

RECEIVED

BOROUGH OF HIGHTSTOWN  
156 BANK STREET  
HIGHTSTOWN, NJ 08520  
609-490-5100, ext. 617

MAY 31 2023

Borough of  
Hightstown

PLANNING BOARD APPLICATION

The applicant must submit 21 copies of the completed application and plans; see checklist for sizes.

The application, with supporting documentation, must be filed with the Planning Board Secretary no less than 31 days prior to the meeting at which the application is to be considered.

*NOTE: Some applications may be subject to additional fees, please refer to Chapter 26, Section 10, "Land Use" in the Revised General Ordinances of the Borough of Hightstown*

*To be completed by Borough Staff*

Dated Filed: 5/31/2023 Application Number: PB2023-01

Application Fees: \$500 Escrow Deposit: \$5000.00

Scheduled for:

Review for Completeness: JUNE 6, 2023

Hearing Date: JUNE 12, 2023

1. APPLICANT

Name: 3PRC, LLC

Address: 141 West Front Street, Suite 410  
Red Bank, NJ 07701

Telephone: 732-222-2000

Fax: 732-222-6410

E-mail: pwersinger@prcgroup.com

Mailing Address: SAME AS ABOVE

Applicant is a:  LLC Corporation  Partnership  Individual

*Corporations must be represented by an attorney*

Attorney's Name: Peter S. Wersinger III, Esq. (in-house counsel)

Address: 141 West Front Street, Suite 410  
Red Bank, NJ 07701

Telephone: 732-222-2000

E-mail: pwersinger@prcgroup.com

**If the applicant is a corporation or partnership, please attach a list of the names and address of all persons having a 10% interest or more in the corporation or partnership.**

**SEE RIDER NO. 1 ATTACHED**

2. The relationship of the Applicant to the property in question is:

Owner  Lessee  Purchaser (under contract)  Other, specify

with respect to Borough-owned lands

As to Lots 10-13 in Block 30 and Lot 20 in Block 21 and Mechanic Street (undeveloped or paper street), to be vacated.

3. If owner is other than applicant, provide the following information:

Owner: Borough of Hightstown

Owner's Address: 156 Bank Street

Hightstown, NJ 08520

Telephone: 609-490-5100

**APPLICANT IS THE OWNERS OF ALL OTHER PARCELS THAT ARE PART OF THIS APPLICATION.**

4. Type of Application (check all that apply)

- A.  SITE PLAN  
 Waiver     Preliminary     Final  
 Amendment to an Approved Site Plan

- B.  MINOR SUBDIVISION  
 Preliminary     Final  
Number of lots to be created including remainder lot 3

- C.  MAJOR SUBDIVISION  
 Preliminary     Final  
Number of lots to be created including remainder lot \_\_\_\_\_

- D.  VARIANCE  
 Hardship     Use     Substantial Benefit  
Section(s) of Ordinance from which a variance is requested:  
no identified variances  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- E.  Conditional Use  
F.  Conceptual Review  
G.  Appeal decision of an Administrative Officer  
H.  Interpretation of Map or Ordinance  
I.  Other

Please specify: \_\_\_\_\_  
\_\_\_\_\_

5. Explain in detail the exact nature of application: \_\_\_\_\_

SEE RIDER NO. 2 ATTACHED  
\_\_\_\_\_  
\_\_\_\_\_

6. Waivers requested of Development Standards and/or Checklist Requirements: N/A  
\_\_\_\_\_  
\_\_\_\_\_

7. Subject PROPERTY

A. Address: Bank Street/North Academy Street/Main Street  
Other than 148 North Main Street for Block 30, Lot 10, 11 12 and/or 13, there are no street numbers in the tax records. New street numbers should be assigned post-development.

Block 21 Lot(s) 1-14, 20 and 26

B. Block 30 Lot(s) 1-7 and 10-13

C. Zoning District Bank Street Redevelopment Area/Plan

D. Is the subject located on a:

County Road  State Road

Within 200 feet of a Municipal Boundary

E. Use of Property:

Existing: VACANT; former Industrial Mills; former Municipal Building; and existing Municipal Fire Department (block 30, Lot 13), together with associated parking and related appurtenances.

Proposed: RESIDENTIAL (Townhouses, Apartments, Amenities and Parking) and the enlarged and configured Municipal Firehouse Lot (and parking) (Block 30, Lot 13)

F. Are there any existing or proposed deed restrictions, easements, right-of-ways or other dedication?  NO  YES (Attach Copies)

**To be provided under separate cover and/or as disclosed and depicted on Minor Subdivision Plan and Major Site Plan**

G. List all maps and other exhibits accompanying this application.

SEE RIDER NO. 3

8. Applicant's PROFESSIONALS

A. ENGINEER Mark Lescavage/Colliers Engineering – formerly Maser Consulting, P.A.  
Address 101 Crawford's Corner Rd, Suite 3400, Holmdel, NJ 07733  
Telephone 732-383-1950  
Email mark.lescavage@collierseng.com  
Fax 732-383-1984

B. PLANNING CONSULTANT N/A  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
Email \_\_\_\_\_  
Fax \_\_\_\_\_

C. TRAFFIC ENGINEER \_\_\_\_\_ N/A \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
 Telephone \_\_\_\_\_  
 Email \_\_\_\_\_  
 Fax \_\_\_\_\_

D. ARCHITECT \_\_\_\_\_ N/A \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
 Telephone \_\_\_\_\_  
 Email \_\_\_\_\_  
 Fax \_\_\_\_\_

E. List any other expert who will submit a report or who will testify for the Applicant.  
 Name: \_\_\_\_\_ N/A \_\_\_\_\_  
 Field of Expertise: \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
 Telephone \_\_\_\_\_  
 Email \_\_\_\_\_  
 Fax \_\_\_\_\_

9. The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the Applicant's professionals:

APPLICANT'S PROFESSIONALS	REPORTS NEEDED
ATTORNEY-Peter S. Wersinger III _____	ALL _____
ENGINEER-Mark Lescavage _____	ALL _____
_____	_____
_____	_____

10.  Certification from the Tax Collector that all taxes, water, sewer rents due on the subject property have been paid is provided. **TO BE PROVIDED UNDER SEPARATE COVER**
11. Attach a copy of the Notice that will appear in the official newspaper of the municipality and that will be mailed to owners of all real property, as shown on the current tax duplicate, located within 200 feet in all directions of the property which is subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable. **To be provided under separate cover, as may be directed.**

THE PUBLICATION AND SERVICE OF THE AFFECTED OWNERS MUST BE ACCOMPLISHED AT LEAST 10 DAYS PRIOR TO THE DATE SCHEDULED BY THE ADMINISTRATIVE OFFICER FOR THE HEARING.

An affidavit of service on all property owners and proof of publication must be filed before the application will be complete and a hearing can proceed.

CERTIFICATION  
OF APPLICANT AND OWNER OF  
BLOCK 21, LOTS 1-14 AND 26, BLOCK 30, LOTS 1-7

I certify that the foregoing statements and the materials submitted are true. I further certify that I am an Officer of the limited liability company applicant and that I am authorized to sign the application for the limited liability company.

3PRC, LLC,

By: Mary Riccardi  
*Signature of Owner*  
*Mary Riccardi, COO*

CERTIFICATION  
OF APPLICANT AND OWNER OF  
BLOCK 21, LOTS 1-14 AND 26, BLOCK 30, LOTS 1-7

I certify that the foregoing statements and the materials submitted are true. I further certify that I am an Officer of the limited liability company applicant and that I am authorized to sign the application for the limited liability company.

3PRC, LLC,

By: Mary Riccardi  
*Signature of Owner*  
*Mary Riccardi, COO*

CERTIFICATION  
OF OWNER OF  
BLOCK 21, LOT 20 AND BLOCK 30, LOTS 10, 11, 12 AND 13

I certify that I authorize the submission of this Application for subdivision including property owned by The Borough of Hightstown, being Block 21, Lot 20 and Block 30, Lots 10, 11, 12 and 13. I further certify that I am the duly authorized signatory for the Borough of Hightstown with respect to this application.

Borough of Hightstown

By: Susan Bluth  
*Signature of Owner*

Name: SUSAN BLUTH

Title: Mayor

# Rider No. 1

*to*

## *Hightstown Planning Board Application*

Applicant: 3PRC, LLC, a New Jersey limited liability company  
Subject: Minor Subdivision Approval  
Property: Block 21, Lots 1-14, 20, and 26;  
Block 30, Lots 1-7 and 10-13; and  
Mechanic Street (an unimproved paper street) to be vacated.

### **As to Application Section #1; Ownership Disclosure –**

3PRC, LLC, the Applicant, has two members, as follows:

- 60% Member – PRC Hightstown, LLC, a New Jersey limited liability company, which is solely owned by Robert M. Kaye.
- 40% Member – Hightstown Enterprises, LLC, a New Jersey limited liability company, which is solely owned by Robert M. Kaye.



## Rider No. 2

to

### *Hightstown Planning Board Application*

**Applicant:** 3PRC, LLC, a New Jersey limited liability company  
**Subject:** Minor Subdivision Approval  
**Property:** Block 21, Lots 1-14, 20, and 26;  
Block 30, Lots 1-7 and 10-13; and  
Mechanic Street (an unimproved paper street) to be vacated.

#### **As to Application Section #5; The Nature of the Application –**

The overall size of the real property involved in this Application consists of 389,479± square feet (“SF”) or 8.941± acres, comprised of twenty-seven (27) separate lots and one undeveloped (paper) street to be vacated by the Borough of Hightstown (collectively, the “Property”). The Property has been designated on the Minor Subdivision Plan (the “Subdivision” or “Subdivision Plan”) as two large tracts of land, i.e., “Tract A,” consisting of 190,377± SF or 4.730± acres (Block 21, Lots 1-14, 20, and 26), and “Tract B,” consisting of 189,962± SF or 4.361± acres (Block 30, Lots 1-7 and 10-13), and an undeveloped portion of Mechanic Street (to be vacated), consisting of 9,140± SF or 0.210± acres. The purpose of the Subdivision is to re-assemble and consolidate the Property into three (3) new Lots, i.e., new “Lot A,” consisting of 190,377± SF or 4.730± acres (existing Block 21, Lots 1-14, 20, and 26); new “Lot B,” consisting of 146,402± SF or 3.361± acres (existing Block 30, Lots 2-7, 10, 11, and a portion of Block 30, Lots 1 and 12, and the vacated portion of Mechanic Street); and new “Lot C,” consisting of 43,560± SF or 1.000± acres (existing Block 30, Lot 13 and a portion of Block 30, Lots 1 and 12). New Lot A and new Lot B are sometimes referred to collectively as the “Bank Street Village Redevelopment Site,” and new Lot C is sometimes referred to as the “Municipal Firehouse Lot.”

The exact Subdivision, as proposed in this Application, was previously approved by the Borough of Hightstown Planning Board (the “Board”) contemporaneously with the Preliminary and Final approval of the Applicant’s Major Site Plan for the redevelopment of Sub Area 1 of the Main Street Redevelopment Plan, also known as the Bank Street Redevelopment Area. The Board approved the Subdivision and Major Site Plan on September 16, 2020, and adopted a Memorializing Resolution on November 9, 2020.

Although the Major Site Plan Approval remains in full force and effect, the Subdivision Approval has expired and an extension thereof was not sought because of extenuating circumstances associated with the pervasive negative impacts of the COVID-19 pandemic and protracted complex litigation with the Applicant's former minority member, which was not definitively resolved and fully implemented until November 2022.

As alluded to above, a general purpose for the Subdivision was and is to establish two new lots (new Lot A and new Lot B) to permit the redevelopment of the Bank Street Village Redevelopment Site, and, in order to achieve that purpose, the Subdivision was and is also essential and necessary to facilitate the enlargement and reconfiguration of the Municipal Firehouse Lot and enabling the sale of the remaining Borough-owned property (Block 21, Lot 20, Block 30, Lots 10 and 11, and a portion of Lot 12) to the Applicant.

The re-approval of the Subdivision Plan will essentially restore the Subdivision approval that was granted by the Board in its Memorializing Resolution of November 9, 2020.

## **Rider No. 3**

*to*

### ***Hightstown Planning Board Application***

Applicant: 3PRC, LLC, a New Jersey limited liability company

Subject: Minor Subdivision Approval

Property: Block 21, Lots 1-14, 20, and 26;  
Block 30, Lots 1-7 and 10-13; and  
Mechanic Street (an unimproved paper street) to be vacated.

#### **As to Application Section #7G; List of Maps and Other Exhibits Accompanying the Application –**

The Application includes the following documents and/or materials:

1. Check in the amount of \$500.00, constituting the Minor Subdivision Application Fee.
2. Check in the amount of \$1,800.00, constituting the initial Escrow Fee for Minor Subdivision Application Fee.
3. Original and twenty (20) copies of the Application (10 pages, including all Riders).
4. Six (6) full-size sets and fifteen (15) half-size sets of the Minor Subdivision Plan, prepared by Maser Consulting, P.A., predecessor to Colliers Engineering & Design.
5. Original and twenty (20) copies of the Escrow Agreement.
6. Original and twenty (20) copies of the Contribution Disclosure Statement.
7. Original and twenty (20) copies of W-9 Form

A proposed form of Public Notice will be provided under separate cover.

**Borough of Hightstown  
Contribution Disclosure Statement  
by Planning Board Applicant**

The following certification is required in accordance with subsection 26-9-5 of the *Revised General Ordinances of the Borough of Hightstown*. Any application not including this certification will be deemed incomplete.

Applicant name 3PRC, LLC

Applicant address: 141 West Front Street, Suite 410, Red Bank, NJ 07701

Date of application: May 25, 2023

**I HEREBY CERTIFY** that the following is a true and complete list of any and all contributions made, during the twelve (12) months prior to the filing of this application, to or on behalf of any candidate, candidate committee, joint candidates committee, political committee, continuing political committee or political party committee of, or pertaining to, the Borough of Hightstown, including any Mercer County Party Committee or political action committee (PAC) that is organized for the primary purpose of promoting or supporting Borough of Hightstown

municipal candidates or officeholders:		
Date	Amount	Recipient
		NONE

*(Use additional pages if necessary.)*

**I FURTHER CERTIFY** that I will provide continuing disclosure of any such contributions made following the filing of this Contribution Disclosure Statement and during the pendency of the application and/or approval process.

Subscribed and sworn before me this <u>22nd</u> day of <u>May</u> , 20 <u>23</u>	3PRC, LLC
<u>Jennifer O'Neill</u> Notary Public	<u>Mary Riccardi</u> Signature of applicant By: Mary Riccardi, COO
My Commission expires:	Date signed

**JENNIFER O'NEILL**  
Notary Public, State of New Jersey  
Comm. # 50144475  
My Commission Expires 11/25/2025

§ 26-9-2

# CHECKLIST for MINOR SUBDIVISIONS

- (b) The County Planning Board if the property is adjacent to a County road or affects a County drainage facility.
- (c) The Commissioner of Transportation, if the property is adjacent to a State Highway.
- (d) All public utilities in the Municipality registered pursuant to N.J.S.A. 40:55D-12.1.
- (6) The Board reserves the right to require additional information before granting approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and/or the surrounding area. This includes, but is not limited to, buildings and structures with State or Federal historical designation or of local significance, or which are located within the Borough's Stockton Street Historic District. No application shall be deemed incomplete for lack of such additional information.

### C. Requirements for Minor Subdivision.

- Provided ✓ (1) Designed, drawn, signed and sealed by a New Jersey licensed .P.E., L.S., R.A., L.L.A. or P.P. as permitted by N.J.A.C. 13:40-7.1 et seq.
- Provided ✓ (2) Title Block as prescribed by N.J.S.A. 13:40-8.
- Provided ✓ (3) Place for signature of owner with owner's Certification of Title and Consent to file the application, and name and address of applicant.
- Provided ✓ (4) Twenty-one copies of a complete application and all drawings and documents. Fifteen sets of drawings shall be half-size with graphical scale and six sets of drawings shall be full-size.
- Provided ✓ (5) Place for signature of Chairman and Secretary of Planning Board.
- Provided ✓ (6) Place for signature of Borough Engineer.
- Provided ✓ (7) Tax map lot and block numbers.
- Provided ✓ (8) Date, scale and north arrow with reference meridian (scale must be not less than one inch equal 50 feet).
- Provided ✓ (9) Key map showing the tract in question; all tax lots and blocks within 200 feet; municipal boundaries; streams, waterways and public roadways within 200 feet.
- current submission  
A boundary survey  
was provided in  
conjunction with the  
Prior 2020 submission.  
waiver requested  
Provided ✓ (10) A boundary survey of the total tract signed and sealed by the preparing N.J. Licensed Land Surveyor in accordance with N.J.A.C. 13:40-5.
- Provided ✓ (11) Plan of existing and proposed lot lines showing bearings and dimensions of all lots including the lands remaining to nearest 1/100th foot and areas to nearest 1/100th acre; all setbacks with typical dimensions; and dimensions to all existing structures; wetlands boundaries; 100-year flood hazard limit line.
- Provided ✓ (12) Zoning requirements tabulated to show all bulk requirements of the zone and the bulk data proposed by the application. This tabulation shall also identify compliance or noncompliance for all existing structures.
- Provided ✓ (13) List of tax blocks and lots with owners within 200 feet of lot being subdivided as shown on certified list provided by Borough.
- Provided ✓ (14) Location and general specific classification of all existing on-site tree masses.

Provided ✓ (15) Identification of existing on-site physical features including soils, geology, stream and water courses, rock out-crops and 100-year flood hazard area.

Provided ✓ (16) Delineation of on-site wetlands as field identified by a qualified expert in accordance with the NJDEP standards, or statement by qualified expert that no wetlands or wetlands transition areas exist on-site. Copy of wetlands delineation report to accompany site plan submission.

Provided ✓ (17) All rights-of-way, easements and lands to be dedicated to the municipality or reserved for specific uses shall be shown and dimensioned with areas to the nearest 1/10th acre.

Current Submission Waiver requested. All of this information was provided previously in conjunction with Major Site Plan Application and Approval ✓ (18) Provisions for collecting and discharging storm water runoff. A composite grading and drainage plan of the entire development shall accompany each submission. This plan shall identify finished floor elevations, all high and low points and breaks in grade and tentative elevation at the corners of house locations on each lot. A Stormwater Management Plan incorporating as many non-structural stormwater management measures as can feasibly be accommodated on the site, including but not limited to rain gardens, pervious pavement, rain barrels, native vegetative swales, and the required non-structural stormwater management strategies incorporated at N.J.A.C. 7:8-5.9(a)1., and an explanation as to why additional non-structural measures could not be used, subject to the review and approval of the Borough Engineer, if so requested by the Planning Board.

Provided ✓ (19) All existing and proposed utility service lines and laterals on-site and along the frontage of the site. This shall include storm drainage, water mains, sanitary mains, connections and underground electric and phone service.

To be provided (20) Proof that no taxes, assessments, or sewer and water charges are due or delinquent on the subject property.

Provided ✓ (21) A draft public notice.

Requested by this Checklist ✓ (22) List of all waivers and variances requested.

Provided ✓ (23) Completion of W-9 form to accompany payment of applicable fees and escrow accounts.

#### D. Additional Instructions and Notes for All Applicants (Minor Subdivision).

OK ✓ (1) Plans may be reviewed by the Borough Engineer, Zoning Officer, Planning Consultants and other interested parties.

OK ✓ (2) In addition, as required, the Mercer County Planning Board must receive a copy of the application and plan(s), and may review the plan and make comments.

OK ✓ (3) The applicant shall give public notice by publication in the official newspaper of the Borough at least 10 days prior to the date of the hearing.

OK ✓ (4) (a) Affidavit of Service of Notice of Hearing on all owners of property within 200 feet of subject property as shown on the current Borough Tax duplicate. A certified list of property owners obtained from the Borough Tax Assessor and Affidavit, along with USPS certified mail receipts arranged in the same order as the certified list of property owners (mounted on 8 1/2 by 11 inches bond paper, six receipts to a page), shall be submitted to the Planning Board Secretary at least 48 hours prior to the hearing.

OK ✓ (b) Affidavit of Publication of Notice of Hearing in the official newspaper of the Borough at least 10 days prior to hearing (obtain this affidavit from the newspaper and submit to the

Planning Board Secretary at least 48 hours prior to the scheduled hearing).

OK (5) Notice shall be sent to the following:

- ✓(a) Adjoining municipality (Clerk) if the property is located within 200 feet.
- ✓(b) The County Planning Board if the property is adjacent to a County road or affects a County drainage facility.
- ✓(c) The Commissioner of Transportation, if the property is adjacent to a State Highway.
- ✓(d) All public utilities in the Municipality registered pursuant to N.J.S.A. 40:55D-12.1.

OK ✓(6) The Board reserves the right to require additional information before granting approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and/or the surrounding area. This includes, but is not limited to, buildings and structures with State or Federal historical designation or of local significance, or which are located within the Borough's Stockton Street Historic District. No application shall be deemed incomplete for lack of such additional information.