base a determination, including: - A short description of the project in narrative form;	☐	☐
	A citation to the particular site improvement standard from which waiver is requested;	☐	☐
	A clear description of the condition(s) giving rise to the request;	☐	☐
	A clear description of the anticipated result if the standard were to be followed;	☐	☐
	The name, address and telephone number of a contact person for the developer; and	☐	☐
	The name, address and telephone number of a contact person for the municipal approving authority.	☐	☐
7.	The applicant's engineer must provide to the Board a written certification which states that, with the exception of any waivers or <i>de minimis</i> exceptions requested, the project has been designed in full compliance with the requirements of the Residential Site Improvement Standards.	☐	☐

**FINAL MAJOR SITE PLAN AND
AMENDED FINAL MAJOR SITE PLAN APPLICATION
COMPLETENESS CHECKLIST**

Page 1

1. APPLICANT/DEVELOPER	2. OWNER
Name: <u>Higherbreed NJ LLC</u> Address: <u>156 Hampton House Road</u> City: <u>Lafayette</u> State: <u>NJ</u> Zip: <u>07848</u> Phone: (<u>310</u>) <u>625-5495</u> Fax: (<u> </u>) <u> </u> Email: <u>JW@higherbreed.io</u> Interest in Property: <u>Leasee</u>	Complete this section if applicant is not owner. Name: <u>Stephen Bergenfeld</u> Address: <u>[REDACTED]</u> City: <u>Lambertville</u> State: <u>NJ</u> Zip: <u>08530</u> Phone: (<u> </u>) <u> </u> Fax: (<u> </u>) <u> </u> Email: <u>[REDACTED]@icloud.com</u>
3. NAME OF PROJECT & LOCATION OF PROPERTY	
Name of Project: <u>Higherbreed Dispensary TBN</u> Street Address: <u>1021 and 1031 Route 130</u> Block(s): <u>227</u> <u>HC-2</u> Lot(s): <u>4 and 4.03</u> Zone: <u> </u>	
4. SIGNATURE OF PERSON PREPARING CHECKLIST	
<u>John W. Kornick, PE, PP</u> PRINTED NAME AND TITLE	 SIGNATURE <u>01/08/2026</u> DATE

GENERAL REQUIREMENTS

Item #	Requirement	Provided or Shown	Waiver Requested
1	Submission of completed application form and checklist(s). 15 sets	☒	☐
2	Payment of application and escrow fees.	☒	☐
3	Certification that the applicant is the owner of the land or his properly authorized agent, or that the owner has consented in writing to the filing of this application.	☒	☐
4	Concerning corporations or partnerships, completion of the Ownership Disclosure Statement.	☒	☐
5	Certification that all taxes and assessments are paid to date.	☒	☐
6	Submission of plats or plans (15 sets) signed and sealed by an N.J.P.L.S., N.J.P.E., N.J.P.P., or N.J.R.A., as required, and folded into eighths with title block revealed.	☒	☐
7	Submission of (1) one signed & sealed survey and (15) fifteen copies of the property for which the bulk variance is requested.	☒	☐

**FINAL MAJOR SITE PLAN AND
AMENDED FINAL MAJOR SITE PLAN APPLICATION
COMPLETENESS CHECKLIST
Page 2**

PLAT DETAILS

Item #	Requirement	Provided or Shown	Waiver Requested
1	Scale of not less than 1" = 50'.	☒	☐
2	Key map at scale of not less than 1" = 1,000'.	☒	☐
3	Title block in accordance with the rules governing Title Blocks and Seals for Professional Engineers & Land Surveyors (N.J.A.C. 13:40-1 et seq.) including:	☒	☐
	• name of development;	☒	☐
	• name, signature, address and license number of the professional(s) who prepared the plan(s);	☒	☐
	• and date of original preparation and of each subsequent revision thereof and a list of the specific revisions entered on each sheet.	☒	☐
4	Scale (written and graphic).	☒	☐
5	Name, address and telephone number of the owner(s) of record.	☒	☐
6	Name, address and telephone number of the developer.	☒	☐
7	North arrow with reference meridian.	☒	☐
8	Approval block with signature lines for Chairperson, Secretary and Board Engineer.	☒	☐
9	The plans submitted for final approval must have been revised to address all of the conditions of preliminary approval as set forth in the preliminary approval resolution and the prior engineering review letters.	N/A ☐	☐
	The applicant must post sufficient funds with the City to cover the costs of the following assessments as required by City ordinances:		
10	Drainage Assessment	☐	☒
11	Recreation Assessment	☐	☒
12	Tax Map Assessment	☐	☒
	As a condition of any final approval granted by the Board, the following documentation must be submitted:		
13	City of Burlington Water Utility Division	☒	☐
14	City of Burlington Sewer & Drainage Utility Division	☒	☐
15	Burlington County Planning Board	☒	☐
16	Burlington County Soil Conservation District	☒	☐
17	Burlington County Board of Health, if required	N/A ☐	☐
18	Burlington County Bridge Commission, if required	N/A ☐	☐

**FINAL MAJOR SITE PLAN AND
AMENDED FINAL MAJOR SITE PLAN APPLICATION
COMPLETENESS CHECKLIST
Page 3**

Item #	Requirement	Provided or Shown	Waiver Requested
	New Jersey Department of Environmental Protection:		
19	Freshwater Wetlands	N/A ☐	☐
20	Waterfront Development	N/A ☐	☐
21	Sanitary Sewer System Extensions	N/A ☐	☐
22	Potable Water System Extensions	N/A ☐	☐
23	Stream Encroachment	N/A ☐	☐
24	New Jersey Department of Transportation, if required	☒	☐
25	All other outside agency approvals as may be required	N/A ☐	☐



LIST OF VARIANCES & WAIVERS

January 7, 2026

Prepared for: 1021 & 1031 ROUTE 130
HIGHER BREED NJ LLC
BLOCK 227 – LOTS 4 AND 4.03
CITY OF BURLINGTON
COUNTY OF BURLINGTON, NJ

Prepared by: K2 CONSULTING ENGINEERS, INC.
36 TANNER STREET, SUITE 100
HADDONFIELD, NJ 08033
Tel: (856) 310-5205

A handwritten signature in black ink, appearing to read 'John W. Kornick', is written over a horizontal line.

John W. Kornick, P.E., P.P.
NJ License # 24GE04928500

Certificate of Authorization # 24GA28187400

Dear Board Members and Professionals:

Pursuant to our application for Major Site Plan Approval, we have taken the opportunity to thoroughly review the City's Checklists, City Ordinance, and submission requirements.

This property is located within the (HC-2) Highway Corridor Zone. The existing use of the property is primarily retail, office and personal services within two separate buildings. The existing single-story building is proposed to be demolished, and the overall site parking and site circulation are modified as per the submitted plan. The existing 2-story building will receive the dispensary on the 1st floor and general office on the 2nd floor. Additional improvements include parking area re-striping, a modified drive aisle, and the in-kind replacement of the existing pylon sign.

MAJOR SITE PLAN
(BLOCK 227 : LOTS 4 AND 4.03)

ZONING SCHEDULE: (HC-2) HIGHWAY CORRIDOR ZONE

Category	Required	Existing	Proposed	Notes
Min Lot Area	20,000 SF	44,977 SF	44,977 SF	C/C
Min Lot Width	100 FT	299.99 FT	299.99 FT	C/C
Min Lot Depth	150 FT	203 FT	203 FT	C/C
Principal Front Yard	50 FT	44.4 FT	44.4 FT	E/E
Principal Side Yard (Each)	25 FT*	26.7 FT	26.7 FT	C/C
Principal Rear Yard	50 FT	35.9 FT	35.9 FT	E/E
Max. Building Height	40 FT	28.3 FT	28.3 FT	C/C
Max. Building Coverage	30.0%	9.8% (4,417 SF)	6.5% (2,924 SF)	C/C
Max. Lot Coverage	50.0%	61.1% (27,459 SF)	38.5% (17,303 SF)	E/C

* - Only one side yard due to lot geometry.

- (E) Existing Non-Conforming
(C) Conforms
(V) Variance required

Summary of Requested Variance Relief

- From §415.F: Minimum Enhanced Landscape Buffer of 25 feet where 13.45 feet is proposed and 11.6 feet is existing.

While the ordinance requires a 25-foot enhanced landscape buffer, the proposed 13.45-foot buffer provides equivalent screening and visual separation through enhanced plantings and site design. The variance represents a better planning solution for this specific site and advances the purposes of the zoning ordinance. Any detriment is minimal and substantially outweighed by the benefits, and the proposal does not impair the zone plan or public good. In fact, the existing condition maintains a zero landscape buffer with the parking lot as close as 11.6 feet to the rear lot line. The property is a uniquely shape property along a State Highway with little opportunity to design an efficient site.

Summary of Requested Submission Requirement Checklist Waivers-Preliminary Major Site Plan

- Checklist Item #7: Waiver for providing architectural floor plans and elevations. *The applicant is preparing architectural floor plans and elevations and will be prepared to present those professional documents at the time of the hearing. The existing 2-story building remains as is without change to the existing footprint.*
- Checklist Item #9: Waiver for providing an Environmental Impact Report. *The applicant is proposing to demolish and existing building and removal of approximately 10,156 sf of impervious cover. In addition, a significant landscape plan is being proposed, a net benefit to the overall site and environment, therefore, request from the Environmental Impact Report is appropriate.*
- Checklist Item #10: Waiver for providing an Traffic Impact Analysis. *The applicant is required to submit application to the NJDOT for closing the non-compliant access points along Route 130 and is reducing the total commercial space by approximately 1,493 SF. The proposed improvements are less than existing conditions and expectations of impact on the State Highway are reduced, therefore, the request from the Traffic Impact Analysis is appropriate.*
- Checklist Item #10: Waiver for providing a Names of Owners within 200 feet. *As a condition of approval, the applicant will supply all names of owners within 200 feet once received by the City.*
- Checklist Item #20: Waiver for providing proposed cut and fills. *Applicant is not proposing significant changes to the overall site grading and drainage patterns, a waiver is requested.*
- Checklist Item #'s 26/27: Relating to drainage area mapping and plans. *The applicant is not disturbing more than 1-acre of land nor increasing trafficked impervious area more than 0.25-acre, therefore stormwater management is not required and the request is appropriate.*

The site is an existing site, such that the environmental impact report, environmental assessment, and lighting plans have been addressed under prior applications and no changes to the existing lighting are proposed.

We are hopeful that the information provided herein will assist the Board and the Board's Professionals in their review and evaluation of this application. Should you have any questions or concerns, please do not hesitate to contact me at (856) 310-5205.

Very Truly Yours,

K2 Consulting Engineers, Inc.

A handwritten signature in black ink, appearing to read "John W. Kornick". The signature is fluid and cursive, with the first name "John" being more prominent than the last name "Kornick".

John W. Kornick, P.E., P.P.
President



PHOTOGRAPH EXHIBIT

January 8, 2026

**1021 & 1031 E ROUTE 130 S
PD25-096**

PREPARED FOR:

**HIGHER BREED NJ, LLC
BLOCK: 227, LOT: 4 & 4.03
CITY OF BURLINGTON
COUNTY OF BURLINGTON, NEW JERSEY**

PREPARED BY:

**K2 CONSULTING ENGINEERS, INC.
36 TANNER STREET, SUITE #100
HADDONFIELD, NJ 08033
TEL: (856) 310-5205
FAX: (856) 616-2441**

A handwritten signature in black ink, appearing to read "John Kornick", is written over a horizontal line.

John W. Kornick, P.E., P.P.

**New Jersey Professional Engineer License No. 24GE04928500
New Jersey Certificate of Authorization No. 24GA28187400**



Figure 1 - View looking North at existing buildings on site.



Figure 2 - View looking Northwest at front of existing building to remain.



Figure 3 - View looking West at front of existing building to remain.



Figure 4 - View looking South at existing building to remain.



Figure 5 - View looking Southeast at rear of existing building to remain.



Figure 6 - View looking Northeast at existing building to remain.



Figure 7 - View looking North at existing building to be removed.



Figure 8 - View looking West at existing buildings on site.



Figure 9 - View looking Southwest at existing building to be removed.



Figure 10 - Existing free-standing sign on Lot 4 to be replaced in-kind. (New sign faces)



Figure 11 – Existing free-standing sign on Lot 4.03 to be removed.



Figure 12 – Aerial of the property.