

Borough of Neptune City
106 West Sylvania Avenue
Neptune City, New Jersey 07753

June 3, 2022

Nchallc

opra+request-32213-5fab4151@requests.opramachine.com

Dear Nchallc:

The Borough of Neptune City received your Open Public Records Act (OPRA) request on May 26, 2022. The official Records Custodian, Corinne DiCorcia Williams, received your OPRA request on May 26, 2022. As such, the seven (7) business day deadline to respond to your request is June 7, 2022. This response to your request is being provided to you on the 5th business day after the custodian's receipt of said request.

Your OPRA request sought access to the following:

"Please submit the zoning map for Neptune City that shows that Nylabone/TFH/Central Garden and Pet at 75/85 W Sylvania Ave (Blocks 16/17) were zoned industrial/manufacturing prior to the zoning being changed to R/C and then C. What was the date when that zoning change was made from industrial to commercial, and was this granted by the land use board? When did TFH receive its Non-conforming use determination/exception? A nonconforming use (also known as a grandfather clause) arises when there is a change to the zoning, but an existing use is still permitted to continue. So when did TFH get grandfathered in as a result of being in an industrial zone which then changed to a commercial zone? Was this approved by the town council? Please provide all maps, documents, emails, minutes, and determinations related to this request".

Your request requires additional time beyond the seven (7) business days to fulfill because of staff absences/vacation. OPRA allows custodians to seek extensions of time pursuant to N.J.S.A. 47:1A-5.i. Specifically, OPRA states that, "the requestor shall be advised by the custodian when the record can be made available. If the record is not made available by that time, access shall be deemed denied."

Your request requires an extension of time until June 17, 2022.

If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the Borough of Neptune City to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The GRC can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

Sincerely,


Corinne DiCorcia Williams, RMC
Borough Clerk