



# Township of Freehold

## OFFICE OF THE PLANNING BOARD

One Municipal Plaza, Freehold, NJ 07728

### **NOTICE TO APPLICANT REGARDING UNDERSIZED LOTS**

The Freehold Township Planning Board recommends that the attached buy-sell form letter be employed in corresponding with abutting property owners concerning undersized lots. While you are not required to use the exact language in the enclosed form, it is the policy of the Planning Board to require the buy-sell letter to contain the substance of the attached letter which should be sent by certified mail and ordinary mail at least 20 days before the first scheduled hearing date for your application. This is to allow the property owner addressed time to respond. Please be certain that you adjust the form for your particular application.

Failure to follow this procedure may jeopardize your ability to obtain relief from the Planning Board. The burden is on you to establish that the statutory requirements are met in cases involving variances associated with undersized lots.

You must be prepared at the time of the hearing to introduce into evidence a copy of the buy/sell letter along with the return receipt requested together with any response from the abutting property owners. In the event the response is limited to oral communication, then you are advised to send another letter to the communicating party confirming the substance of the oral discussion as it pertains to an offer to purchase or sell the properties involved.

**THIS LETTER IS IN ADDITION TO THE REQUIRED STATUTORY NOTICE YOU MUST GIVE TO ALL PROPERTY OWNERS WITHIN 200 FEET.**

If you have any questions concerning the procedure to be followed, consult your own attorney.

Certified Mail-RR# \_\_\_\_\_

And Ordinary Mail

To:

M. \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Block \_\_\_\_\_ Lot \_\_\_\_\_

Dear M. \_\_\_\_\_,

The undersigned has made an application to the Planning Board of the Township of Freehold for a variance to allow the development described in this letter on Block \_\_\_\_\_ Lot \_\_\_\_\_, street address \_\_\_\_\_, which abuts your property. The proposed development is as follows: *(describe proposal)*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This letter is to inquire whether you would be interested in selling me your lot or a portion of your lot in order to make my lot conform or more nearly conform to the current Freehold Township Land Use Ordinance. In the alternative, you may have an interest in purchasing my lot at "fair market value" which in this instance means a price for my property as if the variance had been granted.

It is my intention to offer as part of my proofs in support of the variance application that I am unable to either acquire additional land or sell my land at its fair market value.

If you are interested in selling your lot or a portion of your lot to me or in purchasing my lot, please indicate on the enclosed Response of Abutting Property Owner your position with respect to this application. The Freehold Township Planning Board hearing on the undersigned's application is scheduled for \_\_\_\_\_ at which time a copy of this letter and any response from you will be offered into evidence.

Enclosed is a self-addressed stamped envelope for your convenience. You may, of course, attend the Planning Board hearing and give testimony concerning your position.

Very truly yours,

\_\_\_\_\_  
Applicant