

NICHOLAS F. TALVACCHIA
Also Admitted to PA Bar
EMAIL: ntalvacchia@cooperlevenson.com

Direct Phone (609) 572-7544
Direct Fax (609) 572-7545

FILE NO. 52055/00008

July 31, 2020

Via UPS Overnight Mail

Janet Giardino, Board Secretary
Borough of Midland Park
Zoning Board of Adjustment
Borough Hall
280 Godwin Avenue
Midland Park, NJ 07432

Re: Acme Markets, Inc.
136 Lake Drive
Block 3, Lot 4.02

Dear Ms. Giardino:

We are the attorneys for Acme Markets, Inc. ("Applicant"). Applicant is submitting an application for variance relief and waiver of site plan to permit the outdoor display of seasonal items at the existing Acme supermarket located at 136 Lake Drive. Applicant seeks variance relief from Section 34-13.3(e) of the Zoning Regulations of the Borough of Midland Park, which limits outdoor storage/displays to 60 days per year. The property is located in the Business-Retail Office (B-3) zone where supermarkets are a permitted use.

Applicant is requesting variance relief to utilize 735 square feet of outdoor area in order to display seasonal merchandise, such as: flowers; wood; rock salt; and so forth. Applicant proposes to utilize the display areas throughout the year. The areas proposed to be utilized for the outdoor displays will be the concrete areas outside the entrance/exit areas and in between the entrance/exit areas which are partially covered by the existing roof overhang. The display area will comply with all ADA requirements and noise regulations. The hours of operation of the supermarket will remain the same (6am to 11pm).

Janet Giardino, Board Secretary
July 31, 2020
Page 2

In support of the application, Applicant submits the following items for review:

- (1) Original and nineteen (19) copies of the Application for Development together with Project Narrative and Corporate Disclosure Statement;
- (2) Twenty (20) sets of the Acme Outdoor Sales plan dated April 1, 2019 prepared by SR3 Engineers consisting of two (2) sheets;
- (3) Completed checklist together with waiver request letter prepared by SR3 Engineers;
- (4) Certificate of paid taxes;
- (5) Copy of the updated Certified Property Owners List from the Village of Ridgewood. Updated lists have been requested from the Borough of Midland Park and the Township of Wyckoff and will be provided upon receipt;
- (6) W-9 form; and
- (7) Checks in the amount of \$200.00 and \$2,500.00 for the application and escrow fees, respectively.

Please feel free to contact me should you have any questions or require any additional information or fees.

Thank you for your time and attention to this matter.

Very truly yours,

Cooper Levenson, P.A.



Nicholas F. Talvacchia

NFT/rcf

Enclosures

cc: James W. Burch, Esq. (w/Enclosures, via E-mail)
MaryAnn Holton, Store Director (w/Enclosures, via E-mail)
Michael Liloia, Construction Manager (w/Enclosures, via E-mail)
Samuel Renauro, PE, SR3 Engineers (w/Enclosures, via E-mail)
Rebecca C. Lafferty, Esq. (w/Enclosures, via E-mail)

Dated Filed: _____ Completeness Review Date: _____
Notified Incomplete: _____ Deemed Complete: _____
Jurisdiction: Planning Board _____ Board of Adjustment _____

Above for office use only. Do not complete.

APPLICATION FOR DEVELOPMENT
BOROUGH OF MIDLAND PARK

SECTION I TYPE OF APPLICATION

<input type="checkbox"/> Preliminary Site Plan	<input type="checkbox"/> Appeal from Administrative Determination
<input type="checkbox"/> Final Site Plan	<input type="checkbox"/> Interpretation of Map or Ordinance
<input type="checkbox"/> Preliminary Major Subdivision	<input checked="" type="checkbox"/> Bulk Variance
<input type="checkbox"/> Final Major Subdivision	<input type="checkbox"/> Use Variance
<input type="checkbox"/> Amendment to Site Plan Approval	<input type="checkbox"/> Conditional Use Approval
<input checked="" type="checkbox"/> Waiver of site plan	<input type="checkbox"/> Exception

SECTION II APPLICANT INFORMATION

see Addendum A to comply with N.J.S.A. 40:55D-48.1

NAME OF APPLICANT Acme Markets, Inc.
ADDRESS 250 Parkcenter Blvd., Boise ID 83706
PHONE # c/o Nicholas F. Talvacchia, Esq. FAX # 609-572-7545
609-572-7544

NAME OF OWNER New Midland Pk GR-c/o Card Capitl-11
ADDRESS PO Box 990, Minneapolis, MN 55440
IF OWNER IS A CORPORATION: N/A
PRESIDENT N/A SECRETARY N/A

(UNLESS OTHERWISE NOTED, ALL CORRESPONDENCE WILL BE ADDRESSED TO APPLICANT)

INTEREST OF APPLICANT IN PROPERTY (IF NOT OWNER) Lessee

AUTHORIZED REPRESENTATIVE OF APPLICANT

NAME Michael A. Liloia, Construction Manager, Acme Markets
ADDRESS 75 Valley Stream Parkway, Malvern, PA 19355
PHONE NO. 610-889-4206 FAX NO. _____
michael.liloia@acmemarkets.com

ATTORNEY FOR APPLICANT

NAME Nicholas F. Talvacchia, Esq./Cooper Levenson, PA
ADDRESS 1125 Atlantic Ave., 3rd Floor, Atlantic City, NJ 08401
PHONE NO. 609-572-7544 FAX NO. 609-572-7545
ntalvacchia@cooperlevenson.com

ENGINEER FOR APPLICANT

NAME SR3engineers
ADDRESS 100 Essex Avenue, Suite 201, Bellmawr, NJ 08031
PHONE NO. 856-933-3323 FAX NO. _____
srenauro@sr3engineers.com

SECTION III PROPERTY INFORMATION

ADDRESS 136 Lake Avenue
BLOCK 3 LOT 4.02 ZONE DISTRICT B-3
SIZE OF PROPERTY
SQ. FT. 244,415 WIDTH irregular- varies DEPTH irregular- varies
EXISTING CONDITIONS
USE OF PROPERTY Existing supermarket

BUILDINGS
SQ. FT.: TOTAL: 49,300 BY FLOOR: 1. _____ 2. _____ 3. _____
SETBACKS: FRONT: 29 ft. REAR: 34 ft.
SIDE 1 _____ SIDE 2 _____
HEIGHT: # of Feet 35 ft. # of Stories 2 Min side yd (both)- 41 ft.

PROPOSED CONDITIONS
USE OF PROPERTY Same as existing plus 735 sf of outdoor display area

NEW BUILDING N/A ADDITION TO EXISTING N/A
SQ. FT.: TOTAL No change BY FLOOR: 1. _____ 2. _____ 3. _____
SETBACKS: FRONT: No change REAR: No change
SIDE 1 No change SIDE 2 No change
HEIGHT: # of Feet No change # of Stories No change

SECTION IV GENERAL

- A. EXPLAIN IN DETAIL THE EXACT NATURE OF THE APPLICATION AND THE CHANGES TO BE MADE TO THE PROPERTY (ATTACH ADDITIONAL PAGES IF NECESSARY).
See attached Project Narrative.
- B. DOES THE APPLICANT OR OWNER OWN ANY CONTINGENT PROPERTY? Not Applicable
IF YES: ADDRESS _____
LOT _____ BLOCK _____
DESCRIBE USE: _____
- C. ARE THERE ANY EXISTING COVENANTS, DEED RESTRICTIONS, EASEMENTS, OR EXCEPTIONS THAT ARE INEFFECT? DESCRIBE: None that Applicant is aware of other than utility easements.
IF YES, PROVIDE A COPY OF EACH owner is also not aware of any beyond utility easements.
- D. IS PROPERTY LOCATED IN FLOOD HAZZARD OR FLOOD PLAIN? Yes
- E. DO PREMISES FRONT ON APPROVED STREET? Yes NAME: Lake Avenue and Goffle Road
- F. DO PREMISES REQUIRE EXTENSION OF MUNICIPAL FACILITIES? No
IF YES, DESCRIBE _____
- G. HAS THEIR BEEN A PREVIOUS APPLICATION INVOLVING THIS PROPERTY? Yes
IF YES, SET FORTH DATE, DESCRIPTION AND RESOLUTION. August 4, 1993- use variance for supermarket; August 3, 1994- site plan approval with variances for supermarket; and March 4, 1998- variance for signage.
- H. ARE ANY OFF-TRACT IMPROVEMENTS REQUIRED OR PROPOSED?
No
- I. ARE ANY LOW-INCOME HOUSING UNITS PROPOSED? YES (NO)
- J. IS A DEVELOPMENT FEE REQUIRED? YES (NO)

SECTION V VARIANCES, WAIVERS OR EXCEPTIONS

A. ARE ANY VARIANCES REQUESTED AS PART OF THIS APPLICATION? Yes- see attached Project Narrative
 IF YES, LIST SECTION NO. OF ZONING ORDINANCE AND DESCRIPTION:

<u>SECTION</u>	<u>DESCRIPTION</u>
34-13e	Outdoor sales and displays of seasonal products limited to 60 days per calendar year
_____	_____
_____	_____
_____	_____
_____	_____

USE ADDITIONAL SHEETS IF NECESSARY

B. ARE THERE ANY WAIVERS FROM THE SUBMISSION REQUIREMENTS REQUESTED? See attached.
 IF YES, LIST SECTION NO. OF ORDINANCE AND DESCRIPTION:

<u>SECTION</u>	<u>DESCRIPTION</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

(THE PLANNING BOARD MUST APPROVE SUCH WAIVERS AS A CONDITION TO THE APPLICATION BEING DEEMED COMPLETE)

C. ARE THERE ANY EXCEPTIONS FROM THE DESIGN STANDARDS REQUESTED? N/A
 IF YES, LIST SECTION AND DESCRIPTION:

<u>SECTION</u>	<u>DESCRIPTION</u>
_____	_____
_____	_____
_____	_____
_____	_____

SECTION VI PLANS / DRAWINGS/REPORTS

LIST ALL PLANS SUBMITTED WITH THIS APPLICATION

<u>TITLE</u>	<u>PREPARED BY</u>	<u>DATE</u>
Acme Outdoor Sales	SR3engineers	4/1/19
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

LIST ALL REPORTS SUBMITTED WITH THIS APPLICATION

<u>TITLE</u>	<u>PREPARED BY</u>	<u>DATE</u>
N/A	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I HEREBY DEPOSE AND SAY THAT ALL THE FOREGOING STATEMENTS AND INFORMATION CONTAINED IN ANY PAPERS SUBMITTED HEREWITH ARE TRUE AND CORRECT.

Applicant

DATE: July 29, 2020

Nicholas F. Talvacchia, Esq.
Attorney for Applicant

SWORN AND SUBSCRIBE ON THIS 29th DAY OF July, 2020

Mary E. Spissinger
NOTARY

MARY E. SPISSINGER
A Notary Public of New Jersey
My Commission Expires 06/10/2013 2023

AFFIDAVIT OF OWNERSHIP
(TO BE COMPLETED IF APPLICANT IS NOT OWNER)

Texas
STATE OF ~~NEW JERSEY~~)

Dallas
COUNTY OF ~~BERGEN~~)

Mitzi Patin (on behalf of/as Manager of)
deposes and says that she of full age, having been sworn according to law on June 30, 2020
in the City of Dallas, resides at _____
in the County of Dallas and the State of

Texas, that is the owner-in-fee of all that certain lot, piece or parcel of land situated, lying and being in
the Borough of Midland Park aforesaid, and known and designated as Number 136 and Street Lake Avenue
hereby authorizes Acme Markets, Inc. to make the within application in
New Midland Pk GR behalf, and that the statements contained herein are true and correct.

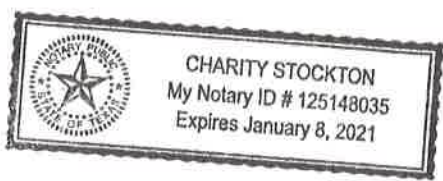
"Manager of"

[Signature]
OWNER'S SIGNATURE

Dated: June 30, 2020

SWORN & SUBSCRIBE ON THIS 30th
DAY OF June, 2020

[Signature]
NOTARY
Charity Stockton
ID# 12548035
TX Commission Expires 01/08/2021



PROJECT NARRATIVE
Acme Markets, Inc.
July 2020

Applicant, Acme Markets, Inc. (“Acme”), operates the Acme grocery store located at 136 Lake Avenue and also known as block 3, lot 4.02 on the Borough of Midland Park tax map. The property is located in the Business-Retail Office (B-3) zone where supermarkets are a permitted use. Acme is seeking approval to utilize existing areas located under the building alcoves for three (3) outdoor display areas of seasonal merchandise. The alcoves are located on either side of the two (2) store entrances and in between the two (2) entrances to the store.

Acme seeks waiver of site plan and variance relief for the proposed display areas. Section 34-13.3(e) of the Zoning Regulations of the Borough of Midland Park limits outdoor display/storage areas to 60 days each calendar year. Acme proposes to display various seasonal items for sale to its customers in the outdoor display areas every day of the year. The three (3) outdoor display areas will be approximately 144 square feet, 424 square feet and 167 square feet in size. The proposed plan provides for pedestrian access to the store, outdoor display areas and shopping cart storage and will be ADA compliant. The display of merchandise at grocery stores is a common practice, adds life and vitality to the shopping center and eliminates dead zones in front of the store. In fact, Acme’s application seeks only to confirm a use that Acme has made of this area previously.

Waiver of site plan is appropriate in this instance because the proposed use does not affect existing traffic circulation, drainage, relationship of buildings to each other or to the parking area, landscaping, buffering, lighting, parking requirements and other considerations of site plan review. Acme also requests any other variances, waivers or exceptions that may be required for the application.

BOROUGH OF MIDLAND PARK

DISCLOSURE STATEMENT- APPENDIX A

NAME OF APPLICANT: See attached Disclosure Statement

APPLICANT IS A CORPORATION PARTNERSHIP LIMITED LIABILITY COMPANY

PURSUANT TO N.J.S.A. 40:55D-48.1, THE NAMES AND ADDRESSES OF ALL PERSONS OWNING 10% OF THE STOCK IN A CORPORATE APPLICANT, PARTNERSHIP APPLICANT, OR LIMITED LIABILITY COMPANY APPLICANT MUST BE DISCLOSED. LIST NAMES, ADDRESSES AND INTEREST HERE.

NAME: _____ INTEREST % _____
ADDRESS: _____
CITY: _____ STATE: _____

NAME: _____ INTEREST % _____
ADDRESS: _____
CITY: _____ STATE: _____

NAME: _____ INTEREST % _____
ADDRESS: _____
CITY: _____ STATE: _____

NAME: _____ INTEREST % _____
ADDRESS: _____
CITY: _____ STATE: _____

NAME: _____ INTEREST % _____
ADDRESS: _____
CITY: _____ STATE: _____

PURSUANT TO N.J.S.A. 40:55D-48.2, IN THE EVENT THAT ANY OF THE ABOVE IS/ARE A CORPORATION, PARTNERSHIP OF LIMITED LIABILITY COMPANY, THE NAMES AND ADDRESSES OF PERSONS OWNING MORE THAN 10% OF THAT ENTITY MUST BE LISTED BELOW.

NAME: _____ INTEREST % _____
ADDRESS: _____
CITY: _____ STATE: _____

NAME: _____ INTEREST % _____
ADDRESS: _____
CITY: _____ STATE: _____

NAME: _____ INTEREST % _____
ADDRESS: _____
CITY: _____ STATE: _____

NAME: _____ INTEREST % _____
ADDRESS: _____
CITY: _____ STATE: _____

NAME: _____ INTEREST % _____
ADDRESS: _____
CITY: _____ STATE: _____

CORPORATE DISCLOSURE STATEMENT
PURSUANT TO N.J.S.A. 40:55D-48.1 AND 48.2

Acme Markets, Inc.

Jewel Companies, Inc.- 100% of Applicant
250 Parkcenter Blvd.
Boise, ID 83706

Ownership of Jewel Companies, Inc.

American Stores Company, LLC- 100%
250 Parkcenter Blvd.
Boise, ID 83706

Ownership of American Stores Company, LLC

New Albertsons L.P.-100%
250 Parkcenter Blvd.
Boise, ID 83706

Ownership of New Albertsons L.P.

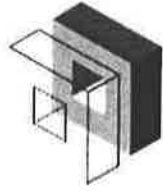
Albertsons Companies, Inc.- 100%
250 Parkcenter Blvd.
Boise, ID 83706

Item	Yes	No	N/A	Ord.
9	(x)	()		32-5.2(a) 32-5.4(a) 32-5.4(c)
10	(x)	()		32-5.2(f) 32-5.2(g)
SEE NOTE 1. ALSO SEE ATTACHED PROJECT NARRATIVE.				
11	(x)	()		32-5.2(n) 32-5.2(o)
Zone district of premises and the zone districts of all immediately adjoining properties. Distance to the nearest residential zoning district. SEE PLAN. ZONE R-2 ADJACENT TO EAST BOUNDARY				
12	(x)	()	()	32-5.4(b)
Bulk and Yard Requirements as required per the zoning district. Shown written (Bulk Table) and dimension graphically, setback - building envelope; lot dimensions - lot width, depth, frontage; principal & accessory building height/stories; percent building coverage; percent improved coverage. SEE PLAN				
13	(x)	()		32-5.4(d-2)
Location, names, and widths of all existing and proposed streets within or abutting the property, and any additional road width dedications offered. SEE PLAN				
14	(x)	()		32-5.2(t)
SEE NOTE 1 AND NOTE 2 Total number of square feet of planted areas as well as percentage of site devoted to planted areas (both inclusive and exclusive of buffer areas.)				
15	()	()	()	32-5.4(h) 32-6.5
WAIVER REQUESTED Location, existing and proposed exterior lighting, including size, height, area, direction of illumination, lumen power, including building security plan, isolux drawing, where required, (not to exceed .5 foot candles in Residential zones).				
16	(x)	()		32-5.2(i)
Existing and proposed principal building, accessory structures, with dimensions, present/finished grade elevations, floor plans, area measurements. SEE PLAN				
17	()	()		32-5.4(i)
WAIVER REQUESTED Complete exterior building and elevation drawings of proposed structure(s).				
18	()	()		32-5.4(j)
WAIVER REQUESTED The location, type, size of existing/proposed catch basins, manholes, and all utilities (gas, water, electric, telephone, cable, sanitary, storm), above and below ground.				

Item	Yes	No	N/A		Ord.
19	(x)	()		The location, type, size of all existing/proposed curbs, sidewalks, walkways, patios, decks, pools, driveways, driveway aprons, fences, retaining walls, parking areas & aisles, and utilities. SEE PLAN	32-5.4(d-1)
20	(x)	()	()	All off-street parking and loading area dimensions and schedules. Provide calculations of the number of spaces proposed and required per the zoning ordinance. SEE PLAN AND TABLE	32-5.2(s) 32-6.2
21	(x)	()	()	Location, size, type of existing/proposed rights of way, easements, other encumbrances which may affect premises, location, size, description of lands contemplated for dedication to the Borough. SEE PLAN	32-5.4(d-3) 32-5.4(d-4)
22	(x)	()		Location, size, nature of property, and contiguous property owned by the applicant or in which the applicant has direct or indirect interest. SEE PLAN	32-5.2(h)
23	()	()		Location, size, widths of all existing streets abutting premises and structures, property lines of all abutting properties with names and addresses of owners per tax map rolls.	32-5.4(d-2)
24	()	()		Existing/proposed topography of site, contour interval not less than 2 feet. Contours to extend 30 feet around the perimeter of the subject property. Elevations referenced to USGS Datum or New Jersey Geodetic Control Survey Datum.	32-5.4(e)
WAIVER REQUESTED					
25	()	()		Storm water management plan, consistent with Residential Site Improvement Standards (RSIS) and Borough Stormwater Management requirements.	Ord. #07-05 32-6.10
WAIVER REQUESTED					
26	()	()		Soil Erosion & Sediment Control Plan.	32-5.5
WAIVER REQUESTED					
27	()	()	(x)	Soil Removal Application, where applicable. NOT APPLICABLE	32-5.2(k) 34-13.7
28	()	()	(x)	Traffic Signage and Safety Plan, in accordance with borough ordinance. SEE NOTE 5	32-6.1(b)
29	()	()	(x)	Escrow Agreement and Performance Guarantees, where required.	32-5.6 32-8

Item	Yes	No	N/A		Ord.
30	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any/all other information/data necessary to meet any requirement of this ordinance/zoning/subdivision ordinances not listed above. Additional information may include: N/A Traffic or Environmental Impact Studies, where required by the Board. N/A For Commercial/Business or Industrial Establishments - Provide Knox-Box for Fire Department key access.	32-5.2(x)
31	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name, signature, license number, seal and address of engineer, architect, land surveyor, professional planner and/or landscape architect, as applicable, involved in preparing the plat. Submission of a Property or Boundary survey, with metes and bounds description	32-4.5(f-7) 32-5.2(g-1) M.L.U.L. 15-11 M.L.U.L. 16-9
32	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Calculation of planted areas and total buffer area in square feet and percentages as required by ordinance. SEE NOTE 2	32-5.4(b-9) 32-5.4(b-10)
33	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Driveway/parking layout showing driveway widths, curb opening lengths, parking areas. Where required show parking aisles, parking stall dimensions, loading areas, non-passenger vehicle parking area dimensions, firelanes and sight distance triangles. SEE PLAN	32-6.2
34	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Boundary designation of the Flood Hazard Area, as shown on the Flood Hazard Boundary Map or Flood Insurance Rate Map, with the datum adjusted topography/elevations shown on the plan and referenced to USGS Datum or New Jersey Geodetic Control Survey Datum. SEE PLAN	32-5.4(f-5)
35	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	An illustration must be submitted containing cross sections complete with dimensions and specifications of proposed construction of curbs, parking areas, sidewalks, sanitary sewer work, drainage facilities, and retaining walls/fences. SEE NOTE 6	32-5.4(j)

Item	Yes	No	N/A		Ord.
36	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Provisions made for the safe and adequate drainage of surface runoff waters in and from the site in a manner which prevents flooding and erosion, approved by borough engineer.	32-6.10(a) 32-6.10(b)
WAIVER REQUESTED					
37	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	All drainage and sanitary sewer easements, except for brook drainage easements, must be a min. of 15 feet wide and provide in writing, the right for borough officials to repair, inspect, or provide maintenance at the borough's option. SEE NOTE 7	32-6.10(f) 32-6.11(b)
38	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Certifications, permits or approvals required by other agencies or governing bodies. (Attach or submit approvals or permits.) SEE NOTE 7	
				Bergen County Soil Erosion Permit () No () Yes, if yes, include status or permit number_____.	32-5.5
				Bergen County Planning and Economic Development approval required () No () Yes, if yes, include status or permit number_____.	32-5.2(u)
				NJDEP Permits (LOI-Wetlands, Stream Encroachment, etc.) () No () Yes, if yes, include status or permit number_____.	32-5.2(v)



SR3ENGINEERS

Harry Parker, Secretary
Midland Park Planning and Zoning
280 Godwin Ave
Midland Park, NJ 07432

Re: Acme Midland Park
136 Lake Avenue, Midland Park, NJ
Block 3.00, Lot 4.02

Dear Mr. Parker,

On behalf of the Applicant, we are providing the following justifications for the requested checklist waivers from the referenced items on the Borough of Midland Park Planning Board/ Board of Adjustment Review Checklist for Preliminary Minor Site Plan Application:

1. Item 15 - Ord. #(s) 32-5.4(h) 32-6.5 Location, height and proposed exterior lighting, including size height, area, direction of illumination, lumen power, including building security plan, isolux drawing, where required (not to exceed .5 foot candles in residential zones.)
This requirement was submitted and approved during initial construction of site and will not be altered, therefore we request a waiver.
2. Item 17 - Ord. #(s) 32-5.4(i) Complete exterior building and elevation drawings of proposed structure(s). **This requirement was submitted and approved during initial construction of site and will not be altered, therefore we request a waiver.**
3. Item 18 - Ord. #(s) 32-5.4(j) The location, type, size of existing /proposed catch basins, basins, manholes, and all utilities (gas, water, electric, telephone, cable, sanitary storm) above and below ground. **This requirement was submitted and approved during initial construction of site and will not be altered, therefore we request a waiver.**
4. Item 24 - Ord. #(s) 32-5.4(e) Existing/proposed topography of site, contour interval not less than 2 feet. Contours to extend 30 feet around the perimeter of the subject property. Elevations referenced to USGS Datum or New Jersey Geodetic Control Survey Datum. **This requirement was submitted and approved during initial construction of site and will not be altered, therefore we request a waiver.**

5. Item 25 - Ord. #(s) 07-05 32-6.10 Storm water management plan, consistent with residential site improvement standards (RSIS) and Borough Stormwater Management requirements. **This requirement was submitted and approved during initial construction of site and will not be altered, therefore we request a waiver.**
6. Item 26 - Ord. #(s) 32 5.5 Soil erosion & sediment control plan. **This requirement was submitted and approved during initial construction of site and will not be altered, therefore we request a waiver.**
7. Item 27 - Ord. #(s) 32-5.2(k) 34-13.7 Soil removal application, where applicable. **No new construction or soil disturbance will be done for this plan, therefore this requirement does not apply.**
8. Item 28 - Ord. #(s) 32-6.1(b) Traffic signage and safety plan in accordance with borough ordinance. **This requirement was submitted and approved during initial construction of site and will not be altered, therefore we request a waiver.**
9. Item 35 - Ord. #(s) 32-5.4(j) An illustration must be submitted containing cross sections complete with dimensions and specifications of proposed construction of curbs, parking areas, sidewalks, sanitary sewer work, drainage facilities, and retaining walls/fences. **This requirement was submitted and approved during initial construction of site and will not be altered, therefore we request a waiver.**
10. Item 36 - Ord. #(s) 32-6.10(a) 32-6.10(b) Provisions made for the safe and adequate drainage of surface runoff waters in and from the site in a manner which prevents flooding and erosion, approved by borough engineer. **This requirement was submitted and approved during initial construction of site and will not be altered, therefore we request a waiver.**

It should be noted that the overall project was previously granted under Planning Board Resolution. Please contact me with any questions.

Sincerely,



Samuel Renauro III, PE, PP

cc: Nicholas Talvacchia

Borough of
Midland Park

280 Godwin Avenue • Midland Park, New Jersey 07432
Building Dept. 201-445-5424 • Planning/Zoning/Assessor 201-445-0833 • Fax 201-445-5850

BOROUGH OF MIDLAND PARK

CERTIFICATION OF TAXES

This is to certify that the status of taxes on the following property is as follows:

Block 3 Lot 4.02

Property Location: 136 Lake Ave

Property Owner: NW Midland Pk Gr - c/o CARD Capt - 11

Amount of Delinquency 0

Plus interest computed to date of payment

Date: 7-29-20

AMA KALIA
Tax Office

Fee: \$10
Code: 21

ck# 620384 # or cash



VILLAGE OF RIDGEWOOD
131 NORTH MAPLE AVENUE
RIDGEWOOD, NEW JERSEY 07450

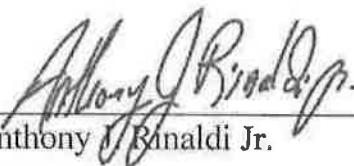
DIVISION OF ASSESSMENT

Anthony J. Rinaldi, Jr., Assessor
Phone (201) 670-5500 x220
Fax (201) 251-9432
Email: vorassessor@ridgewoodnj.net

Certified Property Owners List
(Property within 200 feet)

Name of Applicant: Nicholas F. Talvacchia
Property Location: 136 Lake Avenue – Midland Park, NJ
Block: 3
Lot: 4.02
Purpose: 200 List
Date of List: 07/27/2020

I hereby certify that the attached list was created from the official records of the Village of Ridgewood.



Anthony J. Rinaldi Jr.
Assessor

LEGAL NOTICE TO PUBLIC/PRIVATE UTILITIES & GOVERNMENT AGENCIES

(All notice must be by certified mail)

Chapter 245 of the New Jersey Public Laws of 1991 requires that all persons seeking the approval of any kind of a land development application from a local zoning board of adjustment or from a planning board must give notice to all public utilities and cable television companies that possess any right-of-way or easements within or across the subject property.

The addresses of the various utilities that may have to be given notice of your application are as follows:

ELECTRIC & GAS

Public Service Electric & Gas Co.
Manager - Corporate Properties
80 Park Plaza, T6B
Newark, New Jersey 07102

TELEPHONE

Verizon NJ Inc
Mark Bocchieri, Director - External Affairs
25 Main Street
Hackensack, N.J. 07601

WATER

Ridgewood Water Department
Director's Office
131 N. Maple Avenue
Ridgewood, N.J. 07451

SEWER

Engineering Division
Collection System Operations
131 N. Maple Avenue
Ridgewood, N.J. 07451

CABLE TV

Cablevision
40 Potash Road
Oakland, N.J. 07436

It is the applicant's responsibility to determine whether or not there are any rights-of-way or easements on or across your property; and if so, it is the applicant's responsibility to give legal notice to the appropriate utility or utilities. If you are in doubt, it is suggested that notice be given to the appropriate public utilities.

GOVERNMENT AGENCIES

If the subject property is located on a County Road or is within 200' of any County property, notify:

Bergen County Planning Board
One Bergen County Plaza
Hackensack, N.J. 07601-7000

If on a State Highway, notify:

NJ Department of Transportation
1035 Parkway Avenue
Trenton, N.J. 08625

If the subject property is within 200 feet of a municipal border, the ***Clerk*** of the adjacent Municipality and the ***Bergen County Planning Board*** must be notified.

TAKE FURTHER NOTICE, that in addition, notice of public hearings on applications for major subdivision approvals or major site plan approvals must be given by the applicant to all public utilities and all cable television companies that have any facilities or possess a right-of-way of easement located anywhere within 200 feet of the subject property. It is suggested that major subdivision and major site plan approval applicants should contact the appropriate utilities and obtain in writing a statement whether or not the utility has any facilities easement within 200 feet of the subject property.



Ridgewood Village

Parcel Offset List

Target Parcel: 136 Lake Avenue (Block 3/Lot 4.02)
Midland Park, NJ
8 parcels fall within 200 feet of this parcel

Block-Lot: 2507-22

Cerf, Dean J.
2 Lookout Dr.
Saddle River, NJ 07458

Block-Lot: 2508-2

Shortway, Joan Irene
218 Lakeview Dr.
Ridgewood, NJ 07450

Block-Lot: 2509-2

Lansdown, Jason & Murcia, Melissa
158 Mountain Ave.
Ridgewood, NJ 07450

Block-Lot: 2509-21

Kuiken Enterprises, Inc.
P.O. Box 1040
Fair Lawn, NJ 07410

Block-Lot: 2508-1

Kuiken Enterprises, Inc.
P.O. Box 1040
Fair Lawn, NJ 07410

Block-Lot: 2509-1

Waters, Don J. & Linda C. Sweetman
69 Lake Ave.
Midland Park, NJ 07432

Block-Lot: 2509-3

Reilly, Joseph E. & Nada N.
162 Mountain Ave.
Ridgewood, NJ 07450

Block-Lot: 2509-22

Northwest Bergen Sewer Authority
P.O. Box 255
Waldwick, NJ 07463

7/27/20

• Cerf, Dean J.
2 Lookout Dr.
Saddle River, NJ 07458

Kuiken Enterprises, Inc.
P.O. Box 1040
Fair Lawn, NJ 07410

Shortway, Joan Irene
218 Lakeview Dr.
Ridgewood, NJ 07450

Waters, Don J. & Linda C. Sweetman
69 Lake Ave.
Midland Park, NJ 07432

Lansdown, Jason & Murcia, Melissa
158 Mountain Ave.
Ridgewood, NJ 07450

Reilly, Joseph E. & Nada N.
162 Mountain Ave.
Ridgewood, NJ 07450

Kuiken Enterprises, Inc.
P.O. Box 1040
Fair Lawn, NJ 07410

Northwest Bergen Sewer Authority
P.O. Box 255
Waldwick, NJ 07463

JUL 23 2020

NICHOLAS F. TALVACCHIA
Also Admitted to PA Bar
EMAIL: ntalvacchia@cooperlevenson.com

Direct Phone (609) 572-7544
Direct Fax (609) 572-7545

FILE NO. 52055/00008

July 23, 2020

Michael Barker, Tax Assessor
Village of Ridgewood
131 N. Maple Avenue
Ridgewood, New Jersey 07450-3287

Re: 136 Lake Avenue
Block 3, Lot 4.02
Midland Park, New Jersey

Dear Mr. Barker:

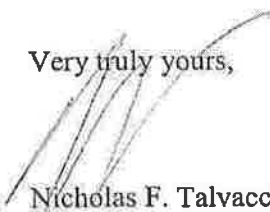
We represent Acme Markets, Inc. in support of an application with regard to the above-captioned property. We understand that our client's property is within 200 feet of the Village of Ridgewood and therefore request that you provide our office with a Certified List of Property Owners and Registered Utilities within a 200 foot radius of the subject property.

Enclosed please find our firm check in the amount of \$10.00 for the cost of the list. For your convenience, we enclose a self-addressed stamped envelope to send us the requested information.

Please feel free to contact us with any questions.

Thank you.

Very truly yours,


Nicholas F. Talvacchia

NFT/sjw
Enclosures
CLAC 4468814.4

NICHOLAS F. TALVACCHIA
Also Admitted to PA Bar
EMAIL: ntalvacchia@cooperlevenson.com

Direct Phone (609) 572-7544
Direct Fax (609) 572-7545

FILE NO. 52055/00008

July 23, 2020

Neil Rubenstein, Tax Assessor
Borough of Midland Park
Borough Hall
280 Godwin Avenue
Midland Park, New Jersey 07432

Re: 136 Lake Avenue
Block 3, Lot 4.02

Dear Mr. Rubenstein:

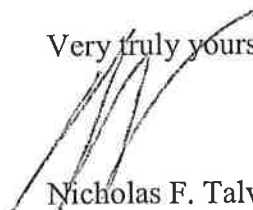
We represent Acme Markets, Inc. in support of an application with regard to the above-captioned property and therefore request that you provide this office with a Certified List of Property Owners and Registered Utilities within a 200 foot radius of the subject property.

Enclosed please find our firm check in the amount of \$10.00 for the cost of the list. For your convenience, we enclose a self-addressed stamped envelope to send us the requested information.

Please feel free to contact us with any questions.

Thank you.

Very truly yours,



Nicholas F. Talvacchia

NFT/sjw
Enclosures
CLAC 4447177.4

1125 ATLANTIC AVENUE • THE THIRD FLOOR
ATLANTIC CITY, NEW JERSEY 08401
ATTORNEY BUSINESS ACCOUNT

CHECK #

Fulton Bank

60-142/313

AMOUNT

DATE

07-21-20

\$10.00

PAY
THE
AMOUNT
OF TEN AND 00/100

PAY TO

BOROUGH OF MIDLAND PARK
280 GODWIN AVENUE

MIDLAND PARK, NJ 07432



AUTHORIZED SIGNATURE

Details on back

⑈ 620309⑈ ⑆031301422⑆ 0008307393⑈

COOPER LEVENSON, P.A.
1125 ATLANTIC AVENUE • THE THIRD FLOOR
ATLANTIC CITY, NEW JERSEY 08401 13968BOROUGH OF MIDLAND PARK
(609) 344-3161

620309

INVOICE	INV. DATE	DESCRIPTION	VOUCHER I.D.	NET AMOUNT
SJW72120A	07-21-20	52055.00008	347271	10.00



NICHOLAS F. TALVACCHIA
Also Admitted to PA Bar
EMAIL: ntalvacchia@cooperlevenson.com

Direct Phone (609) 572-7544
Direct Fax (609) 572-7545
FILE NO. 52055/00008

July 23, 2020

Pamela Steele, Tax Assessor
Township of Wyckoff
340 Franklin Avenue
Wyckoff, New Jersey 07481

Re: 136 Lake Avenue
Block 3, Lot 4.02
Midland Park, New Jersey

Dear Ms. Steele:

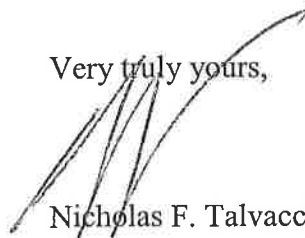
We represent Acme Markets, Inc. in support of an application with regard to the above-captioned property. We understand that our client's property is within 200 feet of the Township of Wyckoff and therefore request that you provide our office with a Certified List of Property Owners and Registered Utilities within a 200 foot radius of the subject property.

Enclosed please find our firm check in the amount of \$10.00 for the cost of the list. For your convenience, we enclose a self-addressed stamped envelope to send us the requested information.

Please feel free to contact us with any questions.

Thank you.

Very truly yours,



Nicholas F. Talvacchia

NFT/sjw
Enclosures
CLAC 4468835.4

1125 ATLANTIC AVENUE • THE THIRD FLOOR
ATLANTIC CITY, NEW JERSEY 08401
ATTORNEY BUSINESS ACCOUNT

CHECK #

Fulton Bank

60-142/313

AMOUNT

DATE

07-21-20

\$10.00

PAY THE AMOUNT OF TEN AND 00/100

PAY TO

TOWNSHIP OF WYCKOFF
340 FRANKLIN AVENUE

WYCKOFF, NJ 07481

AUTHORIZED SIGNATURE

Details on back.

⑈ 620314 ⑈ ⑆ 031301422 ⑆ 0008307393 ⑈

COOPER LEVENSON, P.A.
1125 ATLANTIC AVENUE • THE THIRD FLOOR
ATLANTIC CITY, NEW JERSEY 08401 22265 TOWNSHIP OF WYCKOFF
(609) 344-3161

620314

INVOICE	INV. DATE	DESCRIPTION	VOUCHER I.D.	NET AMOUNT
SJW72120C	07-21-20	52055.00008	347275	10.00



Request for Taxpayer Identification Number and Certification

Give Form to the
 requester. Do not
 send to the IRS.

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
 See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Acme Markets, Inc.

2 Business name/disregarded entity name, if different from above
DBA: Acme

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

Individual/sole proprietor or single-member LLC

C Corporation

S Corporation

Partnership

Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ▶ _____

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) 5

Exemption from FATCA reporting code (if any) N/A

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
20427 N 27th Ave.

6 City, state, and ZIP code
Phoenix, AZ 85027

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

				-			-				
--	--	--	--	---	--	--	---	--	--	--	--

or

Employer identification number


8	7	-	0	4	4	0	0	7	2
---	---	---	---	---	---	---	---	---	---

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶  Date ▶ 1-13-20

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
 - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 - Form 1099-S (proceeds from real estate transactions)
 - Form 1099-K (merchant card and third party network transactions)
 - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What Is backup withholding, later.

COOPER LEVENSON, P.A.
 1125 ATLANTIC AVENUE • THE THIRD FLOOR
 ATLANTIC CITY, NEW JERSEY 08401
 ATTORNEY BUSINESS ACCOUNT

620330

CHECK #

Fulton Bank

60-142/313

AMOUNT

\$200.00

DATE

07-22-20

PAY THE AMOUNT OF TWO HUNDRED AND 00/100

PAY TO

BOROUGH OF MIDLAND PARK
 280 GODWIN AVENUE
 MIDLAND PARK, NJ 07432

[Signature]
 AUTHORIZED SIGNATURE

Details on back

⑈ 6 20330 ⑈ ⑆ 03 130 14 2 21 ⑆ 0008307393 ⑈

COOPER LEVENSON, P.A.
 1125 ATLANTIC AVENUE • THE THIRD FLOOR
 ATLANTIC CITY, NEW JERSEY 08401 (609) 344-3161
 13968 BOROUGH OF MIDLAND PARK

620330

INVOICE	INV. DATE	DESCRIPTION	VOUCHER I.D.	NET AMOUNT
SJW72120D	07-21-20	52055.00008	347302	200.00

PRODUCT FLV550 MCBEE To Reorder: 1-800-662-2331 or www.mcbearinc.com

23921896001



COOPER LEVENSON, P.A.
1125 ATLANTIC AVENUE • THE THIRD FLOOR
ATLANTIC CITY, NEW JERSEY 08401
ATTORNEY BUSINESS ACCOUNT

620331

CHECK #

Fulton Bank

60-142/313

AMOUNT

\$2,500.00

DATE

07-22-20

PAY
THE
AMOUNT
OF

TWO THOUSAND FIVE HUNDRED AND 00/100

PAY TO

BOROUGH OF MIDLAND PARK
280 GODWIN AVENUE

MIDLAND PARK, NJ 07432



AUTHORIZED SIGNATURE

Details on back.

⑈ 620331 ⑈ ⑆ 031301422⑆ 0008307393 ⑈

COOPER LEVENSON, P.A.
1125 ATLANTIC AVENUE • THE THIRD FLOOR
ATLANTIC CITY, NEW JERSEY 08401 (609) 344-3161
13968BOROUGH OF MIDLAND PARK

620331

INVOICE	INV. DATE	DESCRIPTION	VOUCHER I.D.	NET AMOUNT
SJW72120E	07-21-20	52055.00008	347303	2,500.00

PRODUCT ELV550 MCBEE To Register: 1-800-862-2631 or www.mcbseeinc.com

23921896001

