



YOUR GOALS. OUR MISSION.

March 11, 2025

Eileen Cusa, Administrative Officer
Howell Township
Zoning Board of Adjustment
4567 Route 9 North
P.O. Box 580
Howell, NJ 07731-0580

Re: T&M File No. HLZB-R1520
Application For: Extension of Time for
Use Variance / P&F Major Site Plan with Bulk Variances
Applicant: Gabrielli Howell Realty, LLC
Zoning Board Case No. BA21-17
Block 144, Lot 109 & 113.01
Location: 1207-1209 US Highway 9 North
Zone: HD-1 (Highway Development 1 Zone)
Howell Township, Monmouth County, NJ

Dear Board Members:

The above referenced application was approved by Resolution of the Board, Memorialized on April 25, 2022. Pursuant to page 18 of the Resolution Approval, the protections provided by the Final Major Site Plan approval shall expire two years from the date of the resolution of approval (April 25, 2024), if construction has not commenced or an extension is not granted by the Board as provided for in N.J.S.A. 40:55D-52d.

General Comments

The property is located on the east side of Route 9 North, approximately 2,000 ft. south of Casino Drive. Lots 109 and 113.01 are located within the HD-1 (Highway Development 1) zone and total 5.02 acres. At the time of the application to the Board, the property contained an Autopik used car dealer and Miracles Auto Detailing and Repair. The applicant received Conditional Use Variances, Bulk Variances, Design Waivers/Exceptions and Preliminary and Final Major Site to construct a 2-story +/- 38,750 SF building for truck sales, leasing and servicing with associated parking, loading, fueling, landscaping, signage and stormwater improvements at the Property.

The applicant will be required to pay a \$750.00 Escrow Fee for this consideration.

Conditions and Recommendations

The applicant has indicated that a total of two (2) one-year extensions of time are requested from the expiration date of the current approval, through to April 25, 2026. Per N.J.S.A 40:55D-52.a, if the developer has followed the standards prescribed for final approval, the Board may extend such period of protection for extensions of one (1) year, but not to exceed three (3) extensions. Per N.J.S.A 40:55D-52.d, the Board may grant the extension if the developer proves to the reasonable satisfaction of the Board that the developer was barred or prevented, directly or indirectly, from proceeding with the development because of delays in obtaining legally required approvals from other governmental entities and that the developer applied promptly for and diligently pursued these approvals.



March 11, 2025
Sheet 2

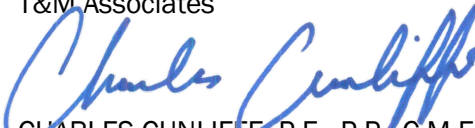
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The Applicant indicates that they have been diligently working towards the construction of the approved project, but has been unable to commence construction due to delays in obtaining required outside agency approvals and due to required remediation. They indicate the requested extension would afford the Applicant the required time to obtain the approvals necessary to commence construction.

The Applicant should provide testimony regarding the status of all outside agency approvals and remediation work, as well as the outstanding conditions of approval as noted our most recent Resolution Compliance #3 letter dated 10-06-2023 (enclosed), for the Board's consideration.

Should you have any questions or desire any additional information concerning this matter, please contact my office.

Very truly yours,
T&M Associates



CHARLES CUNLIFFE, P.E., P.P., C.M.E.
ZONING BOARD ENGINEER

CPC:ls

cc: Andrew Bayer, Esq., Board Attorney (via email)
Jennifer Beahm, PP, Board Planner (via email)
Shari Spero, Board CTE (via email)
Gabrielli Howell Realty, LLC (Applicant)
153-20 South Conduit Avenue, Jamaica, New York 11434
Howell Development, LLC (Owner)
P.O. Box 62, Adelphia, New Jersey 07710
Adam J. Faiella, Esq. (Applicant's Attorney)
Sills Cummis & Gross P.C.
One Riverfront Plaza, Newark, New Jersey 07102
Julia Algeo, PE, PP (Applicant's Engineer)
Colliers Engineering & Design
1000 Waterview Drive, Suite 201, Hamilton, New Jersey 08691



October 6, 2023

Eileen Rubano, Administrative Officer
Howell Township
Zoning Board of Adjustment
4567 Route 9 North
P.O. Box 580
Howell, NJ 07731-0580

Re: T&M File No. HLZB-R1520
Resolution Compliance #3
Application: Use Variance / P&F Major Site Plan
Applicant: Gabrielli Howell Realty, LLC
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Dear Board Members:

Our office has received documents for the above referenced project. These items have been submitted to address the comments and conditions in the Zoning Board's Resolution of Approval dated 04-25-2022 which granted Use Variances, Bulk Variances and Preliminary and Final Major Site Plan approval.

The following documents have been submitted:

- Resolution compliance response letter prepared by Julia G. Algeo, P.E., P.P. of Colliers Engineering & Design, dated 08-24-2023;
- Access and Sanitary Sewer Easement Agreement, recorded with Monmouth County on 11-23-2022;
- Resolution of Approval No. 2022-6 dated 04-25-2022, recorded with Monmouth County on 05-23-2023;
- Lot Consolidation Legal Description, as prepared by John J. Pantok, PLS, dated 10-31-2022;
- Deed of Consolidation, unsigned and undated;
- Deed of Access and Stormwater basin Maintenance Easement, unsigned and undated;
- A report entitled "Operations and Maintenance Manual, Gabrielli Howell Realty, LLC, Block 144, Lots 109 & 113.01, Township of Howell, Monmouth County, New Jersey" as prepared by Julia G. Algeo, P.E. of Colliers Engineering & Design, dated 11-01-2021, last revised 08-14-2023;
- A report entitled "Stormwater Management Report, Gabrielli Howell Realty, LLC, Block 144, Lots 109 & 113.01, Township of Howell, Monmouth County, New Jersey" as prepared by Julia G. Algeo, P.E. of Colliers Engineering & Design, dated 05-27-2021, last revised 08-14-2023;



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- A Plan entitled “Consolidation Plan, For Gabrielli Howell Realty, 1209 U.S. Route 9, Block 144, Lot 109.01, Township of Howell, Monmouth County, New Jersey” prepared by John J. Pankok, P.L.S. of Colliers Engineering & Design, dated 05-11-2022, last revised 10-18-2022;
- A plan entitled “Preliminary and Final Major Site Plan for Gabrielli Howell Realty, LLC, 1207 & 1209 U.S. Route 9, Block 144 Lots 109 & 113.01, Township of Howell, Monmouth County, New Jersey” as prepared by Julia G. Algeo, P.E. of Colliers Engineering & Design, consisting of nineteen (19) sheets dated 05-27-2021, last revised 08-14-2023.

We have reviewed the submitted materials and find that all zoning board engineering requirements have been met in accordance with the Resolution of Approval and this office’s review letters.

Any outstanding fees and/or escrows should be paid.

This letter is not intended to imply that all conditions of approval for this project have been met or that all required outside agency approvals and permits have been secured. The applicant remains responsible for these items and shall address with the Township Engineering Department, including but not limited to the following:

1. Per Condition 2.a – The Applicant shall submit proof of filing of the Operations and Maintenance Manual, establishing the owner/operator as the responsible party for operating and maintain the stormwater system, and an Access Easement to the stormwater facilities in favor of the Township should the Township need to access the facilities to perform repairs. Both shall be reviewed to the satisfaction of the Board Engineer and Attorney and filed with the Monmouth County Clerk’s Office Real Property Records. **An access easement exhibit plan has previously been approved by this office. The deed of access easement is also acceptable from a Board Engineering perspective. The SWM O&M Manual is also acceptable from a Board Engineering perspective. Once all deeds of access easement and deed restrictions for SWM O&M are approved by the Board Attorney, please provide recorded copies for the Township’s record.**
2. Per Condition 2.d – All roof top equipment shall be located in the center of the roof and be screened as required so that it is not visible form the ground. **To be addressed as part of the Township building permit process.**
3. Per Condition 2.f – The Applicant’s attorney shall provide a Deed of Consolidation of Lots 109 and 113.01 for review by the Board’s Attorney and Engineer prior to recording with the County. A copy of the recorded Deed of Consolidation shall be provided to the Board Administrator for the Board’s records prior to the issuance of any building permits. **The Lot Consolidation Plan and Deed of Consolidation are acceptable from a Board Engineering perspective. In addition, the Tax Assessor has already approved the proposed lot designation. Once the Deed of Consolidation has been approved by the Board Attorney, please provide recorded copies for the Township’s record.**



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4. Per Condition 2.h – The Applicant shall provide signed and sealed structural calculations for all proposed retaining walls to the Township Engineering Department for review prior to the issuance of any construction or building permits. **Applicant shall address with Township Engineering Department prior to issuance of any construction permits for same.**
5. Per Condition 2.j – The Applicant shall properly abandon the existing septic system on the Property and provide certification that the abandonment was done in compliance with all applicable regulations to the Board Administrator for the Board's records. **Pursuant to MCBOH review comments, the applicant should be required to provide certificate of abandonment for all existing septic systems and wells, to the Township Engineering Department, prior to the issuance of any demolition permits.**
6. Per Condition 2.k – The Applicant shall work with the LSRP assigned to the site and provide all updates from the LSRP and DEP regarding the cleanup activities at the site, which the Applicant receives from the LSRP, to the Board Administrator for the Board's records. **The applicant shall provide this documentation for the Township Engineering Departments record prior to the issuance of any construction permits.**
7. Per Condition 2.l – The Applicant shall request Title 39 jurisdiction from the Township Governing Body to permit Township police to enforce traffic regulations on the site. **To be addressed with the Township Engineering Department prior to the issuance of any certificates of occupancy.**
8. Per Condition 2.m – The Applicant shall comply with all of the conditions of approval of the Monmouth County Planning Board, NJDOT, NJDEP (FWW and FHA), and Freehold Soil Conservation District, Monmouth County Board of Health, Howell Township Municipal Utilities Department, Manasquan River Regional Sewer Authority, NJ American Water, and shall submit proof of same to the Board Administrator. **The applicant shall provide proof of the following approvals, prior to issuance of any construction permits by the Township Engineering Department:**
 - a. NJDEP – Transition Area Waiver/Averaging Permit
 - b. Manasquan River Regional Sewer Authority
9. Prior to the issuance of construction permits, the applicant should be required to provide documentation to the Township Engineering Department, that all environmental investigation and remediation has been performed in accordance with the requirements of the NJDEP Site Remediation Reform Act (SRRA) to result in eventual assignment by the LSRP of a Response Action Outcome (RAO) to ensure protection of future users of the Site. **Continuing Comment. A note has also been added to sheet 3 of the site plan confirming same.**
10. Applicant shall provide copies of all municipal and state permits and licenses for the proposed fueling tank to the Township Engineering Department, prior to the issuance of any construction permits for same. **Continuing comment. A note has also been added to sheet 3 of the site plan confirming same.**



October 6, 2023
Sheet 4

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Very truly yours,
T&M Associates

CHARLES CUNLIFFE, P.E., P.P., C.M.E.
ZONING BOARD ENGINEER

CPC:BEZ:ls

cc: Andrew Bayer, Esq., Board Attorney (via email)
Jennifer Beahm, PP, Board Planner (via email)
Shari Spero, Board CTE (via email)
Gabrielli Howell Realty, LLC (Applicant)
153-20 South Conduit Avenue, Jamaica, New York 11434
Howell Development, LLC (Owner)
P.O. Box 62, Adelphia, New Jersey 07710
Cecilia Lassiter, Esq. (Applicant's Attorney)
Sills Cummis & Gross P.C.
One Riverfront Plaza, Newark, New Jersey 07102
Julia Algeo, PE, PP (Applicant's Engineer)
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1000 Waterview Drive, Suite 201, Hamilton, New Jersey 08691