

**PRELIMINARY & FINAL MAJOR SITE PLAN
545 BRICK BOULEVARD, LLC
Block: 547 Lot: 1
Property Address:
545 Brick Boulevard**

**Resolution: R-13-14
Application No. PB-2745-PSP-V-FSP-3/14**

July 23, 2014

**RESOLUTION OF MEMORIALIZATION OF THE
BRICK TOWNSHIP PLANNING BOARD**

PRELIMINARY & FINAL MAJOR SITE PLAN WITH VARIANCES

WHEREAS, 545 Brick Boulevard, LLC, having a mailing address of 399 Monmouth Street, East Windsor, New Jersey 08520, has made application to the Brick Township Planning Board for preliminary and final site plan approval with variances pursuant to N.J.S.A. 40:55D-46, 50, and 60 to construct a 7,256 sq. ft. addition to an existing 4,817 sq. ft. building; and

WHEREAS, proof of service as required by law upon appropriate property owners and governmental bodies has been furnished and determined to be in proper order; and

WHEREAS, public hearings were held on June 25, 2014 and July 9, 2014 in the Brick Township Municipal Building at which time testimony was given and certain exhibits hereinafter described were presented on behalf of the applicant and all interested parties having had an opportunity to be heard; and

WHEREAS, the Board makes the following factual findings and findings of law;

1. The property is designated as Lot 1, Block 547 on the municipal tax map of the Township of Brick and is located at 545 Brick Boulevard, Brick, New Jersey, presently utilized as a Fortunoff Patio Furniture Store.

FILE (2)
APP
APP ATTY
APP ENG
PB ATTY
PB ENG
TAX A.
ZONING
ENG

2. The property in question is located in the Township's B-2 general business zone and the present use of the property is permitted in the zone.

3. The applicant's engineer Robert P. Freud, P.E., P.P. of Dynamic Engineering was sworn in and testified after his qualifications were spread upon the record and accepted by the Board. Marked into evidence by Mr. Freud were the following Exhibits:

- A1-Colored rendering of the site plan.
- A2-Aerial photograph of the site.
- A3-Site plan as filed with the application.
- A4-Architectural rendering of the proposed addition to the property in question.
- A5-Colorized version of sheet 15 of the site plan as submitted with the application.
- A-6-Revised color plan of site.

4. Mr. Freud testified that the property is located in the B-2 general business zone. The present proposal as set forth in the site plan application is to construct a 7,256 sq. ft. addition to the existing 4,817 sq. ft. building. This would bring the total floor area of the building to 12,068 sq. ft. Mr. Freud recounted that the building had previously been utilized as a facility for a Bank of America branch. This applicant had previously appeared before the Board in 2013 seeking and receiving approval of an Abridged Site Plan to convert the bank building to a Fortunoff Patio Furniture Store. Since the approval of that Abridged Site Plan the building has been utilized for that purpose. The application proposes to have the patio furniture components of the building occupy approximately 10,000 sq. ft. of the proposed expanded building with the remaining 2,068 sq. ft. to be set off and utilized by another retail tenant. Noting the number of variances requested through this site plan application, Mr. Freud testified that the variance requests were driven by the irregular shape of the property.

5. Mr. Freud noted that although there was a very slight increase in the impervious coverage (1.6%) the site improvements would be better for the functionality of the site and would in fact make it a "greener site." In referencing the request concerning the sign ordinance

Mr. Freud indicated that aesthetics were the a basis for again the very slight variance request sought by the applicant of approximately two feet for the sign in the front of the building. Although only one identification sign is permitted by ordinance, variances are sought for two (2), due to the unique shape of the property and the configuration of the structure. It was noted that as one proceeds north on Brick Boulevard approaching the property, there is a somewhat significant curvature to the road which precludes an individual from noticing the site until almost upon it, rendering it difficult to make the turn off Brick Boulevard into the property if one does not know the location of the structure.

6. Mr. Freud addressed specifically the May 22, 2014 engineering report from the Board's engineers, Adams, Rehmann & Heggan. Specifically the engineer concurred with the project description and background set forth in Section B of the report. Addressing the requested variances in Section C.2. of the report, the engineer noted that the front yard setback related only to building overhang, a pre-existing condition that the applicant sought to continue along the roofline addition to the property for aesthetic reasons. (C.2.a) The engineer opined that the request was based upon esthetics and noted that the continuation of the overhang would create a visually attractive appearance to the building. As to the 41 ft. rear yard setback where 50 ft. is required, the engineer noted that this only affected a small portion of the northeast corner of the property and was *di minimus* at best. Again a variance is sought for exceeding the maximum impervious coverage requirement of 65% of the property. Currently there is a non-conformity with 68% of the property consisting of impervious coverage; the proposed site plan increases to 69.6%, or a 1.6% overall increase. Again this is arguably a *di minimus* violation and in fact based upon the drainage of roof water runoff into a recharge basin as opposed to runoff into the county storm drain system, a significant decrease in runoff is noted at the site despite this very

slight increase in impervious coverage sought by the application.

7. The Board's engineer has noted three (3) additional variances that the applicant's engineer addressed. Specifically a buffer requirement of a business zone from a residential zone of 20% of lot depth; in this instance 46.6 ft. would be required, but he proposed distance is only ten feet. This occurs at the rear of the property, primarily the portion of the rear of the property that abuts Lot 1 Block 537 owned by Janine M. Barraio. The site plan, as specified by the engineer, attempts to significantly screen this area with trees and shrubs despite the narrow buffer zone and submits that the former condition of drive-in bank windows has been improved by the property as currently used and is sought to be further used by way of this application.

8. As to the variance for the sign facade, where the ordinance notes that no sign facade to a street shall exceed 25 ft. of the street's crown and this application calculates out to an elevation of 47.11 ft. to be compliant with the ordinance, but the application's proposed elevation is 49.76 ft., the engineer testified that the very slight deviation is very aesthetically pleasing and necessary because of the busy traffic patterns on Brick Boulevard. In addition the engineer indicated that a second identification sign was necessary due to the curvature of Brick Boulevard and the inability of vehicles approaching from the South to view the building until one passed its front entrance drive. The applicant's engineer testified as well as professional planner and indicated in their opinion these variances promoted good planning and had no negative consequences.

9. As for design and performance standards as addressed in the Board Engineer's letter of report of May 22, 2014 in the paragraph B, the applicant's engineer indicated that county has given its approval to the driveway width on Jackson Avenue exceeding 28 ft. notwithstanding the lack of a divider barrier. As for the requirement of the one direction

circulation access aisle maintaining an 18 ft. width, whereas the site plan calls for a 12.5 ft. width, the applicant's engineer indicated that the Brick Township Bureau of Fire Safety by way of correspondence of June 20, 2014 accepted this site plan without issue and had actually tested a fire truck circulating through the property with the ability to make the appropriate maneuvers. As for the required ADA handicapped parking space dimensions, the applicant's engineer indicated modifications could be made to the plan between the board's engineer and planner and the applicant's engineer to comply with ADA requirements concerning space dimensions.

10. As for paragraph C, D & E of the board engineer's report at Page 5, the applicant's engineer indicated that all those items could be addressed administratively with the board's professional staff to have the site plan comply in all respects with the items referenced in those paragraphs.

11. In a similar fashion the applicant's engineer addressed the comment as contained in the planning board's planner's report of June 23, 2014. Specifically referencing paragraph 4A, B & C regarding setbacks from parking facilities and street trees along frontage, the engineer testified that the Southern portion of the property is bordered by another commercial property. As for the frontage on Brick Boulevard, the county intends to take by way of deed dedication an additional 10 ft. of property to make for a total 60 ft. width from the center of Brick Boulevard's right of way. This will impact the ability to place street trees and/or landscaping. It was the opinion of the applicant's engineer/planner that either variance or waivers could be granted for these items giving the peculiar shape of the property, the current structure located on the property and the overall aesthetic improvements being brought to the property by the site plan approval.

12. In paragraph 4D, the facade sign on the South portion of the building is referenced. As aforementioned, the engineer testified that vehicles approaching from the South

do not see the building until they are almost passed same as a result of the curvature of Brick Boulevard and thus feels the signage is appropriate on that portion of the building especially in light of the fact that the entrance when approached from the South is before the building itself. Again as to the buffer zone in the back of the property where the residential properties are, especially in the back of Lot 1 Block 537, the applicant has proposed a single row of evergreens and seeks waiver/variances for the buffer requirements of 46.6 ft. Again the engineer testifies that the site as proposed improves the prior situation of drive-in bank teller windows. As for the requested deviation from the 18 ft. wide minimum drive aisle width for one way angle parking in the front of the subject premises, the applicant's engineer testified that based on the 30 degree angle of parking, the 13.6 ft. width proposed as the drive aisle would be satisfactory and the Board accepted this testimony.

13. The applicant's engineer testified concerning Section 4 comments from the planner's report and indicated that it would satisfy the requirements of subparagraph A & B, to wit: a bike rack and an employee sitting area would be provided and the sidewalk would be extended through the landscape island on the eastern corner of the building with terminus of the sidewalk having a depressed curb and crosswalk, as well as handicapped parking stalls being designed to be van-accessible according to the current design standards.

14. The applicant's engineer, however, indicated that the vehicular cross access could not be provided to the adjoining commercial sites to the south because the only available area for cross access would lead into a one way fire lane drive circulating to the rear of the commercial property next door and could not ~~provide true~~ cross access to the two sites. In addition, the applicant's engineer indicated there was a grade differential of approximately 2 ft. or higher adjoining the neighbor's property making it difficult if not impossible to design any form of

cross access to that property.

15. The applicant's engineer testified concerning the provision of a low level berm 18 inches in height along the Brick Boulevard frontage by indicating that the applicant will add shade trees. He also addressed the request for additional shade trees in the lawn at the rear of the building to further buffer the project from the adjoining residences by indicating that the applicant will add shade trees.

16. The applicant through its engineer indicated it would comply with providing street trees along the site's frontage and that all free standing and building mounted light would have house-side shields and be turned off one hour after closing. As far as hours of operation, the applicant through its professionals and attorney indicated that the Fortunoff Patio Furniture Store would operate between 10:00 a.m. until 9:00 p.m. Monday through Saturday and 11:00 a.m. - 6 p.m. on Sundays. In addition the applicant through its professionals agreed that trash pick up would only occur after 7:00 a.m. and that there would be no deliveries before 7:00 a.m. or after 7:00 p.m. The applicant does not propose to eliminate the outdoor display area, however. The applicant indicated that the trash enclosure would be 10 ft. by 18 ft. and could provide two dumpsters for debris and recyclables.

17. The applicant testified concerning the loading platform area and advised that the grade difference is approximately 4 ft., but that the applicant would provide appropriate railing to protect that area. Some discussions were had concerning approval sought by the applicant with the County of Ocean. The applicant noted that the County had requested a Right of Dedication along Brick Boulevard of an additional ~~10 ft.~~ Assuming that the dedication is necessary, the applicant will revise its setback to show the new property line on the site plan. This adjustment of the property line, however, will not change the proposed site plan improvements along Brick

Boulevard.

18. In response to questioning by the board, the applicant through its engineer indicated that mechanicals would be hidden on the roof and the trash enclosure would be blocked by evergreens surrounding it. The nature of the use of the building requires 36 parking spaces which are provided.

19. Some discussions were had concerning creating a traffic flow pattern around the site in a one way only counterclockwise direction. Scott Kennal of McDonald and Rehha Associates testified on behalf of the applicant as traffic experts and indicated that significant planning went into the design of the site plan and the suggestion of one way travel around the site would present unusual burdens and difficulties for the appropriate traffic flow throughout the site as well as access by emergency vehicles.

20. The applicant through its experts did indicate it would provide interior signage to direct traffic proceeding south bound on Brick Boulevard and further agreed to slide the handicapped spaces so that same would be located between the Fortunoff Store and the as-yet unrented retail space. The applicant through its experts also agreed to having the parking lot lights turned off one hour after closing, but the provision of security lighting would be made. Moreover, the applicant would place softer lighting in the parking lot area.

21. Mr. Arthur Northford testified as the applicant's architect after his qualifications were accepted. He indicated that the existing roof line would remain the same, but that the 2 ft. higher arched portion of the roof helps screen the mechanicals and provides an additional basis for the requested slight variance necessary for the building signage.

22. The architect also agrees that as a new tenant could share the same loading dock in the back by way of a provision of an external gate and an extension of the sidewalk from the

loading dock to the doorway.

23. The applicant's engineer testified both generally and specifically concerning the requested variances and submitted his opinion to the Board that the variances could be granted without substantial detriments to the zone plan and zone scheme of the Township of Brick, thus in his opinion satisfying negative criteria of the statute. He submitted that the variances could be granted both as c(1) and c(2) variances. With regard to the hardship variance Mr. Freud testified that the unique dimensions of the lot with utilization of the current existing structure create an undue hardship, thus entitling the applicant to variances from the bulk requirements of the ordinance. Moreover, he opined that the site plan as proposed with the variances advanced the purposes of the zoning by promoting the provision of adequate air, light and open space, appropriate uses of properties and creating a desirable visual environment.

24. The board received correspondence from the following entities regarding this application:

- Brick Township Bureau Fire Safety – correspondence dated June 20, 2014, noting the review and acceptance of the proposed site plan.
- Brick Township Shade Tree Commission – correspondence dated June 11, 2014, approving the site plan.
- Brick Township Police Department Traffic Safety Unit – making the recommendation after review of the site plan that a no left turn sign should be added to the Brick Boulevard exit. The applicant is agreeable to same.
- Brick Township Environmental Commission – correspondence dated May 30, 2014, indicating no objection to the application at this time.

Brick Township Land Development Application Review – dated May 28, 2014 from the

municipal engineer, indicating no comment regarding the site plan.

25. During the course of the presentation the applicant indicated plans were being revised to put forth a retention basin in the rear of the property to handle storm water run off from the roof of the existing and proposed addition to the existing building. The site plan has been revised to include that information and the applicant's engineer has testified concerning the appropriate drainage calculation makeup of the retention basin.

26. Specifically, at the continued hearing on July 9, 2014, the applicant's engineer noted percolation test results revealed an 8 inches to 20 inches per hour percolation rate, thus confirming the soils could adequately handle storm water runoff in the proposed retention basin as shown on Exhibit A-6. The basin would hold all runoff water, and would not increase runoff into Ocean County's three inlets. The roof of the addition will drain into this basin, and the basin would drain within 24 to 28 hours. The applicant's engineer, moreover, agreed to show on final plans the precise location of a sanitary sewer line in the vicinity of the retention basin.

27. Again at the continued hearing on July 9, 2014, the applicant agreed to comply with the ARH review letter of July 1, 2014 and to comply with concerns raised by Michael Fowler, this Board's engineer, to wit: raising the single row of Douglas Fir trees noted on the plan as 6 feet to 7 feet up to a height of 7 feet to 8 feet; making the turning radius tighter in hatched area to prevent right turns as traffic entered the site from Jackson Avenue; and, "sliding" the handicapped parking stalls to approximately straddle the two storefronts.

28. The board accepts all correspondence and factors in its consideration of this site plan application. The board opened the meeting to the public inviting any comments or questions from members of the public, but no one appeared either in favor or in opposition to the proposed site plan.

29. The Board accepts the testimony of the applicant's witnesses in support of its request for variances and waivers. Accordingly for the reasons set forth upon the record by the witnesses presented on behalf of the applicant and the opinions as expressed by the Board's professional staff, the Board finds that preliminary and final site plan approval should be granted together with the requested variances and waivers as requested by the applicant and that same can be granted without substantial detriment to the public good and will not substantially impair the intend and purpose of the Zone plan, Zoning ordinance or the Master Plan of the Township of Brick.

NOW, THEREFORE, BE IT RESOLVED by the Brick Township Planning Board on this 23rd day of July, 2014 that the application for preliminary and final site plan approval with variances is hereby **GRANTED** subject to the following conditions:

- ✓ 1. The applicant must submit proof of payment of all currently due taxes to the Brick Township Planning Board.
- ✓ 2. The applicant must post all bonds and guarantees as required and recommended by this Board and the Township Board Engineer. Moreover, the applicant must post all required engineering and inspection fees.
- ✓ 3. All representations and statements made by the applicant, as well as the applicant's representatives and witnesses, shall be considered and deemed to be relied upon by the Board in rendering this decision and to be an expressed condition of this Board's actions in approving the subject application. Any misstatement or misrepresentation, whether by mistake or change in circumstance, shall be deemed a breach of this condition of approval and shall subject this application to further review on this Board's own motion.

- ✓ 4. In the event the Planning Board determines that it reasonably relied upon any

misstatement or misrepresentation, then and in that event any approvals previously given may be rescinded and any improvements at the time in place on the premises in question shall not be in compliance with the ordinances of the Township of Brick.

✓ 5. The applicant must comply with all conditions contained in the Board Engineer's reports by Adams, Rehmann & Heggan dated May 22, 2014, and July 1, 2014 and the Township Planner, Michael Fowler's report dated June 23, 2012, provided, however, that the applicant need not comply with paragraph C of the Comments section of the report but will provide a pedestrian sidewalk to connect to the property adjoining the subject premises immediately to the South.

✓ 6. No building permit shall be issued until the Board Secretary confirms that the Planning Board professional fees have been paid in full. In the event a building permit is issued and there are outstanding Planning Board professional fees, a stop work order will be filed against the applicant/contractor until all professional fees have been paid.

✓ 7. In the event there is an existing violation, the applicant shall have thirty (30) days from the date the Notice of Decision was published to correct the violation. Failure to correct the existing violation within the time prescribed will result in the issuance of a summons.

8. The applicant must comply with all conditions outlined in Schedule A attached hereto.

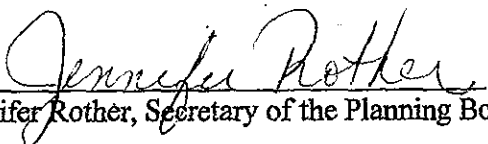
✓ 9. The applicant shall apply for and receive approvals from all other municipal, county, state and federal agencies having regulatory jurisdiction over this development as may be required.

✓ 10. If necessary and required by the Board's professionals, The applicant's attorney shall prepare an appropriate Deed of Sight Triangle Easement for the property. The applicant

This Resolution of Memorialization was offered by Mr. Catalano, seconded by Councilman Mummolo and adopted on roll call on the 23rd day of July, 2014 by the following vote:

	YES	NO	ABSTAIN	ABSENT	INELIGIBLE
Skott Burkland	()	()	()	()	(X)
John Catalano	(X)	()	()	()	()
Brad Clayton	()	()	()	()	(X)
Art Halloran	(X)	()	()	()	()
Joseph Marra	(X)	()	()	()	()
John Menshon	()	()	()	()	(X)
Councilman Paul Mummolo	(X)	()	()	()	()
Shawn Scott	()	()	()	()	(X)
Conrad Hilsheimer (alternate)	()	()	()	()	(X)
Richard Gross (alternate)	(X)	()	()	()	()
Chairman Michael Troncone	(X)	()	()	()	()

I, Jennifer Rother, Secretary of the Planning Board of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify that I am duly authorized to certify Resolutions. I certify that the foregoing Resolution was adopted by the Planning Board of the Township of Brick at a meeting held on the 23rd day of July, 2014.


 Jennifer Rother, Secretary of the Planning Board

Date:

ATTACHMENT "A"

BRICK TOWNSHIP PLANNING BOARD

STANDARD CONDITIONS FOR SITE PLAN APPROVAL

RESOLUTION R-13-14

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1. Applicant shall obtain certification by the Local Soil Conservation District of a plan for soil erosion and sediment control in accordance with N.J.S.A. 4:24-39 et seq., commonly known as the "Soil Erosion and Sediment Control Act."
2. All materials, methods of construction and details shall be in conformance with the current "Engineering Specifications and Construction Details" of the Township of Brick, which are on file in the office of the Township Engineer.
3. Applicant shall obtain all approvals required by any Federal, State, County or Municipal agency having regulatory jurisdiction of this development. Upon receipt of such approval(s), the applicant shall supply a copy of the permit(s) to the Board. In the event that any other agency requires a change in the plans approved by this Board, the applicant must reapply to the Brick Township Planning Board for approval of that change.
4. Applicant shall submit this entire proposal for re-approval should there be any deviation from the terms and conditions of this Resolution or the documents submitted as part of this application, all of which are made a part hereof and shall be binding on the applicant.
5. Applicant shall provide a statement from the Brick Township Tax Collector that all taxes are paid in full as of the date of this Resolution and as of the date of the fulfillment of any condition(s) of this Resolution.
6. Prior to the issuance of a construction permit, the applicant shall furnish the Township Clerk with a cash bond and performance guarantee in an amount to be determined by the Township Engineer.

7. Applicant shall post an inspection fund with the Township Clerk in an amount to be determined by the Township Engineer.

8. No soil shall be removed from the site without the written approval of the Township Council.

9. The applicant shall comply with all provisions and pay all fees established under Article VI (Mandatory Development Fees) of Chapter 245 of the Code of the Township of Brick.

10. For all residential uses the subdivider or site plan applicant shall provide for a trash receptacle.

11. In order to insure uniformity of trash receptacles and compatibility with the automatic trash collection system, all trash can receptacles required herein shall be obtained from the Township of Brick.

12. Applicant shall provide proof of application for Title NJSA 39:5 A-1 to the Planning Board.

TOWNSHIP OF BRICK

OCEAN COUNTY, NEW JERSEY
401 CHAMBERS BRIDGE ROAD, BRICK, N.J. 08723

John G. Ducey, Mayor

Township Council:
Paul Mummolo - President
Heather deJong - Vice President
Jim Fozman
Susan Lydecker
Bob Moore
Marianna Pontoriero
Andrea Zapcic



Office of the Municipal Clerk

Lynnette A. Iannarone, RMC, CMR
Municipal Clerk
732-262-1002
clerk@twp.brick.nj.us
Fax: 732-262-2839

Jessica L. Larney, RMC, CMR
Assistant Municipal Clerk
732-262-1003
jlarney@twp.brick.nj.us
www.twp.brick.nj.us

RE: ORDINANCE NO. 181-73 ADOPTED DECEMBER 18, 1983, ENTITLED: "AN ORDINANCE ADOPTING PROCEDURES AND REGULATIONS FOR THE ACCEPTANCE AND RETURN OF ESCROW MONIES FOR SITE PLANS AND SUBDIVISION LOCATED IN THE TOWNSHIP OF BRICK COUNTY OF OCEAN AND STATE OF NEW JERSEY."

(Major Subdivision) (Minor Subdivision) (Site Plans)
Block: 547 Lot(s): 1 Case #: PB-3745
Location: 545 Brick Lane
Applicants
Name: 545 Brick Lane LLC
Address: 39 Yarmouth Ct., E. Windsor, NJ

This is to certify that 545 Brick Lane LLC deposited the following monies as determined by the Township Engineer by letter dated 2/19/15

Cash Performance Bond Guarantee \$ 62,646.18 1#150

Letter of Credit Number : _____ \$ _____

Surety Performance Bond Guarantee Number: 10900300 563 820 94

Name of Bonding Company/Bank Watcheske Surety Co.

Address 436 Walnut St., Phil., PA 19106-3703

Approval of Bond by Township Attorney: D. Khajenach 3/25/15
(Signature) (Date)

I am, as of this date, releasing and returning Surety Performance Bond Number: _____

In the amount of \$ _____

Name of Bonding Company/Bank: _____

Address: _____

Lynnette A. Iannarone
Lynnette A. Iannarone, Township Clerk

3/26/15
Date

Cc: Planning Board
Building Department

Board of Adjustment
Municipal Engineer

101 Hooper Avenue
Room 328
Toms River, NJ 08753 SIGHT TRIANGLE EASEMENT

KNOW ALL MEN BY THESE PRESENTS that the undersigned, 545 Brick Blvd, LLC, 399 Monmouth Street, East Windsor, New Jersey 08520, hereinafter called "Grantor", in consideration of None does hereby grant and dedicate unto the County of Ocean, a Body Corporate and Politic of the State of New Jersey, address is CN 2191, Toms River, New Jersey 08754, its successors and assigns, a perpetual easement across Grantor's lands for a sight triangle, said easement being in the Township of Brick, Ocean County, New Jersey and is described as follows: Being a P/O current tax map Lot 1, Block 547.

Metes and Bounds Description
Proposed Sight Triangle Easement
Part of Lot 1, Block 547
Lands Now or Formerly
545 Brick Blvd., LLC
Township of Brick, Ocean County
State of New Jersey

BEGINNING at the intersection of the southwesterly right-of-way line of Jackson Avenue (F.K.A. Circle Avenue, 60' wide R.O.W.) and the southeasterly right-of-way line of Brick Boulevard (A.K.A. Silverton-Cedar Bridge Road, A.K.A. Moore Road, variable width R.O.W.; 50' halfwidth); and from said point of beginning, thence;

1. Along said southwesterly right-of-way line of Jackson Avenue, South 64 degrees 06 minutes 00 seconds East, a distance of 105.60 feet to a point, thence;

The following four (4) courses and distances along a line running through Lot 1, Block 547:

2. South 26 degrees 09 minutes 19 seconds West, a distance of 1.78 feet to a point, thence;
3. North 63 degrees, 58 minutes 41 seconds West, a distance of 25.09 feet to a point, thence;
4. North 64 degrees 54 minutes 54 seconds West, a distance of 6.66 feet to a point, thence;
5. North 63 degrees 55 minutes 18 seconds West, a distance of 76.15 feet to a point on the southeasterly right-of-way line of Brick Boulevard, thence;
6. Along said right-of-way line of Brick Boulevard, curving to the right, having a radius of 65.00 feet, an arc distance of 2.79 feet, a central angle of 2 degrees 27 minutes 24 seconds, a chord bearing North 81 degrees 20 minutes 02 seconds East, and a chord distance of 2.79 feet to the point and place of BEGINNING.

Containing 183 square feet or 0.004 Acres

This description is made with reference to a map entitled "Site Plan, 545 Brick Blvd., LLC, proposed Fortunoff Backyard Store and Retail, Block 547, Lot 1, 545 Brick Boulevard, Township of Brick, Ocean County, New Jersey" prepared by Dynamic Engineering, Job No. 0826-12-002, dated 2/17/2014, revised 8/12/14

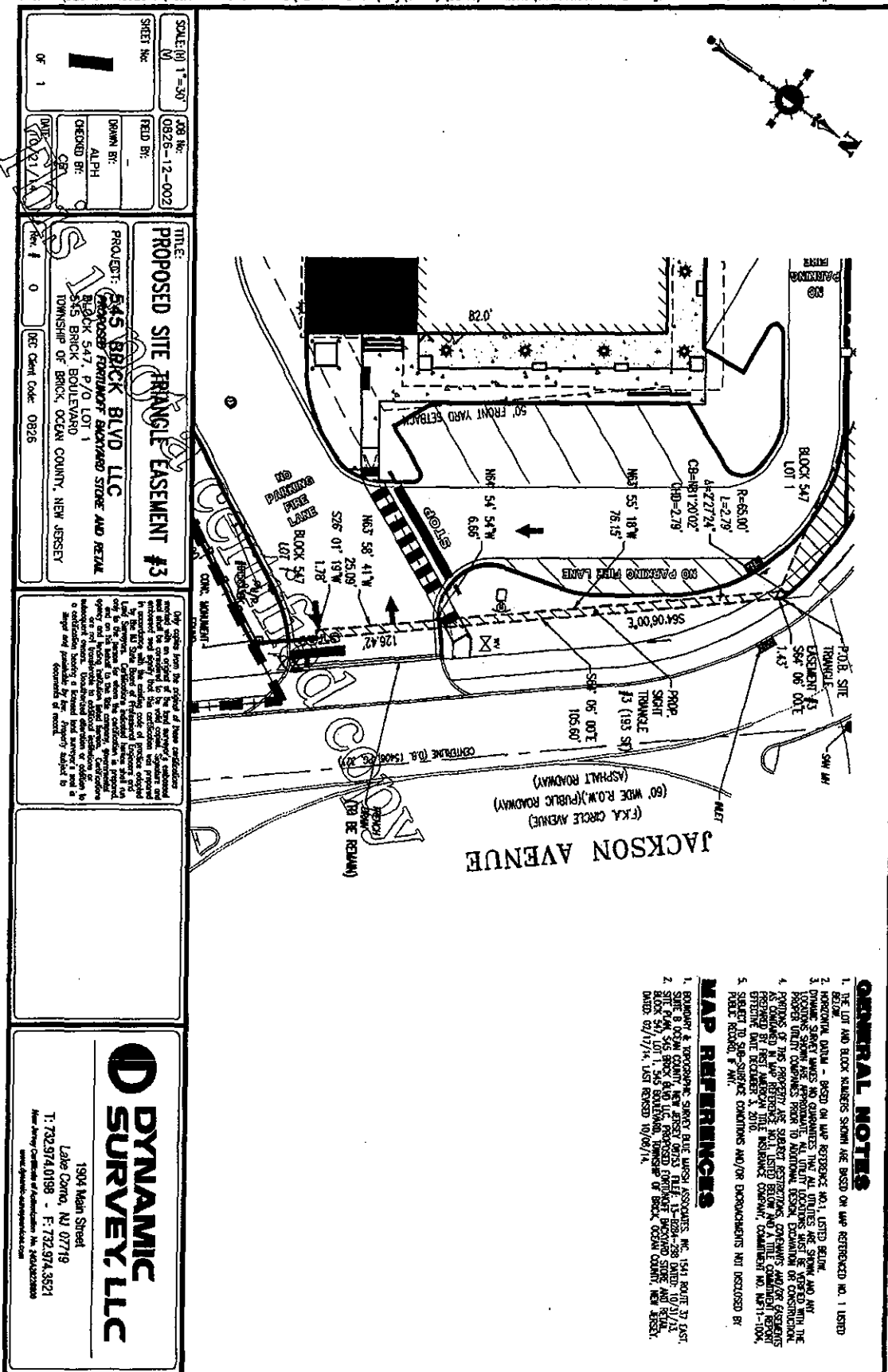
No consideration is granted

Annexed hereto is a sketch or survey of said easement.

The purpose of this Deed is to convey a sight triangle easement to the County of Ocean pursuant to a condition of approval of the Ocean County Planning Board by application BRT 1928A).

The Grantor's lands were acquired by virtue of Deed from Bank of America, National Association, a national banking association, successor by virtue of merger with Summit Bank, successor by virtue of merger with Collective Bank, dated December 27, 2012 and recorded on January 2, 2013 in Deed Book 15406 at Page 321 in the Ocean County Clerk's Office, Toms River, New Jersey.

Prepared by John J. Jackson, III
Attorney at Law of New Jersey



IN WITNESS WHEREOF, the said grantor has hereunto set their hands and seals, or caused the presents to be signed by their proper company officer and caused their proper seal to be hereto affixed this 30th day of September, 2014.

WITNESS OR ATTEST

545 BRICK BLVD., LLC

By: Carey T. [Signature]

, Managing Member

STATE OF NEW JERSEY:

: SS

COUNTY OF Freeer :

Be it Remembered, that on this 30th day of September, 2014, before me the subscriber, a Notary Public of New Jersey, personally appeared Deena [Signature], and this person acknowledges under oath, to my satisfaction that:

- (a) this person is the attesting witness to the signing of this Document by the proper Company Officer which is Carey T. [Signature], the Managing Member of the Limited Liability Company; and
- (b) this Document was signed and delivered by the Company as its voluntary act duly authorized by a proper resolution of its Members; and
- (c) this person knows the proper seal of the Company which was affixed to this Document; and
- (d) this person signed this proof to attest to the truth of these facts.

Signed and sworn to before
me the aforesaid date.

[Signature]

CARRIE M. JONES
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES ON APRIL 17, 2017

This is not a certified copy

SIGHT RIGHT EASEMENT

TO
COUNTY OF OCEAN

Dated _____, 2014

Return to:
Office of the County Counsel
Ocean County
Toms River, New Jersey

NO FEE

8
101 Hooper Avenue
Room 328
Toms River, NJ 08753 **SIGHT TRIANGLE EASEMENT**

KNOW ALL MEN BY THESE PRESENTS that the undersigned, 545 Brick Blvd, LLC, 399 Monmouth Street, East Windsor, New Jersey 08520, hereinafter called "Grantor", in consideration of None does hereby grant and dedicate unto the County of Ocean, a Body Corporate and Politic of the State of New Jersey, address is CN 2191, Toms River, New Jersey 08754, its successors and assigns, a perpetual easement across Grantor's lands for a sight triangle, said easement being in the Township of Brick, Ocean County, New Jersey and is described as follows: Being a P/O current tax map Lot 1, Block 547.

Metes and Bounds Description
Proposed Sight Triangle Easement
Part of Lot 1, Block 547
Lands Now or Formerly
545 Brick Blvd, LLC
Township of Brick, Ocean County
State of New Jersey

BEGINNING at the intersection of the southwesterly right-of-way line of Jackson Avenue (F.K.A. Circle Avenue, 60' wide R.O.W.) and the southeasterly right-of-way line of Brick Boulevard (A.K.A. Silverton-Cedar Bridge Road, A.K.A. Moore Road, variable width R.O.W.; 50' halfwidth); and from said point of beginning, running thence;

1. Along said right-of-way line of Jackson Avenue, south 64 degrees 06 minutes 00 seconds east, a distance of 1.43 feet to a point, thence;
2. Along a line running through Lot 1, Block 547, South 54 degrees 13 minutes 47 seconds West, a distance of 65.92 feet to a point on the southeasterly right-of-way line of Brick Boulevard, thence;

The following two (2) courses and distances along said right-of-way line of Brick Boulevard:

3. North 30 degrees 55 minutes 00 seconds East, a distance of 9.44 feet to a point, thence;
4. Along the Arc of circle curving to the right, having a radius of 65.00 feet, an arc distance of 58.59 feet, a central angle of 51 degrees 38 minutes 44 seconds, a chord bearing North 56 degrees 44 minutes 22 seconds East, and a chord distance of 56.63 feet to the point and place of BEGINNING.

Containing 405 square feet or 0.009 Acres

This description is made with reference to a map entitled "Site Plan, 545 Brick Blvd, LLC, proposed Fortunoff Backyard Store and Retail, Block 547, Lot 1, 545 Brick Boulevard, Township of Brick, Ocean County, New Jersey" prepared by Dynamic Engineering, Job No. 0826-12-002, dated 2/17/2014, revised 8/12/14

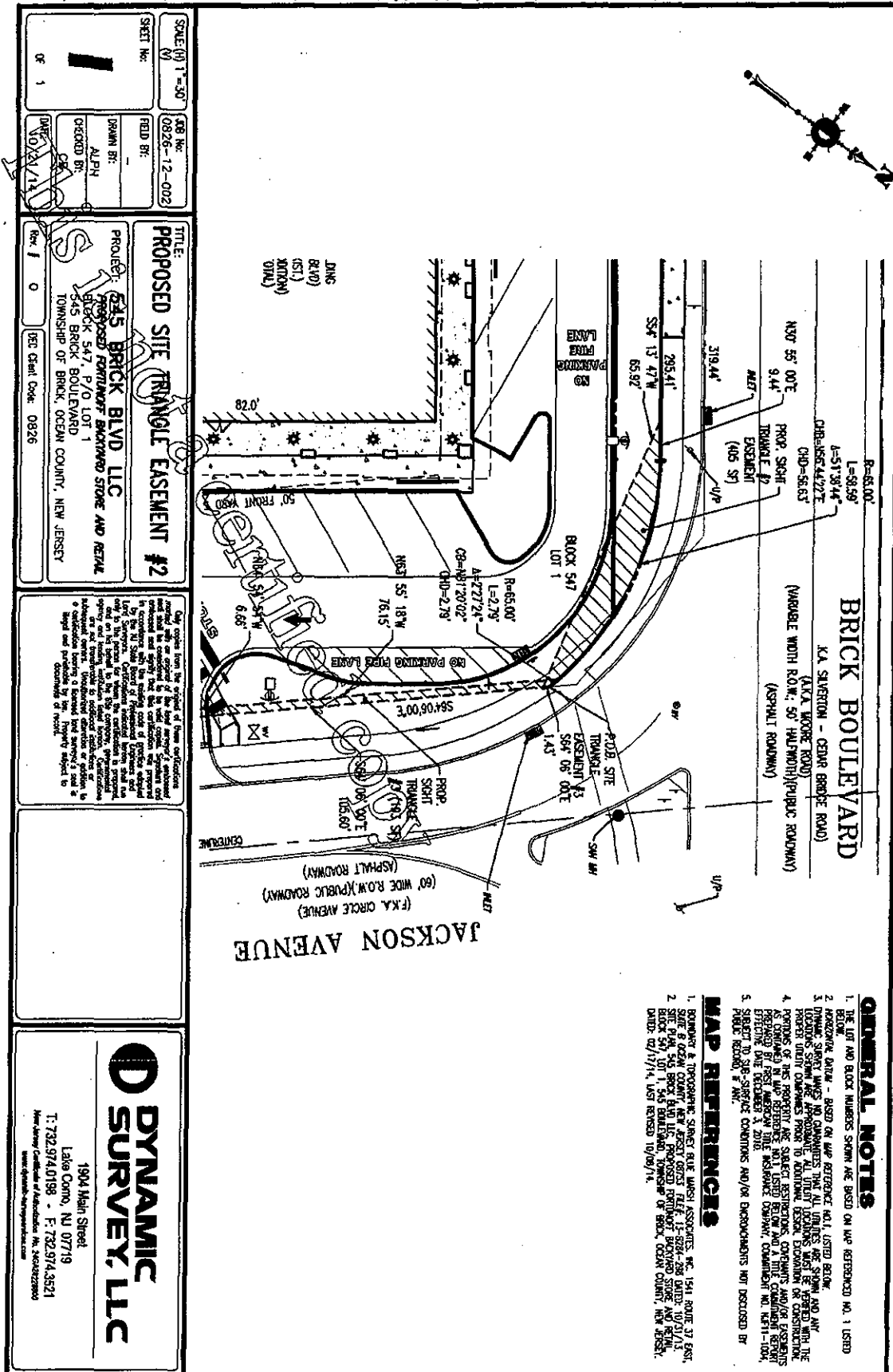
No consideration is granted

Annexed hereto is a sketch or survey of said easement.

The purpose of this Deed is to convey a sight triangle easement to the County of Ocean pursuant to a condition of approval of the Ocean County Planning Board by application BRT 1928A).

The Grantor's lands were acquired by virtue of Deed from Bank of America, National Association, a national banking association, successor by virtue of merger with Summit Bank, successor by virtue of merger with Collective Bank, dated December 27, 2012 and recorded on January 2, 2013 in Deed Book 15406 at Page 321 in the Ocean County Clerk's Office, Toms River, New Jersey.

Prepared by John J. Jackson, III
Attorney at Law of New Jersey



IN WITNESS WHEREOF, the said grantor has hereunto set their hands and seals, or caused the presents to be signed by their proper company officer and caused their proper seal to be hereto affixed this 30th day of September, 2014.

WITNESS OR ATTEST

545 BRICK BLVD, LLC

By: Carey Toj

, Managing Member

STATE OF NEW JERSEY:

: SS

COUNTY OF Princeton :

Be it Remembered, that on this 30th day of September, 2014, before me the subscriber, a Notary Public of New Jersey, personally appeared Deena Mann, and this person acknowledges under oath, to my satisfaction that

- (a) this person is the attesting witness to the signing of this Document by the proper Company Officer which is Carey Toj, the Managing Member of the Limited Liability Company; and
- (b) this Document was signed and delivered by the Company as its voluntary act duly authorized by a proper resolution of its Members; and
- (c) this person knows the proper seal of the Company which was affixed to this Document; and
- (d) this person signed this proof to attest to the truth of these facts.

Signed and sworn to before
me the aforesaid date.

Carrie M. Jones
CARRIE M. JONES
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES ON APRIL 17, 2017

This is not a certified copy

SIGHT RIGHT EASEMENT

TO
COUNTY OF OCEAN

Dated _____, 2014

Return to:
Office of the County Counsel
Ocean County
Toms River, New Jersey

NO FEE

NO FEE

101 Hooper Avenue

Room 328

Toms River, NJ 08753

INSTR # 2015010196

OR BK 15998 PG 1493

RECORDED 02/03/2015 10:12:54 AM

SCOTT M. COLABELLA, COUNTY CLERK
OCEAN COUNTY, NEW JERSEY**SIGHT TRIANGLE EASEMENT**

KNOW ALL MEN BY THESE PRESENTS that the undersigned, 545 Brick Blvd, LLC, 399 Monmouth Street, East Windsor, New Jersey 08520, hereinafter called "Grantor", in consideration of None does hereby grant and dedicate unto the County of Ocean, a Body Corporate and Politic of the State of New Jersey, address is CN 2191, Toms River, New Jersey 08754, its successors and assigns, a perpetual easement across Grantor's lands for a sight triangle, said easement being in the Township of Brick, Ocean County, New Jersey and is described as follows: Being a P/O current tax map Lot 1, Block 547.

Metes and Bounds Description
Proposed Sight Triangle Easement
Part of Lot 1, Block 547
Lands Now or Formerly
545 Brick Blvd, LLC
Township of Brick, Ocean County
State of New Jersey

BEGINNING at a point on the southeasterly right-of-way line of Brick Boulevard (A.K.A. Silverton-Cedar Bridge Road, A.K.A. Moore Road, variable width R.O.W.; 50' halfwidth) at the intersection with the dividing line between Lot 1, Block 547 lands now or formerly 545 Brick Blvd, LLC and Lot 2, Block 547 lands now or formerly 515 Brick Blvd, LLC; and from said point of beginning, running thence:

1. Along said right-of-way line, North 30 degrees 55 minutes 00 seconds East, a distance of 55.79 feet to a point; thence;

The following two (2) courses and distances along a line running through Lot 1, Block 547:

2. South 58 degrees 58 minutes 38 seconds East, a distance of 8.00 feet to a point, thence;
3. South 33 degrees 55 minutes 24 seconds West, a distance of 53.14 feet to a point, thence;
4. Along the dividing line between Lot 1, Block 547 lands now or formerly 545 Brick Blvd, LLC and Lot 2, Block 547 lands now or formerly 515 Brick Blvd, LLC, North 86 degrees 32 minutes 00 seconds West, a distance of 5.87 feet to the point and place of BEGINNING.

Containing 358 square feet or 0.008 Acres

This description is made with reference to a map entitled "Site Plan, 545 Brick Blvd, LLC, proposed Fortunoff Backyard Store and Retail, Block 547, Lot 1, 545 Brick Boulevard, Township of Brick, Ocean County, New Jersey" prepared by Dynamic Engineering, Job No. 0826-12-002, dated 2/17/2014, revised 8/12/14

No consideration is granted

Annexed hereto is a sketch or survey of said easement.

The purpose of this Deed is to convey a sight triangle easement to the County of Ocean pursuant to a condition of approval of the Ocean County Planning Board by application BRT 1928A).

The Grantor's lands were acquired by virtue of Deed from Bank of America, National Association, a national banking association, successor by virtue of merger with Summit Bank, successor by virtue of merger with Collective Bank, dated December 27, 2012 and recorded on January 2, 2013 in Deed Book 15406 at Page 321 in the Ocean County Clerk's Office, Toms River, New Jersey.

Prepared by John J. Jackson, III
Attorney at Law of New Jersey

IN WITNESS WHEREOF, the said grantor has hereunto set their hands and seals, or caused the presents to be signed by their proper company officer and caused their proper seal to be hereto affixed this 30th day of September, 2014.

WITNESS OR ATTEST

545 BRICK BLVD / LLC

By: Carey Testa

, Managing Member

STATE OF NEW JERSEY:

: SS

COUNTY OF Marlboro:

Be it Remembered, that on this 30th day of September, 2014, before me the subscriber, a Notary Public of New Jersey, personally appeared Dennis M. Jones, and this person acknowledges under oath, to my satisfaction that:

- (a) this person is the attesting witness to the signing of this Document by the proper Company Officer which is Carey Testa, the Managing Member of the Limited Liability Company; and
- (b) this Document was signed and delivered by the Company as its voluntary act duly authorized by a proper resolution of its Members; and
- (c) this person knows the proper seal of the Company which was affixed to this Document; and
- (d) this person signed this proof to attest to the truth of these facts.

Signed and sworn to before
me the aforesaid date.

Carrie M. Jones

CARRIE M. JONES
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES ON APRIL 17, 2017

certified copy

This is not a certified copy

SIGHT RIGHT EASEMENT

TO
COUNTY OF OCEAN

Dated _____, 2014

Return to:
Office of the County Counsel
Ocean County
Toms River, New Jersey

NO FEE

BRICK TOWNSHIP BUREAU OF FIRE SAFETY



500 Herbertsville Road
Brick Township, New Jersey 08724
(732) 458-4100
FAX: (732) 458-4153
www.brickfire.org

May 13, 2014
District 1

Office of the Planning Board
401 Chambers Bridge Road
Brick, New Jersey 08723

BLOCK: 547 LOT: 1 OWNER/APPLICANT: 545 Brick Blvd. LLC
399 Monmouth St.
B. T.P.B. #: 2745 East Windsor, NJ 08520

ENGINEER/FILE: Dynamic Engineering Consultants, P.C.
1904 Main St.
Lake Como, NJ 07719

SITE PLAN FEE: Received

LOCATION: 545 Brick Blvd. (Fortunoff Backyard Store and Retail)

PROPOSED USE/DESCRIPTION: Existing one story masonry building of 4,817 sq.ft. to have a 7,256 sq.ft. addition to the Division C & D sides.

The above referenced site plan has been reviewed with the following fire safety recommendations:

1. Add (2) additional No Parking Fire Lane signs as indicated on sheet 4 of 15. Also add no parking fire lane pavement striping as noted.
2. Add a note to the plan indicating all fire lanes, zones, fire striping and signs to be installed in accordance with Chapter 191.
3. Provide scale documentation drawing indicating that fire apparatus can make the left turn from Brick Blvd. into the one way fire lane along the Division A portion of the building (Brick Blvd.) and/or expand the curb cuts as indicated. Please note that it would be advantageous to have the travel lane expanded as large as possible.

Very truly yours,

Kevin C. Batzel
Bureau Chief/Fire Marshal

KCB/kz

Sent
ATTY/ENG
5/12/14

TOWNSHIP OF BRICK

OCEAN COUNTY, NEW JERSEY
401 CHAMBERS BRIDGE ROAD, BRICK, N.J. 08723

John G. Ducey, Mayor

Township Council:

Paul Mummolo - President
Heather deJong - Vice President
Susan Lydecker
Jim Fozman
Bob Moore
Marianna Pontoriero
Andrea Zapcic



Office of the Tax Collector

Jo Anne R. Lambusta, CTC
Tax Collector
732-262-1021
Fax: 732-477-3746
jlambusta@twp.brick.nj.us
www.twp.brick.nj.us

Date: February 23, 2015

To: Brick Town Planning Board ()
Brick Town Engineer ()
Brick Town Adjustment Board ()
Other ()

From: Jo Anne R. Lambusta, Tax Collector

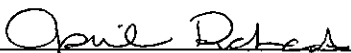
Re: Block 547 Lot 1 Account # 311160

Per Township Code 250-35, records of the Brick Township Tax Collector's Office reflect taxes on property owned by:

Brick Blvd LLC 545

are paid for the entire year of 2014 and The first Quarter of 2015.

Respectfully,


Signed, for the Tax Office



TOWNSHIP OF BRICK

OCEAN COUNTY, NEW JERSEY
401 CHAMBERS BRIDGE ROAD, BRICK, N.J. 08723

John G. Ducey, Mayor

Township Council:

Paul Mummolo - President
Heather deJong - Vice
President
Jim Fozman
Susan Lydecker
Bob Moore
Marianna Pontoriero
Andrea Zapic



Division of Engineering

Elissa C. Commins, PE, PP, CME, CPWM, CFM
Township Engineer & Floodplain Manager
Ecommins@twp.brick.nj.us

732-262-1040
Fax: 732-262-2941
www.twp.brick.nj.us

February 19, 2015

BOND ESTIMATE

545 Brick Blvd., LLC
(Fortunoff's Furniture Store)
Block 547
Lot 1
Case #PB-2745

Mrs. Lynnette Iannarone
Municipal Clerk
Dear Mrs. Iannarone:

Attached please find the Bond Estimate for the subject project. The required performance guarantee and inspection fund is as follows:

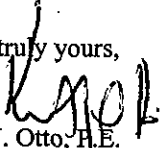
Performance Guarantee: \$626,467.72

10% Must Be Cash (\$62,646.78)
Balance (\$563,820.94) May Be Cash,
Surety or Letter of Credit

Inspection Fees: \$26,102.82

Must Be Cash, Check or Money Order**

Very truly yours,


Kurt J. Otto, P.E.
Assistant Township Engineer

Note:

1. ****Please include a W-9 form with your remittance.** Surety bond requires a certificate of good standing from the NJ Secretary of State for the bonding company.
2. Applicant may post 25% of the inspection fees with the condition that additional fees will be posted upon notification from the Township Engineer.

KJO/mk

Cc: Mayor
Business Administrator
✓ Planning Board/Board of Adjustment
Applicant
File



TOWNSHIP OF BRICK

BOND ESTIMATE

DATE: FEBRUARY 19, 2015
SUBJECT: FORTUNOFF'S FURNITURE STORE
CASE#: PB-2745
BLOCK: 547
LOT: 1

DATE INSPECTED: FEBRUARY 12, 2015
INSPECTOR: KEN SHAFER
APPLICANT: 545 BRICK BLVD., LLC
LOCATION: 545 BRICK BLVD.

CODE REFERENCE: SECTION 44A-92 SUBDIVISIONS
SECTION 44A-109 SITE PLANS

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1	CONCRETE CURBING:				
	REMOVE EXISTING SITE CURBING	2920	LF	\$7.00	\$20,440.00
	REMOVE EXISTING PLANTER CURBING	120	LF	\$7.00	\$840.00
	CONCRETE COUNTY CURBING	140	LF	\$17.50	\$2,450.00
	REMOVE EXISTING COUNTY CURBING	380	LF	\$7.00	\$2,660.00
	CONCRETE SITE CURBING	1480	LF	\$16.50	\$24,420.00
2	CONCRETE SIDEWALK:				
	COUNTY DETECTABLE WARNING SURFACE	3	EA	\$75.00	\$225.00
	COUNTY SIDEWALK 4" THICK 5' WIDE	610	SF	\$6.00	\$3,660.00
	REMOVE EXISTING COUNTY SIDEWALK	650	SF	\$6.00	\$3,900.00
	SITE SIDEWALK 4" THICK	4400	SF	\$6.00	\$26,400.00
	REMOVE EXISTING SITE SIDEWALK	3232	SF	\$6.00	\$19,392.00
	SITE DETECTABLE WARNING SURFACES	6	EA	\$75.00	\$450.00
	CONCRETE STAIRS W/METAL HANDRAILS	1	EA	LS	\$1,000.00
	ALLEN BLOCK WALL	314	SF	\$58.00	\$18,212.00
	CONCRETE RETAINING WALL	97	LF	\$74.25	\$7,202.25
3	CONCRETE APRONS:				
	DRIVEWAY & SIDEWALK APRON/PADS 6" THK	575	SF	\$6.90	\$3,967.50
	REMOVE EXISTING APRON/PADS/ISLANDS	264	SF	\$6.90	\$1,821.60
	DUMPSTER PAD 6" THICK	270	SF	\$6.90	\$1,863.00
	8" THICK LOADING PAD CONCRETE	1110	SF	\$9.20	\$10,212.00
4	PAVING:				
	SITE PARKING AREAS 6" GRAVEL, 2-1/2"				
	STAB BASE, 2" FABC	2908	SY	\$28.25	\$82,151.00
	REMOVE EXISTING SITE PAVEMENT	3846	SY	\$7.00	\$26,922.00
	COUNTY PAVEMENT RESTORATION	33	SY	\$44.76	\$1,477.08
	STONE CONSTRUCTION ENTRANCE	102	CY	\$60.00	\$6,120.00
5	DRAINAGE:				
	CLEANOUT MANHOLES WITH CONCRETE	6	EA	\$750.00	\$4,500.00
	OUTLET CONTROL STRUCTURE	1	EA	\$4,000.00	\$4,000.00
	MANHOLES	1	EA	\$2,400.00	\$2,400.00
	RECONSTRUCT EXISTING COUNTY INLETS	2	EA	\$4,000.00	\$8,000.00
	TYPE 'B' WITH HOOD AND SUMP	1	EA	\$3,200.00	\$3,200.00
	INLETS (CATCH BASINS) TYPE 'B'	3	EA	\$2,400.00	\$7,200.00
	REMOVE EXISTING INLETS (SITE)	5	EA	\$2,400.00	\$12,000.00
	TYPE 'E' INLET	1	EA	\$2,400.00	\$2,400.00
	15" RCP CLASS 3 PIPE	343	LF	\$43.00	\$14,749.00
	15" RCP CLASS 5 PIPE	39	LF	\$45.70	\$1,782.30
	18" RCP CLASS 5 PIPE	101	LF	\$52.00	\$5,252.00
	RIP-RAP	3	CY	\$100.00	\$300.00
	BASIN EXCAVATION	354	CY	\$5.00	\$1,770.00
	TRENCH DRAIN	15	LF	\$25.00	\$375.00
	SAVE EXISTING TRENCH DRAIN	35	LF	\$25.00	\$875.00
	REMOVE EXISTING 6" PIPE	244	LF	\$16.50	\$4,026.00
6	LANDSCAPING:				
	BERMS	67	CY	\$5.00	\$335.00
	TOPSOIL/FERTILIZER/SEEDING	2243	SY	\$4.00	\$8,972.00
	TREES	75	EA	\$250.00	\$18,750.00
	SHRUBS	273	EA	\$100.00	\$27,300.00
	REMOVE EXISTING TREES	15	EA	\$250.00	\$3,750.00
	REMOVE EXISTING SHRUBS	33	EA	\$100.00	\$3,300.00
	IRRIGATION SYSTEM	1	EA	LS	\$15,000.00
	4" MULCH	166	SY	\$8.10	\$1,344.60
	TREE SAVES	5	EA	\$250.00	\$1,250.00
7	SIGNS:				
	REMOVE EXISTING SIGNS	14	EA	\$100.00	\$1,400.00
	DIRECTIONAL SIGN	1	EA	\$125.00	\$125.00
	NPFL	7	EA	\$100.00	\$700.00
	RELOCATE EXISTING SIGNS	1	EA	\$100.00	\$100.00
	STOP	3	EA	\$100.00	\$300.00
	HANDI-CAP	2	EA	\$100.00	\$200.00

BOND ESTIMATE

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
7	SIGNS (CONTINUED):				
	ONE WAY	3	EA	\$100.00	\$300.00
	DO NOT ENTER	2	EA	\$100.00	\$200.00
	NO LEFT TURN	1	EA	\$100.00	\$100.00
8	LIGHTING:				
	REMOVE EXISTING LIGHT POLES	14	EA	\$1,700.00	\$23,800.00
	SINGLE LIGHT POLE WITH SHIELDS	18	EA	\$1,700.00	\$30,600.00
	WALL MOUNTS 175 WATTS	3	EA	\$292.00	\$876.00
	WALL MOUNTS 9 WATTS	5	EA	\$200.00	\$1,000.00
9	PAVEMENT MARKINGS:				
	4" WHITE STRIPES	635	LF	\$0.60	\$381.00
	2' STOP BAR	40	LF	\$3.60	\$144.00
	LETTERS (VARIOUS)	142	EA	\$11.00	\$1,562.00
	BLUE STRIPES	100	LF	\$0.60	\$60.00
	HANDI-CAP SYMBOLS	2	EA	\$11.00	\$22.00
	4" YELLOW STRIPES	2060	LF	\$0.60	\$1,236.00
	2' WIDE CROSSWALK STRIPES	200	LF	\$3.60	\$720.00
10	OTHER:				
	TREE PROTECTION FENCING	120	LF	\$1.50	\$180.00
	REMOVE EXISTING 6' STOCKADE FENCING	32	LF	\$17.00	\$544.00
	42" CHAIN-LINK FENCE	115	LF	\$20.80	\$2,392.00
	LOADING DOCK METAL GUARDRAIL	75	LF	\$47.50	\$3,562.50
	42" CHAIN LINK GATE	4	LF	\$20.80	\$83.20
	6' METAL GATES	16	LF	\$31.00	\$496.00
	PLUS FABRICATION	3	EA	\$180.00	\$540.00
	TIMBER GUARD RAIL	75	LF	\$60.00	\$4,500.00
	4" STEEL BOLLARDS	6	EA	\$150.00	\$900.00
	6' BLOCK DUMPSTER WALLS	40	LF	\$74.00	\$2,960.00
	6" STEEL BOLLARDS	4	EA	\$225.00	\$900.00
	6' VINYL FENCE	270	LF	\$31.00	\$8,370.00
	SITE STREET NUMBERS	1	EA	LS	\$250.00
	BICYCLE RACKS	1	EA	\$500.00	\$500.00
	BENCH	1	EA	\$700.00	\$700.00
	ROOF MECHANICALS SCREENING	1	EA	LS	\$2,500.00
	SUB-TOTAL			\$511,820.03	
12	AS-BUILT PLANS				\$10,236.40
					\$0.00
					\$0.00
					\$0.00
TOTAL COST OF CONSTRUCTION					\$522,056.43
ENGINEERING INSPECTION FUND @ .05					\$26,102.82
AMOUNT OF REQUIRED PERFORMANCE BOND (120% OF ESTIMATE)					\$626,467.72

1. This bond shall be reviewed every six months and shall be revised in accordance with prevailing economic conditions.
2. Inspection Fund is estimated at .05 of the Construction Cost Estimate. Applicant must post 25% of the inspection fees with the condition that additional fees will be posted once notified by the Engineer. Additional amount may be required due to construction methods and will be payable upon notice by the Municipal Engineer.
Any remaining balance in the Inspection Fund shall be returned to the applicant by resolution upon completion.
- 3.. All Bond Reductions shall not be for more than the total of 70% of the original guarantee as per NJSA 40:55D-53. In reducing the guarantee amount for any project, the cash portion shall not be reduced. This portion shall be held until the completion of this project.

Prepared by: Ken Shafer, Supervising Road Inspector Engineering Department

Checked by: Kurt J. Otto, P.E., Assistant Township Engineer

KING, KITRICK, JACKSON & McWEENEY, LLC
A LIMITED LIABILITY COMPANY

RAYMOND V. KING
MEMBER NJ AND PA BARS

MARK G. KITRICK

JOHN J. JACKSON, III
CERTIFIED BY THE SUPREME COURT OF
NEW JERSEY AS A CIVIL TRIAL ATTORNEY

JEFFREY J. McWEENEY
NATIONAL ACADEMY OF ELDER LAW
ATTORNEYS

ATTORNEYS AT LAW

241 BRICK BOULEVARD
PO BOX 547
BRICK, NEW JERSEY 08723
732-920-8383
MAIN FAX: 732-920-8885

KIMBERLY BENNETT
MEMBER NJ AND NY BARS

ALBERT J. PLUEDDEMANN
OF COUNSEL
MEMBER MI BAR

MICHAEL D. SCHALLER
OF COUNSEL

Real Estate Department Fax: 732-477-1304
www.kkjlawfirm.com

October 16, 2014

Edwin Giovanelli
Ocean County Planning Board
129 Hooper Avenue
Toms River, New Jersey 08753

LAWYERS SERVICE: 18719158

Re: 545 Brick Blvd., LLC
Application: BRT 1928A
545 Brick Boulevard
Brick, New Jersey

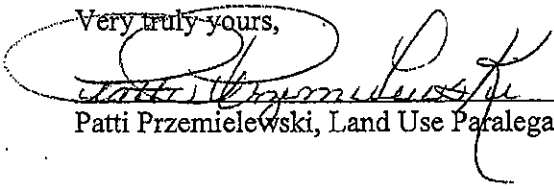
Dear Mr. Giovanelli:

Enclosed please find the following easements that have been prepared in compliance with the captioned approval:

1. Sight Triangle Easement: Block 547, Part of Lot 1
2. Sight Triangle Easement: Block 547, Part of Lot 1
3. Sight Triangle Easement: Block 547, Part of Lot 1
4. Road Widening Easement: Block 547, Part of Lot 1

Thank you for your usual courtesies.

Very truly yours,


Patti Przemielewski, Land Use Paralegal

pp\

Enclosure

cc: 135 Brick Blvd., LLC
Jim Bash, Dynamic Engineering

SIGHT TRIANGLE EASEMENT

KNOW ALL MEN BY THESE PRESENTS that the undersigned, 545 Brick Blvd, LLC, 399 Monmouth Street, East Windsor, New Jersey 08520, hereinafter called "Grantor", in consideration of None does hereby grant and dedicate unto the County of Ocean, a Body Corporate and Politic of the State of New Jersey, address is CN 2191, Toms River, New Jersey 08754, its successors and assigns, a perpetual easement across Grantor's lands for a sight triangle, said easement being in the Township of Brick, Ocean County, New Jersey and is described as follows: Being a P/O current tax map Lot 1, Block 547.

Metes and Bounds Description
Proposed Sight Triangle Easement
Part of Lot 1, Block 547
Lands Now or Formerly
545 Brick Blvd., LLC
Township of Brick, Ocean County
State of New Jersey

BEGINNING at the intersection of the southwesterly right-of-way line of Jackson Avenue (F.K.A. Circle Avenue, 60' wide R.O.W.) and the southeasterly right-of-way line of Brick Boulevard (A.K.A. Silverton-Cedar Bridge Road, A.K.A. Moore Road, variable width R.O.W.; 50' halfwidth); and from said point of beginning, running thence;

1. Along said southwesterly right-of-way line of Jackson Avenue, South 64 degrees 06 minutes 00 seconds East, a distance of 105.60 feet to a point, thence;

The following four (4) courses and distances along a line running through Lot 1, Block 547:

2. South 26 degrees 01 minutes 19 seconds West, a distance of 1.78 feet to a point, thence;
3. North 63 degrees, 58 minutes 41 seconds West, a distance of 25.09 feet to a point, thence;
4. North 64 degrees 54 minutes 54 seconds West, a distance of 6.66 feet to a point, thence;
5. North 63 degrees 55 minutes 18 seconds West, a distance of 76.15 feet to a point on the southeasterly right-of-way line of Brick Boulevard, thence;
6. Along said right-of-way line of Brick Boulevard, curving to the right, having a radius of 65.00 feet, an arc distance of 2.79 feet, a central angle of 2 degrees 27 minutes 24 seconds, a chord bearing North 81 degrees 20 minutes 02 seconds East, and a chord distance of 2.79 feet to the point and place of BEGINNING.

Containing 183 square feet or 0.004 Acres

This description is made with reference to a map entitled "Site Plan, 545 Brick Blvd., LLC, proposed Fortunoff Backyard Store and Retail, Block 547, Lot 1, 545 Brick Boulevard, Township of Brick, Ocean County, New Jersey" prepared by Dynamic Engineering, Job No. 0826-12-002, dated 2/17/2014, revised 8/12/14

No consideration is granted

Annexed hereto is a sketch or survey of said easement.

The purpose of this Deed is to convey a sight triangle easement to the County of Ocean pursuant to a condition of approval of the Ocean County Planning Board by application BRT 1928A).

The Grantor's lands were acquired by virtue of Deed from Bank of America, National Association, a national banking association, successor by virtue of merger with Summit Bank, successor by virtue of merger with Collective Bank, dated December 27, 2012 and recorded on January 2, 2013 in Deed Book 15406 at Page 321 in the Ocean County Clerk's Office, Toms River, New Jersey.

Prepared by John J. Jackson, III
Attorney at Law of New Jersey

IN WITNESS WHEREOF, the said grantor has hereunto set their hands and seals, or caused the presents to be signed by their proper company officer and caused their proper seal to be hereto affixed this 30th day of September, 2014.

WITNESS OR ATTEST

545 BRICK BLVD., LLC

[Signature]

By: [Signature]

, Managing Member

STATE OF NEW JERSEY:

: SS

COUNTY OF Mercer :

Be it Remembered, that on this 30th day of September, 2014, before me the subscriber, a Notary Public of New Jersey, personally appeared Deenama nn, and this person acknowledges under oath, to my satisfaction that:

- (a) this person is the attesting witness to the signing of this Document by the proper Company Officer which is Carey Tafel, the Managing Member of the Limited Liability Company; and
- (b) this Document was signed and delivered by the Company as its voluntary act duly authorized by a proper resolution of its Members; and
- (c) this person knows the proper seal of the Company which was affixed to this Document; and
- (d) this person signed this proof to attest to the truth of these facts.

Signed and sworn to before
me the aforesaid date.

[Signature]

CARRIE M. JONES
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES ON APRIL 17, 2017

SIGHT RIGHT EASEMENT

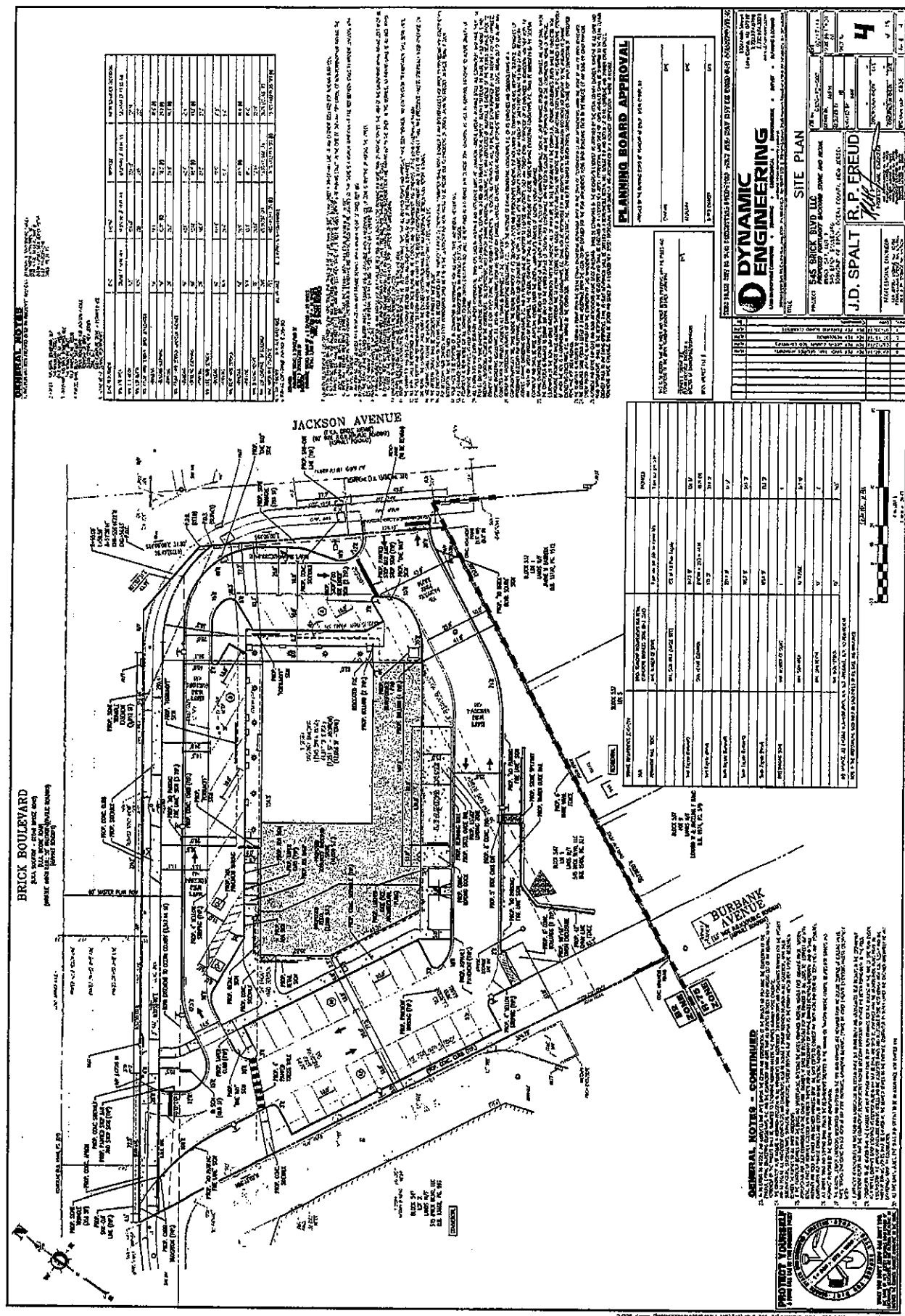
TO

COUNTY OF OCEAN

Dated _____, 2014

Return to:
Office of the County Counsel
Ocean County
Toms River, New Jersey

NO FEE



SIGHT TRIANGLE EASEMENT

KNOW ALL MEN BY THESE PRESENTS that the undersigned, 545 Brick Blvd, LLC, 399 Monmouth Street, East Windsor, New Jersey 08520, hereinafter called "Grantor", in consideration of None does hereby grant and dedicate unto the County of Ocean, a Body Corporate and Politic of the State of New Jersey, address is CN 2191, Toms River, New Jersey 08754, its successors and assigns, a perpetual easement across Grantor's lands for a sight triangle, said easement being in the Township of Brick, Ocean County, New Jersey and is described as follows: Being a P/O current tax map Lot 1, Block 547.

Metes and Bounds Description
Proposed Sight Triangle Easement
Part of Lot 1, Block 547
Lands Now or Formerly
545 Brick Blvd., LLC
Township of Brick, Ocean County
State of New Jersey

BEGINNING at the intersection of the southwesterly right-of-way line of Jackson Avenue (F.K.A. Circle Avenue, 60' wide R.O.W.) and the southeasterly right-of-way line of Brick Boulevard (A.K.A. Silverton-Cedar Bridge Road, A.K.A. Moore Road, variable width R.O.W.; 50' halfwidth); and from said point of beginning, running thence;

1. Along said right-of-way line of Jackson Avenue, south 64 degrees 06 minutes 00 seconds east, a distance of 1.43 feet to a point, thence;
2. Along a line running through Lot 1, Block 547, South 54 degrees 13 minutes 47 seconds West, a distance of 65.92 feet to a point on the southeasterly right-of-way line of Brick Boulevard, thence;

The following two (2) courses and distances along said right-of-way line of Brick Boulevard:

3. North 30 degrees 55 minutes 00 seconds East, a distance of 9.44 feet to a point, thence;
4. Along the Arc of circle curving to the right, having a radius of 65.00 feet, an arc distance of 58.59 feet, a central angle of 51 degrees 38 minutes 44 seconds, a chord bearing North 56 degrees 44 minutes 22 seconds East, and a chord distance of 56.63 feet to the point and place of BEGINNING.

Containing 405 square feet or 0.009 Acres

This description is made with reference to a map entitled "Site Plan, 545 Brick Blvd., LLC, proposed Fortunoff Backyard Store and Retail, Block 547, Lot 1, 545 Brick Boulevard, Township of Brick, Ocean County, New Jersey" prepared by Dynamic Engineering, Job No. 0826-12-002, dated 2/17/2014, revised 8/12/14

No consideration is granted

Annexed hereto is a sketch or survey of said easement.

The purpose of this Deed is to convey a sight triangle easement to the County of Ocean pursuant to a condition of approval of the Ocean County Planning Board by application BRT 1928A).

The Grantor's lands were acquired by virtue of Deed from Bank of America, National Association, a national banking association, successor by virtue of merger with Summit Bank, successor by virtue of merger with Collective Bank, dated December 27, 2012 and recorded on January 2, 2013 in Deed Book 15406 at Page 321 in the Ocean County Clerk's Office, Toms River, New Jersey.

Prepared by John J. Jackson, III
Attorney at Law of New Jersey

IN WITNESS WHEREOF, the said grantor has hereunto set their hands and seals, or caused the presents to be signed by their proper company officer and caused their proper seal to be hereto affixed this 30th day of September, 2014.

WITNESS OR ATTEST

545 BRICK BLVD, LLC

Dena Mann

By: *[Signature]*

, Managing Member

STATE OF NEW JERSEY:

: SS

COUNTY OF Mercer :

Be it Remembered, that on this 30th day of September, 2014, before me the subscriber, a Notary Public of New Jersey, personally appeared Dena Mann, and this person acknowledges under oath, to my satisfaction that:

- (a) this person is the attesting witness to the signing of this Document by the proper Company Officer which is Carey Tafel, the Managing Member of the Limited Liability Company; and
- (b) this Document was signed and delivered by the Company as its voluntary act duly authorized by a proper resolution of its Members; and
- (c) this person knows the proper seal of the Company which was affixed to this Document; and
- (d) this person signed this proof to attest to the truth of these facts.

Signed and sworn to before
me the aforesaid date.

[Signature]

CARRIE M. JONES
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES ON APRIL 17, 2017

SIGHT RIGHT EASEMENT

TO

COUNTY OF OCEAN

Dated _____, 2014

Return to:
Office of the County Counsel
Ocean County
Toms River, New Jersey

NO FEE

SIGHT TRIANGLE EASEMENT

KNOW ALL MEN BY THESE PRESENTS that the undersigned, 545 Brick Blvd, LLC, 399 Monmouth Street, East Windsor, New Jersey 08520, hereinafter called "Grantor", in consideration of None does hereby grant and dedicate unto the County of Ocean, a Body Corporate and Politic of the State of New Jersey, address is CN 2191, Toms River, New Jersey 08754, its successors and assigns, a perpetual easement across Grantor's lands for a sight triangle, said easement being in the Township of Brick, Ocean County, New Jersey and is described as follows: Being a P/O current tax map Lot 1, Block 547.

Metes and Bounds Description
Proposed Sight Triangle Easement
Part of Lot 1, Block 547
Lands Now or Formerly
545 Brick Blvd., LLC
Township of Brick, Ocean County
State of New Jersey

BEGINNING at a point on the southeasterly right-of-way line of Brick Boulevard (A.K.A. Silverton-Cedar Bridge Road, A.K.A. Moore Road, variable width R.O.W.; 50' halfwidth) at the intersection with the dividing line between Lot 1, Block 547 lands now or formerly 545 Brick Blvd., LLC and Lot 2, Block 547 lands now or formerly 515 Brick Blvd., LLC; and from said point of beginning, running thence;

1. Along said right-of-way line, North 30 degrees 55 minutes 00 seconds East, a distance of 55.79 feet to a point; thence;

The following two (2) courses and distances along a line running through Lot 1, Block 547:

2. South 58 degrees 58 minutes 38 seconds East, a distance of 8.00 feet to a point, thence;
3. South 33 degrees 55 minutes 24 seconds West, a distance of 53.14 feet to a point, thence;
4. Along the dividing line between Lot 1, Block 547 lands now or formerly 545 Brick Blvd, LLC and Lot 2, Block 547 lands now or formerly 515 Brick Blvd., LLC, North 86 degrees 32 minutes 00 seconds West, a distance of 5.87 feet to the point and place of BEGINNING.

Containing 358 square feet or 0.008 Acres

This description is made with reference to a map entitled "Site Plan, 545 Brick Blvd., LLC, proposed Fortunoff Backyard Store and Retail, Block 547, Lot 1, 545 Brick Boulevard, Township of Brick, Ocean County, New Jersey" prepared by Dynamic Engineering, Job No. 0826-12-002, dated 2/17/2014, revised 8/12/14

No consideration is granted

Annexed hereto is a sketch or survey of said easement.

The purpose of this Deed is to convey a sight triangle easement to the County of Ocean pursuant to a condition of approval of the Ocean County Planning Board by application BRT 1928A).

The Grantor's lands were acquired by virtue of Deed from Bank of America, National Association, a national banking association, successor by virtue of merger with Summit Bank, successor by virtue of merger with Collective Bank, dated December 27, 2012 and recorded on January 2, 2013 in Deed Book 15406 at Page 321 in the Ocean County Clerk's Office, Toms River, New Jersey.

Prepared by John J. Jackson, III
Attorney at Law of New Jersey

IN WITNESS WHEREOF, the said grantor has hereunto set their hands and seals, or caused the presents to be signed by their proper company officer and caused their proper seal to be hereto affixed this 30th day of September, 2014.

WITNESS OR ATTEST

545 BRICK BLVD, LLC

[Signature]

By: [Signature]

, Managing Member

STATE OF NEW JERSEY:

: SS

COUNTY OF mercer :

Be it Remembered, that on this 30th day of September, 2014, before me the subscriber, a Notary Public of New Jersey, personally appeared Doreen Mason, and this person acknowledges under oath, to my satisfaction that

- (a) this person is the attesting witness to the signing of this Document by the proper Company Officer which is Carrie Jones, the Managing Member of the Limited Liability Company; and
- (b) this Document was signed and delivered by the Company as its voluntary act duly authorized by a proper resolution of its Members; and
- (c) this person knows the proper seal of the Company which was affixed to this Document; and
- (d) this person signed this proof to attest to the truth of these facts.

Signed and sworn to before
me the aforesaid date.

[Signature]

CARRIE M. JONES
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES ON APRIL 17, 2017

SIGHT RIGHT EASEMENT

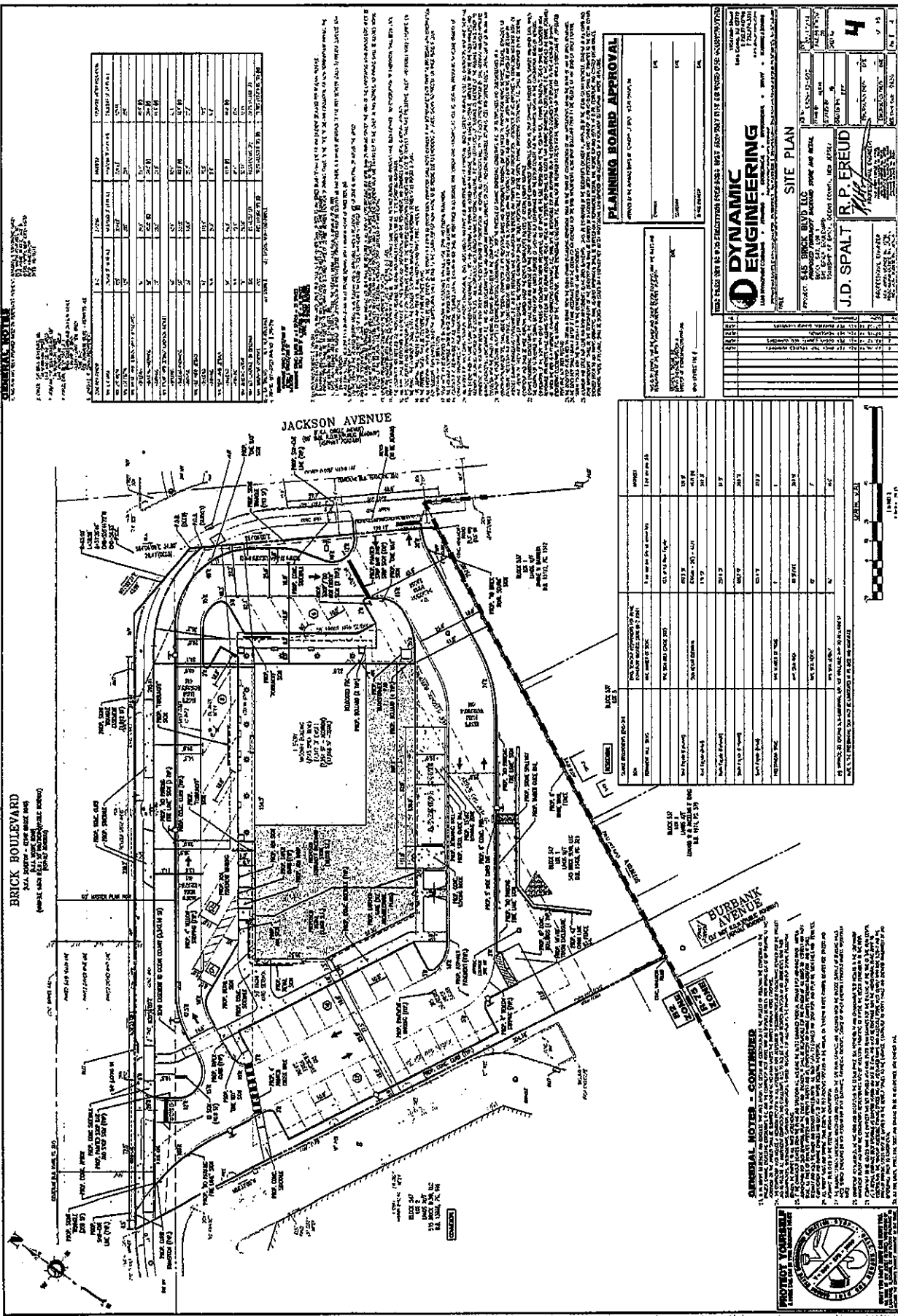
TO

COUNTY OF OCEAN

Dated _____, 2014

Return to:
Office of the County Counsel
Ocean County
Toms River, New Jersey

NO FEE



ROAD WIDENING EASEMENT

KNOW ALL MEN BY THESE PRESENTS that the undersigned, 545 Brick Blvd, LLC, 399 Monmouth Street, East Windsor, New Jersey 08520, hereinafter called "Grantor", in consideration of None does hereby grant and dedicate unto the County of Ocean, a Body Corporate and Politic of the State of New Jersey, address is CN 2191, Toms River, New Jersey 08754, its successors and assigns, a perpetual easement across Grantor's lands for road widening, said easement being in the Township of Brick, Ocean County, New Jersey and is described as follows: Being a P/O current tax map Lot 1, Block 547.

Metes and Bounds Description
Proposed Road Easement to Ocean County
Part of Lot 1, Block 547
Lands Now or Formerly
545 Brick Blvd., LLC
Township of Brick, Ocean County
State of New Jersey

BEGINNING at a point on the southeasterly right-of-way line of Brick Boulevard (A.K.A. Silverton - Cedar Bridge Road, A.K.A. Moore Road, Variable width R.O.W.; 50' halfwidth) at the intersection with the dividing line between Lot 1, Block 547 lands now or formerly 545 Brick Blvd, LLC and Lot 2, Block 547 lands now or formerly 515 Brick Blvd., LLC; and from said point of beginning, running thence;

The following two (2) courses and distances along said right-of-way line:

1. North 30 degrees 55 minutes 00 seconds East, a distance of 297.46 feet to a point of tangency, thence;
2. Along the arc of circle curving to the right, having a radius of 65.00 feet, an arc distance of 37.46 feet, a central angle of 33 degrees 01 minutes 23 seconds, a chord bearing North 47 degrees 25 minutes 42 seconds East, and a chord distance of 36.95 feet to a point, thence;
3. Along a line running through Lot 1, Block 547, South 30 degrees 55 minutes 00 seconds West, a distance of 327.42 feet to a point, thence;
4. Along the dividing line between Lot 1, Block 547 and Lot 2, Block 547, North 86 degrees 32 minutes 00 seconds West, a distance of 11.83 feet to the point and place of BEGINNING

Containing 3,347 square feet or 0.077 Acres

This description is made with reference to a map entitled "Site Plan, 545 Brick Blvd., LLC, proposed Fortunoff Backyard Store and Retail, Block 547, Lot 1, 545 Brick Boulevard, Township of Brick, Ocean County, New Jersey" prepared by Dynamic Engineering, Job No. 0826-12-002, dated 2/17/2014, revised 8/12/14

No consideration is granted

Annexed hereto is a sketch or survey of said easement.

The purpose of this Deed is to convey a road easement to the County of Ocean pursuant to a condition of approval of the Ocean County Planning Board by application BRT 1928A).

The Grantor's lands were acquired by virtue of Deed from Bank of America, National Association, a national banking association, successor by virtue of merger with Summit Bank, successor by virtue of merger with Collective Bank, dated December 27, 2012 and recorded on January 2, 2013 in Deed Book 15406 at Page 321 in the Ocean County Clerk's Office, Toms River, New Jersey.

Witnessed by John J. Jackson, III
Attorney at Law of New Jersey

IN WITNESS WHEREOF, the said grantor has hereunto set their hands and seals, or caused the presents to be signed by their proper company officer and caused their proper seal to be hereto affixed this 30th day of September, 2014.

WITNESS OR ATTEST

545 BRICK BLVD., LLC

[Signature]

By

[Signature]

, Managing Member

STATE OF NEW JERSEY:

: SS

COUNTY OF Shelley :

Be it Remembered, that on this 30th day of September, 2014, before me the subscriber, a Notary Public of New Jersey, personally appeared Debra Mann, and this person acknowledges under oath, to my satisfaction that:

- (a) this person is the attesting witness to the signing of this Document by the proper Company Officer which is Paray Tajfel, the Managing Member of the Limited Liability Company; and
- (b) this Document was signed and delivered by the Company as its voluntary act duly authorized by a proper resolution of its Members; and
- (c) this person knows the proper seal of the Company which was affixed to this Document; and
- (d) this person signed this proof to attest to the truth of these facts.

Signed and sworn to before
me the aforesaid date.

[Signature]

CARRIE M. JONES
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES ON APRIL 17, 2017

ROAD WIDENING EASEMENT

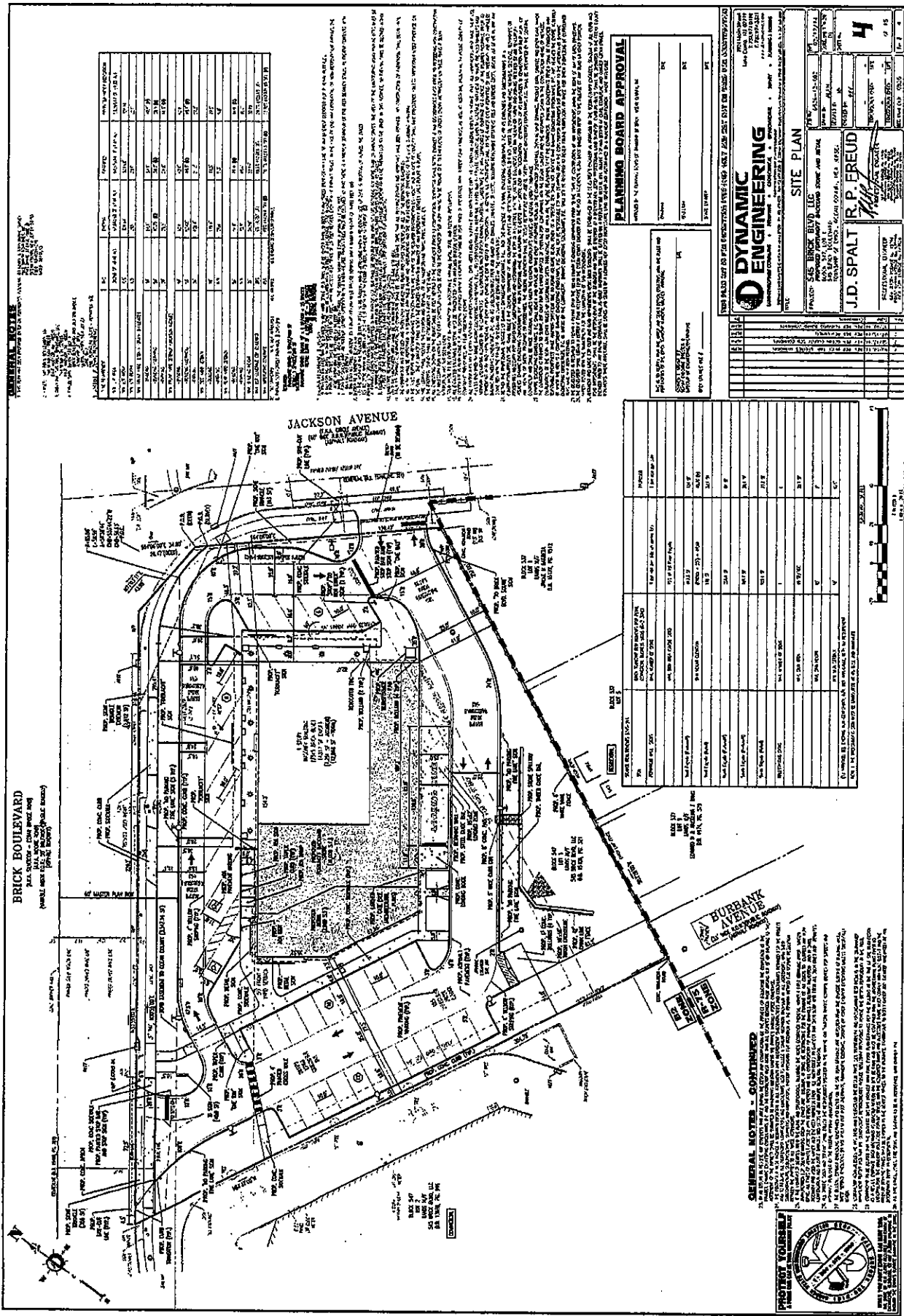
TO

COUNTY OF OCEAN

Dated, , 2014

Return to:
Office of the County Counsel
Ocean County
Toms River, New Jersey

NO FEE



BRICK BOULEVARD
SOUTH SIDE
(SMALL AREA TO BE REMOVED)

JACKSON AVENUE

BURBANK AVENUE
NORTH SIDE



NO.	DESCRIPTION	AREA (SQ. FT.)	AREA (SQ. YD.)	PERCENT
1	LOT 1	10,000	227.27	100.00
2	LOT 2	10,000	227.27	100.00
3	LOT 3	10,000	227.27	100.00
4	LOT 4	10,000	227.27	100.00
5	LOT 5	10,000	227.27	100.00
6	LOT 6	10,000	227.27	100.00
7	LOT 7	10,000	227.27	100.00
8	LOT 8	10,000	227.27	100.00
9	LOT 9	10,000	227.27	100.00
10	LOT 10	10,000	227.27	100.00
11	LOT 11	10,000	227.27	100.00
12	LOT 12	10,000	227.27	100.00
13	LOT 13	10,000	227.27	100.00
14	LOT 14	10,000	227.27	100.00
15	LOT 15	10,000	227.27	100.00
16	LOT 16	10,000	227.27	100.00
17	LOT 17	10,000	227.27	100.00
18	LOT 18	10,000	227.27	100.00
19	LOT 19	10,000	227.27	100.00
20	LOT 20	10,000	227.27	100.00

GENERAL NOTES

1. THE SITE PLAN IS BASED ON THE RECORD MAP OF THE CITY OF LOS ANGELES, CALIFORNIA, MAP NO. 10,000, DATED 1910.

2. THE PROPERTY LINES ARE SHOWN BY THE DASHED LINES.

3. THE PROPOSED BUILDING FOOTPRINTS ARE SHOWN BY THE SOLID LINES.

4. THE PROPOSED PARKING LOTS ARE SHOWN BY THE HATCHED AREAS.

5. THE PROPOSED DRIVEWAYS ARE SHOWN BY THE DOTTED LINES.

6. THE PROPOSED EASEMENTS ARE SHOWN BY THE Wavy LINES.

7. THE PROPOSED SETBACKS ARE SHOWN BY THE DIMENSIONS.

8. THE PROPOSED CORNER RADIUS IS 100 FEET.

9. THE PROPOSED STREET WIDTH IS 40 FEET.

10. THE PROPOSED LOT WIDTH IS 100 FEET.

11. THE PROPOSED LOT DEPTH IS 100 FEET.

12. THE PROPOSED LOT AREA IS 10,000 SQ. FT.

13. THE PROPOSED LOT PERCENT IS 100.00%.

14. THE PROPOSED LOT NO. IS 1.

15. THE PROPOSED LOT NO. IS 2.

16. THE PROPOSED LOT NO. IS 3.

17. THE PROPOSED LOT NO. IS 4.

18. THE PROPOSED LOT NO. IS 5.

19. THE PROPOSED LOT NO. IS 6.

20. THE PROPOSED LOT NO. IS 7.

21. THE PROPOSED LOT NO. IS 8.

22. THE PROPOSED LOT NO. IS 9.

23. THE PROPOSED LOT NO. IS 10.

24. THE PROPOSED LOT NO. IS 11.

25. THE PROPOSED LOT NO. IS 12.

26. THE PROPOSED LOT NO. IS 13.

27. THE PROPOSED LOT NO. IS 14.

28. THE PROPOSED LOT NO. IS 15.

29. THE PROPOSED LOT NO. IS 16.

30. THE PROPOSED LOT NO. IS 17.

31. THE PROPOSED LOT NO. IS 18.

32. THE PROPOSED LOT NO. IS 19.

33. THE PROPOSED LOT NO. IS 20.

PLANNING BOARD APPROVAL

APPROVED BY: _____

DATE: _____

DYNAMIC ENGINEERING

10000 JACSON AVENUE, LOS ANGELES, CALIF. 90001

TEL: (213) 555-1234

SITE PLAN

PROJECT: 565 BRICK BLVD. LOT 1

OWNER: J.D. SPALT

DESIGNER: R.P. FREUD

DATE: 10/1/74

SCALE: 1" = 100'

4

NO.	DESCRIPTION	AREA (SQ. FT.)	AREA (SQ. YD.)	PERCENT
1	LOT 1	10,000	227.27	100.00
2	LOT 2	10,000	227.27	100.00
3	LOT 3	10,000	227.27	100.00
4	LOT 4	10,000	227.27	100.00
5	LOT 5	10,000	227.27	100.00
6	LOT 6	10,000	227.27	100.00
7	LOT 7	10,000	227.27	100.00
8	LOT 8	10,000	227.27	100.00
9	LOT 9	10,000	227.27	100.00
10	LOT 10	10,000	227.27	100.00
11	LOT 11	10,000	227.27	100.00
12	LOT 12	10,000	227.27	100.00
13	LOT 13	10,000	227.27	100.00
14	LOT 14	10,000	227.27	100.00
15	LOT 15	10,000	227.27	100.00
16	LOT 16	10,000	227.27	100.00
17	LOT 17	10,000	227.27	100.00
18	LOT 18	10,000	227.27	100.00
19	LOT 19	10,000	227.27	100.00
20	LOT 20	10,000	227.27	100.00

GENERAL NOTES - CONTINUED

34. THE PROPOSED LOT NO. IS 21.

35. THE PROPOSED LOT NO. IS 22.

36. THE PROPOSED LOT NO. IS 23.

37. THE PROPOSED LOT NO. IS 24.

38. THE PROPOSED LOT NO. IS 25.

39. THE PROPOSED LOT NO. IS 26.

40. THE PROPOSED LOT NO. IS 27.

41. THE PROPOSED LOT NO. IS 28.

42. THE PROPOSED LOT NO. IS 29.

43. THE PROPOSED LOT NO. IS 30.

44. THE PROPOSED LOT NO. IS 31.

45. THE PROPOSED LOT NO. IS 32.

46. THE PROPOSED LOT NO. IS 33.

47. THE PROPOSED LOT NO. IS 34.

48. THE PROPOSED LOT NO. IS 35.

49. THE PROPOSED LOT NO. IS 36.

50. THE PROPOSED LOT NO. IS 37.

51. THE PROPOSED LOT NO. IS 38.

52. THE PROPOSED LOT NO. IS 39.

53. THE PROPOSED LOT NO. IS 40.

54. THE PROPOSED LOT NO. IS 41.

55. THE PROPOSED LOT NO. IS 42.

56. THE PROPOSED LOT NO. IS 43.

57. THE PROPOSED LOT NO. IS 44.

58. THE PROPOSED LOT NO. IS 45.

59. THE PROPOSED LOT NO. IS 46.

60. THE PROPOSED LOT NO. IS 47.

61. THE PROPOSED LOT NO. IS 48.

62. THE PROPOSED LOT NO. IS 49.

63. THE PROPOSED LOT NO. IS 50.



NJLS Couriers
TEL: (908) 686-7300 FAX: (908) 686-5300
www.NJLS.com

Account No: **1268A-14**
KING KITRICK JACKSON &
MCWEENEY LLC
Patti Przemielewski
241 BRICK BOULEVARD
BRICK,NJ 08723-7167

TRACKING # 18719158
Ship Date: 10/16/2014 12:42 PM



SIGNATURE REQUIRED

BILLING REFERENCE
Reference No: 2235.JJJ

RECIPIENT

Ocean County Engineering Department
Edwin Giovanelli
129 HOOPER AVE
Toms River,NJ 08753-7605

27

CUT HERE

AFFIX THIS PART TO YOUR SHIPMENT

CUT HERE

CUT HERE

SHIPMENT RECEIPT FOR YOUR RECORDS

INFORMATION YOU REQUESTED HAS BEEN TRANSMITTED TO NJLS.
NO FURTHER ACTION IS REQUIRED ON YOUR PART

NJLS Couriers
NEW PROVIDENCE UNION CHERRY HILL
TEL: (908) 686-7300 FAX: (908) 686-5300
www.njls.com
SIGNATURE REQUIRED

Account No: 1268A

TRACKING # 18719158

FROM

KING KITRICK JACKSON & MCWEENEY LLC
Patti Przemielewski
241 BRICK BOULEVARD
BRICK,NJ 08723-7167

BILLING REFERENCE

Reference No: 2235.JJJ
Case Name: TG-545 Brick Blvd., LLC
Attorney of Record: JJJ

SHIP TO

Edwin Giovanelli
Ocean County Engineering Department
129 HOOPER AVE
Toms River,NJ 08753-7605

ITEM DESCRIPTION

3 Site Triangle Easements - 1 Road Easement



BLUE MARSH ASSOCIATES, INC.
LAND SURVEYORS AND PLANNERS

BMA#13-B284-298
SEPTEMBER 15, 2014

METES & BOUNDS DESCRIPTION

PROPOSED SIGHT TRIANGLE EASEMENT #1
PART OF LOT 1, BLOCK 547
LANDS NOW OR FORMERLY
545 BRICK BLVD, LLC
TOWNSHIP OF BRICK, OCEAN COUNTY
STATE OF NEW JERSEY

BEGINNING AT A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRICK BOULEVARD (A.K.A. SILVERTON - CEDAR BRIDGE ROAD, A.K.A. MOORE ROAD, VARIABLE WIDTH R.O.W.; 50' HALFWIDTH) AT THE INTERSECTION WITH THE DIVIDING LINE BETWEEN LOT 1, BLOCK 547 LANDS NOW OR FORMERLY 545 BRICK BLVD, LLC AND LOT 2, BLOCK 547 LANDS NOW OR FORMERLY 515 BRICK BLVD, LLC; AND FROM SAID POINT OF BEGINNING, RUNNING THENCE;

1. ALONG SAID RIGHT-OF-WAY LINE, NORTH 30 DEGREES 55 MINUTES 00 SECONDS EAST, A DISTANCE OF 55.79 FEET TO A POINT, THENCE;

THE FOLLOWING TWO (2) COURSES AND DISTANCES ALONG A LINE RUNNING THROUGH LOT 1, BLOCK 547:

2. SOUTH 58 DEGREES 58 MINUTES 38 SECONDS EAST, A DISTANCE OF 8.00 FEET TO A POINT, THENCE;
3. SOUTH 33 DEGREES 55 MINUTES 24 SECONDS WEST, A DISTANCE OF 53.14 FEET TO A POINT, THENCE;
4. ALONG THE DIVIDING LINE BETWEEN LOT 1, BLOCK 547 LANDS NOW OR FORMERLY 545 BRICK BLVD, LLC AND LOT 2, BLOCK 547 LANDS NOW OR FORMERLY 515 BRICK BLVD, LLC, NORTH 86 DEGREES 32 MINUTES 00 SECONDS WEST, A DISTANCE OF 5.87 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 358 SQUARE FEET OR 0.008 ACRES

BLUE MARSH ASSOCIATES, INC.

Page 1 of 2

P.O. Box 563 - Tabatha Drive
Warrington, PA 18976-2370
215-622-1002 FX 215-343-0218

1541 Route 37 East, Suite B
Toms River, NJ 08753
848-448-3964 FX 732-929-8915

WWW.BLUEMARSHASSOCIATES.COM



BLUE MARSH ASSOCIATES, INC.
LAND SURVEYORS AND PLANNERS

MAP ENTITLED "SITE PLAN, 545 BRICK BLVD LLC, PROPOSED FORTUNOFF BACKYARD STORE AND RETAIL, BLOCK 547, LOT 1, 545 BRICK BOULEVARD, TOWNSHIP OF BRICK, OCEAN COUNTY, NEW JERSEY" PREPARED BY DYNAMIC ENGINEERING, JOB NO. 0826-12-002, DATED 2/17/2014, REVISED 8/12/14.

BLUE MARSH ASSOCIATES, INC.

JOSEPH J. WRIGHT

NEW JERSEY PROFESSIONAL LAND SURVEYOR #GS-3488500

BLUE MARSH ASSOCIATES, INC.

Page 2 of 2

P.O. Box 563 - Tabatha Drive
Warrington, PA 18976-2370
215-622-1002 FX 215-343-0218

1541 Route 37 East, Suite B
Toms River, NJ 08753
848-448-3964 FX 732-929-8915

WWW.BLUEMARSHASSOCIATES.COM



BLUE MARSH ASSOCIATES, INC.
LAND SURVEYORS AND PLANNERS

BMA#13-B284-298
SEPTEMBER 15, 2014

METES & BOUNDS DESCRIPTION

PROPOSED SIGHT TRIANGLE EASEMENT #2
PART OF LOT 1, BLOCK 547
LANDS NOW OR FORMERLY
545 BRICK BLVD, LLC
TOWNSHIP OF BRICK, OCEAN COUNTY
STATE OF NEW JERSEY

BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF JACKSON AVENUE (F.K.A. CIRCLE AVENUE, 60' WIDE R.O.W.) AND THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRICK BOULEVARD (A.K.A. SILVERTON - CEDAR BRIDGE ROAD, A.K.A. MOORE ROAD, VARIABLE WIDTH R.O.W.; 50' HALFWIDTH); AND FROM SAID POINT OF BEGINNING, RUNNING THENCE;

1. ALONG SAID RIGHT-OF-WAY LINE OF JACKSON AVENUE, SOUTH 64 DEGREES 06 MINUTES 00 SECONDS EAST, A DISTANCE OF 1.43 FEET TO A POINT, THENCE;
2. ALONG A LINE RUNNING THROUGH LOT 1, BLOCK 547, SOUTH 54 DEGREES 13 MINUTES 47 SECONDS WEST, A DISTANCE OF 65.92 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRICK BOULEVARD, THENCE;

THE FOLLOWING TWO (2) COURSES AND DISTANCES ALONG SAID RIGHT-OF-WAY LINE OF BRICK BOULEVARD:

3. NORTH 30 DEGREES 55 MINUTES 00 SECONDS EAST, A DISTANCE OF 9.44 FEET TO A POINT, THENCE;
4. ALONG THE ARC OF CIRCLE CURVING TO THE RIGHT, HAVING A RADIUS OF 65.00 FEET, AN ARC DISTANCE OF 58.59 FEET, A CENTRAL ANGLE OF 51 DEGREES 38 MINUTES 44 SECONDS, A CHORD BEARING NORTH 56 DEGREES 44 MINUTES 22 SECONDS EAST, AND A CHORD DISTANCE OF 56.63 FEET TO THE POINT AND PLACE OF BEGINNING.

BLUE MARSH ASSOCIATES, INC.
Page 1 of 2

P.O. Box 563 - Tabatha Drive
Warrington, PA 18976-2370
215-622-1002 FX 215-343-0218

1541 Route 37 East, Suite B
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BLUE MARSH ASSOCIATES, INC.
LAND SURVEYORS AND PLANNERS

CONTAINING 405 SQUARE FEET OR 0.009 ACRES

MAP ENTITLED "SITE PLAN, 545 BRICK BLVD LLC, PROPOSED FORTUNOFF BACKYARD STORE AND RETAIL, BLOCK 547, LOT 1, 545 BRICK BOULEVARD, TOWNSHIP OF BRICK, OCEAN COUNTY, NEW JERSEY" PREPARED BY DYNAMIC ENGINEERING, JOB NO. 0826-12-002, DATED 2/17/2014, REVISED 8/12/14.

BLUE MARSH ASSOCIATES, INC.

JOSEPH J. WRIGHT

NEW JERSEY PROFESSIONAL LAND SURVEYOR #GS-3488500

BLUE MARSH ASSOCIATES, INC.

Page 2 of 2

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October 21, 2014

Christine Papa, Board Secretary & Board Members
Township of Brick
401 Chambers Bridge Road
Brick, NJ 08723

Re: **545 Brick Boulevard, LLC**
Brick Boulevard; Block 547 Lot #1
Township Account PB#: 2745-PSP-V-FSP-3/14
Resolution Compliance – Recommend Acceptance of Plans – Resolution R-13-14
ARH #25-12008.01

Dear Board Members:

We are in receipt of revised site plans, sheets 1 thru 15 of 15, latest revision date **October 8, 2014**, relative to the above project. The plans have been revised to reflect the latest technical review items contained within our letter dated July 8, 2014, as well as any comments described within the resolution of approval dated July 23, 2014.

Resolution Compliance:

We have reviewed pages 1 thru 16 of 16, **Resolution No. R-13-14** and find that the plans as submitted comply with the conditions set forth in the resolution. This report does not refer to any specific comments set forth by the Planner however, which requires a separate resolution compliance. A copy of the resolution is attached confirming compliance from engineering.

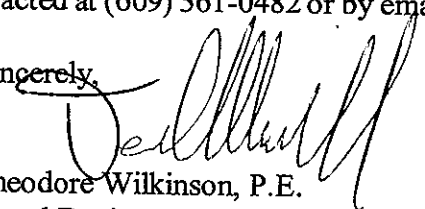
Recommendation:

We have no objection to the Planning Board of Brick Township accepting the plans dated October 8, 2014, as the final site plans for use in bonding and construction. We request that copies of all relevant outside agency approvals be forwarded to ARH for filing purposes.

We await receipt of final site plans for signature and seal by the licensed professional.

Should you have any other questions or concerns, I can be contacted at (609) 561-0482 or by email at twilk@arh-us.com.

Sincerely,


Theodore Wilkinson, P.E.
Board Engineer

TW/tw

Enclosure – Mark-up of Resolution R-13-14

email cc: Michael Fowler, Board Planner (w/enc)

TW\tw\c:\users\twilk\desktop\template ltr.docx

Sent
10/27/14
ATTN: EWG

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Agency:

BRICK TOWNSHIP
BRICK TOWNSHIP
401 CHAMBERSBRIDGE RD
BRICK, NJ 08723
ATTN: JENIFER ROTHER

Client:

BRICK TOWNSHIP
401 CHAMBERSBRIDGE RD,
BRICK, NJ 08723

Acct No: ASB-009478

Acct: ASB-009478

Order #	Advertisement/Description	# Col x # Lines	Rate Per Line	Cost
0000083683	TOWNSHIPOFBRICKNOTICEOFDECISIONSTAKEN OTICETHATONTHE23RDDAYOFJULY2014THEPLA NNINGBOARDOFTHE TOWNSHIPOFBRICKAFTERA	1 col x 46 lines	\$0.75	\$36.00
		Affidavit of Publication Charge	1	\$35.00
		Tearsheet Charge	0	\$0.00
		Net Total Due:		71.00

Run Dates: 09/09/14

Check #: _____

Date: _____

CERTIFICATION BY RECEIVING AGENCY
I, HAVING KNOWLEDGE OF THE FACTS, CERTIFY AND DECLARE THAT THE
GOODS HAVE BEEN RECEIVED OR THE SERVICES RENDERED AND ARE IN
COMPLIANCE WITH THE SPECIFICATIONS OR OTHER REQUIREMENTS, AND SAID
CERTIFICATION IS BASED ON SIGNED DELIVERY SLIPS OR OTHER REASONABLE
PROCEDURES OR VERIFIABLE INFORMATION.

SIGNATURE: _____

TITLE: _____ DATE: _____

CERTIFICATION BY APPROVAL OFFICIAL

I CERTIFY AND DECLARE THAT THIS BILL OR INVOICE IS CORRECT, AND THAT
SUFFICIENT FUNDS ARE AVAILABLE TO SATISFY THIS CLAIM. THE PAYMENT
SHALL BE CHARGEABLE TO:

APPROPRIATION ACCOUNT(S) AND AMOUNTS CHARGED: P.O. #

SIGNATURE: _____

TITLE: _____ DATE: _____

CLAIMANT'S CERTIFICATION AND DECLARATION:

I DO SOLEMNLY DECLARE AND CERTIFY UNDER THE PENALTIES OF THE LAW THAT THIS BILL OR INVOICE IS CORRECT IN ALL ITS PARTICULARS; THAT THE
GOODS HAVE BEEN FURNISHED OR SERVICES HAVE BEEN RENDERED AS STATED HEREIN; THAT NO BONUS HAS BEEN GIVEN OR RECEIVED BY ANY PERSON OR
PERSONS WITHIN THE KNOWLEDGE OF THIS CLAIMANT IN CONNECTION WITH THE ABOVE CLAIM; THAT THE AMOUNT HEREIN STATED IS JUSTLY DUE AND OWING;
AND THAT THE AMOUNT CHARGED IS A REASONABLE ONE.

Date: 09/09/2014

Federal ID #: 061032273

Signature: ll. Hart

Official Position: Clerk

Kindly return a copy of this bill with your payment so that we can assure you proper credit.

Asbury Park Press
New Jersey Press Media Solutions
P.O. Box 677599
Dallas, TX 75267-7599

AFFIDAVIT OF PUBLICATION

Publisher's Fee \$36.00 Affidavit \$35.00

State of New Jersey } SS.
Monmouth/Ocean Counties

Personally appeared Margaret Hart

Of the **Asbury Park Press**, a newspaper printed in Freehold, New Jersey and published in Neptune, in said County and State, and of general circulation in said county, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 1 times, once in each issue as follows:

09/09/14 A.D 2014

Kathleen A. Gibson

Margaret Hart

Sworn and subscribed before me, this 9 day of
September, 2014

Kathleen A. Gibson

Notary Public State of New Jersey

My Commission Expires Dec. 18, 2014

Ad Number: 0000083683

TOWNSHIP OF BRICK

NOTICE OF DECISIONS

Take Notice that on the 23rd day of July, 2014, the Planning Board of the Township of Brick, after a Public Hearing, made the following decisions:

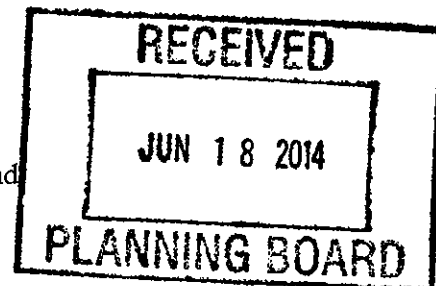
1. Approved an application for PB 2745-PSP-V-FSP-3/14 for Approval for 545 Brick Blvd, LLC for a Preliminary and Final Site Plan for Block 547, Lot 1 for the purpose of constructing a 7,256 sq ft addition to the existing building. The applicant received prior approval to convert the building previously owned by Bank of America to a Fortunoff Patio Furniture Store.

Variances approved include:

- A 1.6% increase in impervious coverage
- Two identification signs
- Façade sign height whereas 47.11 ft is allowed 49.76 ft is proposed
- Front yard setback - pre-existing condition
- Rear yard setback - 50ft is required; 41ft proposed
- Buffer to residential property - 46.6ft required; 10ft proposed

The above determinations of the said Planning Board have been filed in the office of said Board at the Municipal Building, 401 Chambers Bridge Road, Brick Township, NJ and are available for inspection.
(\$36.00) 83683

June 17, 2014
Via UPS Ground



Brick Township Engineering Department
401 Chambersbridge Road
Brick Township, NJ 08723

Attention: Jennifer Rother

**RE: 545 Brick Boulevard, LLC
c/o Hotels Unlimited, Inc.
Block 547, Lot 1
545 Brick Boulevard
Brick Township
Ocean County, NJ
Resolution: R-34-13
DEC# 0826-12-002**

Ms. Rother,

Pursuant to our conversation on the above referenced project, enclosed please find two (2) copies of the Revised Traffic Circulation Plan and Site Plan. They have been revised per Kevin Batzel's comment letter date May 13, 2014.

Should you have any questions or require additional information from our office, please do not hesitate to contact the undersigned.

Sincerely,

DYNAMIC ENGINEERING CONSULTANTS, PC


Jim Bash

Enclosures

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