

RESOLUTION

PLANNING BOARD

TOWNSHIP OF LIVINGSTON, NEW JERSEY

Decided: July 19, 2011

Memorialized: August 16, 2011

Re: Application No. 2011-13-PFSPV
Applicant: JR Livingston Associates, LLC t/a Midtown Salon
Premises: 171-177 South Livingston Avenue
Block: 3500; Lot: 13
Zone: B-1

WHEREAS, an Application has been made by JR Livingston Associates, LLC t/a Midtown Salon (hereinafter "Applicant"), owners of a business operating at the subject premises commonly known as 171-177 South Livingston Avenue, Livingston, New Jersey, (hereinafter "Site"), to the Planning Board of the Township of Livingston (hereinafter "Board") for Preliminary and Final Site Plan approval, with variances, to permit the expansion of an existing hair and beauty salon; and

WHEREAS, the Applicant requests variances from the minimum number of parking spaces required under Township Code (hereinafter "Code") §170-94.E.(1); from the minimum parking space width as required under Code §170-3; and for continuation of variances from the required minimum distance of a parking area from the East Cedar Street right-of-way line pursuant to Code §170-108.C.(2)(a) and from the rear yard minimum set back requirement pursuant to Code § 170-108.C.(4); and

WHEREAS, a completed application has been filed, the fees required by ordinance have been paid, and it otherwise appearing that the jurisdiction and powers of the Board have properly been invoked and exercised; and

WHEREAS, the Applicant, represented by its attorney, Stephen A. Geffner, Esq., has demonstrated that the Application is in conformance with all statutory requirements

and has submitted proof that there are no taxes due or delinquent with respect to the Site;
and

WHEREAS, public hearings were held before this Board on June 21, 2011 and July 19, 2011 with regard to this Application; and

WHEREAS, the Board has heard and considered the testimony of the Applicant and its expert witnesses, and there being no members of the public appearing in opposition.

NOW, THEREFORE, the Board does make the following findings of fact and conclusions of law with respect to this Application:

1. Applicant presented the testimony of Maria Romano, a principal in the Midtown Salon business operated at the site. She testified that the store adjacent to their existing beauty salon has become vacant and that they propose to use that space to expand their business. She also said that their existing hair and beauty salon requires additional space so as to provide separate stations for different types of salon services. There would be some minor addition of operators; but, the current employee count of 14 to 16 employees would not be increased by more than 2 or 3 persons. The proposed layout of the expanded business operation would provide only an additional 3 customer seats and 2 operating stations. She also testified that their busiest days are Fridays and Saturdays, and that they would require employees to park off-site. She also testified that parking has been adequate at the Site for the operation of the business and that there are frequently open spaces in the lot even at their busiest times.

2. The Board also heard the testimony of Beth Lippman, executive director of the Livingston B.I.D., and also a customer at the salon. She testified that she has not had any problems with parking at any time for her use of the business. She also testified that, based on her experience with the B.I.D., service uses such as beauty, food and fitness are becoming more prevalent in town.

3. Christine L. Miseo, admitted as an expert in architecture, also testified for Applicant. Ms. Miseo designed the architectural plans for the proposed expansion. There would be one building exterior change; in that the existing doorway in the currently vacant unit would be removed and replaced with windows. Applicant's existing wall sign would likely remain where it is; but might be moved to center it for the combined storefronts. The expansion would approximately double the size of the store to accommodate one additional room for waxing services, more space for product display, a make-up area, 3 new color chairs and 2 additional sinks. The changes might result in 2 or 3 additional operators. These services are currently offered by Applicant, but there is not adequate room to provide sufficient space and privacy for these services.

4. Michael Lanzafama, of Casey & Keller, was admitted as an expert in Planning, Surveying and Engineering. He testified that he prepared the Site Plans submitted on behalf of Applicant. The existing business would be expanded from its current size of 1,563 square feet to a total of 3,126 square feet. The Site is 36,998 square feet in total. The structure has 9,378 square feet of floor area and is composed of 5 separate store units that would be reduced to 4 if the Application is granted. 43 parking spaces are currently provided; and the Code requires a total of 82 spaces for the uses that have been in the 5 units. Accordingly, the premises are currently substandard in the minimum parking spaces required. The parking setback from East Cedar Street is an existing non-conforming use and will not be changed. Furthermore, the rear yard setback is a violation that is also an existing non-conforming use. He calculated the Code parking requirement for the Site with Applicant's expansion as 97.4 spaces. A total of 47 on site parking spaces will be provided pursuant to the revised Plans, with 6 of the spaces for stacking of employee vehicles.

Mr. Lanzafama testified that there would be no impact on parking demand by the expansion of Applicant's business. The parking area would be re-striped with hairpin stripes to provide for 8.5 foot wide spaces, in order to create 1 additional space. All handicap spaces would be re-striped as well. 6 stacked parking spaces would be provided on the East Cedar Street side of the Site and would be designated as employee parking. This would involve moving a driveway entrance further to the east. Additional plantings would be added for screening. He noted that there is no designated loading area; but, that the rear yard is used as the loading area.

Attempts to arrange for shared parking with the adjacent shopping complex were unsuccessful. Nevertheless, his observations indicated that de facto shared parking currently exists; as many customers park at one shopping center and walk back and forth between the two shopping areas.

Successful negotiations led to letters indicating availability of an additional 10 parking spaces on two off-site properties. 5 of those spaces would be provided by the TD Bank across East Cedar Street from the Site; and, 5 spaces at Ultimate Security Systems, Inc., 3 Royal Avenue, to the rear of the Site, at the intersection of East Cedar Street and Royal Avenue. The offered availabilities were each for a term of 5 years. The TD Bank spaces would be available on Fridays and Saturdays; the Ultimate Security spaces on all days. Lanzafama testified that, under his interpretation, Urban Land Institute (hereinafter "ULI") standards would require only 57 spaces and Institute of Traffic Engineers (hereinafter "ITE") standards would only require 64 spaces; rather than the 97 required under the Code, although there are no specific recommendations for Applicant's uses under those other two standards. While there is still a deficiency even under either of those two standards, or at a maximum possible need for 66 spaces under an alternative interpretation, it was his opinion that the existing Site, even when all stores were fully rented, has not

encountered any problems with providing parking. It was his opinion that the 47 on-site parking spaces would be sufficient for the Site.

Mr. Lanzafama testified that in his opinion the variances requested can be granted under the c(2) standard because the Applicant, while expanding its business area, is not substantially expanding its business operation; the existing Site has functioned adequately with the parking provided and the provisions for off site parking and stacked parking to accommodate employees will alleviate any potential impact; there would be no negative impact to the public, and the proposal advances the intent of the Municipal Land Use Law by promoting a variety of uses in appropriate sites; and there would be no negative impact to the zoning plan, zoning ordinance or master plan.

5. The Applicant agreed that:

- a. The sign reading “Parking for Mini Mall Only While Shopping” will be changed to discourage commuter parking but not discourage de facto shared parking.
- b. The “No Thru Traffic” sign at the South Livingston Avenue driveway shall be repositioned so as to be more readily visible to southbound drivers before they turn into the driveway.
- c. Any tow-away signs shall be in compliance with State requirements.
- d. There shall be no increase in the number of Applicant’s work stations, and the number of Applicant’s employees at work at any time shall not exceed 19.
- e. All damaged parking lot lighting fixtures shall be repaired or replaced consistent with the fixtures that are in good order and condition.
- f. A sign shall be posted informing drivers entering from East Cedar Street of the one-way traffic flow in the parking area.

g. If a parking variance is provided it shall be conditioned on written formal off-site shared parking agreements acceptable to the Board Attorney having been provided, and the variance shall expire automatically if Applicant's right to use any of the off-site parking space shall cease.

h. The Site Plan shall also be amended to reflect changes regarding parking on the East Cedar Street yard of the Site recommended by the Fire Department and the Board's Planning Consultant as agreed at the July 19, 2011 hearing; as well as all recommendations in the Memorandum of the Township Engineers dated June 28, 2011.

6. The Board's Planning Consultant, Jessica L. Giorgianni, PP, AICP disagreed with Mr. Lanzafama's interpretation of the ULI and ITE standards; advising that under her interpretation of those standards no less than 70 spaces would be required and that the 47 proposed on-site spaces would not be adequate.

7. No members of the public appeared either in support of or in opposition to the Application.

NOW THEREFORE, be it resolved by the Board, having reviewed the Plans submitted by the Applicant and having heard the testimony of the witnesses for the Applicant and the advice of its Planning Consultant, the Board concludes as follows:

1. The Board finds that the proposed 47 parking spaces on the Site are not sufficient, but that the insufficiency can be reduced in part by the provision of additional parking off-site as permitted by Code §170-94.A.(2).

2. The Application for Preliminary and Final Site Plan approval with variances, including a conditional variance with regard to the number of parking spaces, consistent with the provisions of the Site Plans submitted by Applicant and as amended in the course of the hearing, be and is hereby approved with the conditions stated herein.

3. The Application for a variance from the requirement of Code §170-94.E.(1) that 97 spaces be provided is hereby approved in the amount of 40 spaces to permit a total of 57 parking spaces of which 47 shall be on site, including 6 that shall be stacked employee parking spaces located in the East Cedar Street yard; this variance grant being expressly conditioned upon (a) execution of formal off-site shared parking agreements for a total of 10 parking spaces in form acceptable to the Board Attorney, and (b) the continued availability to Applicant thereafter of all such off-site parking. Each such agreement shall identify the specific parking spaces being provided and shall provide for appropriate signage reserving such spaces.

4. The Board hereby grants a variance of 0.5 feet, from the minimum parking space width of 9 feet required by Code §170-3, so as to permit a width of 8.5 feet as the result of the use of hairpin striping.

5. The Board acknowledges continuation of the following existing variances:

- a. A rear yard setback variance of 7.99 feet to permit 17.01 feet where 25.0 feet are required by Code §170-108.C.(4).
- b. A parking set back variance of 7.75 feet to permit 4.75 feet where a 12.5-foot set back from the East Cedar Street right-of-way line is required by Code §170-180.C.2(a)

6. The approvals herein are subject to the following additional conditions:

- a. The sign reading "Parking for Mini Mall Only While Shopping" shall be changed to discourage commuter parking but not discourage de facto shared parking.
- b. The "No Thru Traffic" sign at the South Livingston Avenue driveway shall be repositioned so as to be more readily visible to southbound drivers before they turn into the driveway.

- c. Any tow-away signs shall be in compliance with State requirements.
- d. There shall be no further increase in the number of Applicant's work stations, and the number of Applicant's employees at work at any time shall not exceed 19.
- e. All damaged parking lot lighting fixtures shall be repaired or replaced in a manner consistent with the fixtures that are in good order and condition.
- f. A sign shall be posted informing drivers entering from East Cedar Street of the one way traffic flow in the parking area.
- g. The Site Plan shall also be amended to reflect changes regarding parking on the East Cedar Street yard of the Site recommended by the Fire Department and the Board's Planning Consultant as agreed at the July 19, 2011 hearing; as well as all recommendations in the Memorandum of the Township Engineers dated June 28, 2011.
- h. Upon signing of the off-site shared parking agreements approved and required under Paragraph 3 above, Applicant shall promptly deliver one copy of each to the Planning Board Secretary and to the Zoning Officer. Upon expiration of the term of any such agreement the Applicant shall promptly provide both the Planning Board Secretary and the Zoning Officer a copy of any executed extension or renewal of such agreement. In the event that any such agreement expires without extension or renewal or any off-site shared parking space under an agreement becomes unavailable to Applicant, Applicant shall promptly notify both such officials. Upon any expiration without extension or renewal, or any such space becoming unavailable to Applicant, the parking variance granted by this Resolution

shall automatically expire whether or not notice of such expiration or unavailability has been provided by Applicant.

7. The following of the Board's Model Conditions of Approval attached hereto are incorporated herein: Numbers 6, 8, 9, 11, 14 and 18.
8. The meeting of the following are conditions precedent to this Resolution and the approvals contained herein becoming effective:
 - a. Conditions regarding off-site shared parking agreements in Paragraph 3 above.
 - b. Submission of signed copies of such agreements as required by Paragraph 6.h above.
9. The following are Conditions that must be met before issuance of any permits or the commencement of any work: Paragraph 6.g, and Model Conditions of Approval 6, 8.a, and 11.
10. Model Condition of Approval Number 18 must be met before a CO is issued.
11. The following are Continuing Conditions: Paragraph 6.d and 6.h .

NOW THEREFORE, for the reasons set forth herein and as stated on the record by the Members of the Planning Board of the Township of Livingston, it is resolved that the Application for Preliminary and Final Site Plan approval, and for variances as set forth herein, be and are hereby granted and approved subject to the terms and conditions of this Resolution.

This Resolution is a memorialization of the decision of the Livingston Planning Board made on July 19, 2011, wherein Board Members Dinar, Kalishman, Kimmel, Leopold, Venza, Alternate No. 1 Ratner (for absent Member Meade), and Alternate No. 2

Anthony (for absent Member O'Neill) voted in accordance with the action memorialized herein; the remaining Members of the Board being absent or not qualified to participate.


Peter M. Klein, Chairman

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Planning Board of the Township of Livingston on August 16, 2011, memorializing the decision of the Planning Board made on July 19, 2011.


Jackie Coombs-Hollis, Secretary

PLANNING BOARD, TOWNSHIP OF LIVINGSTON

Model Conditions of Approval (As Amended through March 15, 2011)

Every application turns on its own facts and is judged on its own merits. Listed below are models of conditions which may be considered "standard". A standard can be tailored to specific circumstances, and may not always apply. Other or additional conditions may be tailored for any application.

1. Architecture

- a. Rooftop ancillary structures and equipment shall be screened by material compatible with the exterior finish of the building and matching the exterior color of the building as closely as possible.
- b. Enclosures of trash bins, recycling bins or dumpsters shall be of the same type of materials and the same color as the exterior finish of the building.

2. Blasting

In the event that blasting be necessary on the Site, the following conditions shall apply in addition to all requirements of federal law or regulations:

- a. All blasting operations shall be performed in strict compliance with N.J.S.A. 21:1A-128 *et seq.* and N.J.A.C. 12:190-1.1 *et seq.*, or superseding requirements.
- b. A pre-blast inspection of all structures on all properties adjacent to the Site or within 200 feet of the blasting (whichever is the greater distance) shall be conducted at Applicant's expense.
- c. Blasting shall occur only between 10:00 a.m. and 3:00 p.m. on Monday through Friday. Blasting during other hours may be permitted, temporarily, by the Township Engineer upon his finding that a condition constituting an emergency exists and necessitates such permission.
- d. Applicant shall coordinate all blasting with the Livingston Police and Fire Departments. If traffic control is required, it shall be provided at Applicant's expense.
- e. Applicant shall give the Township Engineer, the Chief of Police, the Fire Chief, and all owners of structures required to be inspected under "b" above, written notice of scheduled blasting operations to be received not less than 20 days, nor more than 40 days, prior to their commencement. If scheduled blasting operations are delayed or suspended they shall not be resumed until new notice has been given and received. All notices shall include the name and telephone number of Applicant's representative for purposes of receiving and responding to questions and comments.
- f. These conditions do not supersede any requirements of law or regulation that are more strict or restrictive.

3. Cleanliness

- a. At the close of each work day the Site shall be thoroughly cleaned and all trash and construction debris, including that within buildings under construction, shall be placed in covered dumpsters which shall be removed from the Site, and replaced, before they overflow.
- b. Not less often than weekly, and whenever else required by the Construction Official or the Township Engineer, the public streets adjacent to the Site, and within 500 feet of the Site, shall be manually or mechanically broom swept to remove dirt, mud or debris originating from the Site.
- c. Dust suppression methods acceptable to the Construction Official and the Township Engineer shall be utilized on the Site.

4. Deeds & Easements

All deeds, easements, dedications or restrictions required by this approval shall be subject to review and approval by the Board Attorney prior to signing and filing for recordation.

5. Detention Basins

- a. Stormwater management basins shall be established on lots created for that purpose only. No structures that are not an approved part of the stormwater management system shall be erected on any such lot.
- b. If the approval of the Application calls for title to such a lot to be transferred to the Township; at such time as the Township accepts any new streets or roads on the Site, title to the lot shall be conveyed to the Township provided that the Township Engineer is then satisfied that the basin has been constructed in full compliance with all applicable requirements. The deed conveying such title shall be subject to prior approval by both the Board Attorney and the Township Attorney.
- c. A maintenance plan (as well as any future revisions) meeting the requirements of the Residential Site Improvement Standards or the Township's Stormwater Control Ordinance, or both, as applicable, shall be prepared by Applicant in terms receiving the approval of the Township Engineer. Unless maintenance is assumed by the Township or a public agency as its direct responsibility, the maintenance plan and any future revisions shall be recorded upon the deed of record for the property in terms approved in advance by both the Board Attorney and the Township Attorney.

6. Final Plans

Prior to the issuance of any Township permit for demolition of any structure, preparation of the Site, or construction of any improvement:

- a. The full text of all of the conditions of this approval, and all plan changes agreed to in the course of the hearing, shall be set out on final plans submitted to the Construction Official, the Township Engineer and the Board Secretary; and
- b. Such final plans shall have been reviewed by the Board Secretary or the Board's Planning Consultant for determination of whether the plans conform to the Board's approvals and shall then have been signed by the Board Chairman, the Board Secretary and the Township Engineer.

7. Flood Hazards

- a. Insert on the final site plan and/or subdivision map a metes and bounds description of all flood hazard areas located on the Site.
- b. Insert in all deeds for individual lots that contain or are adjacent to flood hazard areas, and on the preliminary and final subdivision maps or plats, the following covenant: “The lands designated herein contain flood hazard areas. There shall be no disturbance of any kind as to any flood hazard area unless permitted by N.J.D.E.P. pursuant to the Flood Hazard Control Act, N.J.S.A. 58:16A-50 *et. seq.* or superseding requirements.”

8. Guarantees

- a. The approval of this Application is subject to the posting of any and all required performance guarantees, soil erosion and sediment control approvals, and any other requirements of Township ordinances prior to the commencement of site preparation or construction.
- b. This approval is also conditioned upon the Applicant providing, prior to issuance of the first certificate of occupancy, a performance guarantee for any aspects of the approved landscaping or fencing that has not been completed by the time of issuance of such certificate.

9. Landscaping & Environmental Protection

- a. All deciduous trees planted shall have a caliper of not less than 2.5 inches measured at a height of 4.0 feet above the root ball. All evergreen trees planted shall have a height of 6.0 to 8.0 feet.
- b. Street shade trees shall be planted in front yards and outside the right-of-way and shall not be included in the calculation of replacement trees required by the Trees Ordinance.
- c. Any tree or other planting installed in accordance with the plans which dies shall be replaced, within the current or next planting season, in kind and at the same size as it had reached at the time of death; except that if it died more than three years after planting its replacement need not be larger than the size it had reached three years after planting. The same replacement requirements shall apply to a tree or other planting removed because of damage or disease.
- d. No tree existing on the Site at the time of filing of the application shall be removed except as identified for removal on an approved plan. Every existing tree to be preserved shall be tagged and shall be shown on the Site Plan or Subdivision Plan. During site preparation and during construction, each such tree shall be protected by snow fencing or a more substantial

means approved by the Construction Official. No soils, excavated materials, or any construction equipment or building materials, shall be stored or operated within a root protection zone that shall be the greater distance of (i) the crown drip line, or (ii) a distance equal to caliper multiplied by one (1) foot, (but never less than eight (8) feet from the trunk of a tree to be preserved), or anywhere else where such soil or materials can adversely affect the health of trees to be preserved. All work done within the root protection zone shall be accomplished with hand tools.

- e. The grade of land located within the root protection zone shall not be raised or lowered more than three (3) inches unless compensated for by welling or retaining wall methods; but in no event shall welling or retaining walls be installed less than eight (8) feet from the trunk of a tree.
- f. During site preparation or construction, no fuel storage, and no refueling, maintenance, repair or washdown of construction equipment, shall occur within fifty (50) feet of any tree to be preserved.
- g. Any provision of the Trees Ordinance, § 170-53 et seq. of the Code of the Township of Livingston, that establishes a higher or more restrictive standard or requirement shall control.
- h. No mulch shall be placed, or allowed to accumulate, within six inches of the trunk of any tree or shrub planted on the Site in compliance with this resolution. Mulch shall not be applied, or allowed to accumulate, elsewhere within the drip line of the tree or shrub to a depth in excess of four inches.

10. Noise

- a. No site preparation, demolition or construction activity shall be performed on the Site on Sundays, or before 7:30 a.m. or after 5:00 p.m. on weekdays, or before 9:00 a.m. or after 5:00 p.m. on Saturdays or federal holidays.
- b. All vehicles and motorized machinery operated on the Site shall be equipped with properly operating mufflers.
- c. No site preparation, demolition or construction activity (other than authorized blasting) shall produce, at the property line, (i) continuous airborne sound at a sound level in excess of 65 dBA, or which has an octave band sound pressure level in decibels which exceeds the standards provided in 32 N.J.R. 2230 et. seq., or (ii) impulsive sound in air which has a peak sound pressure level in excess of 80 decibels, or (iii) impulsive sound in air which repeats more than four times in any hour and has a peak sound pressure level in excess of 50 decibels.
- d. Relief from these noise conditions may be permitted, temporarily, by the Township Engineer upon his finding that a circumstance constituting an emergency exists and necessitates such permission.

11. Other Governmental Approvals

- a. Applicant shall comply with all applicable Federal, State and local laws and regulations and obtain any other governmental approvals required for implementation of this application as approved. If any other governmental agency or authority grants a waiver of or variance from any law, rule or regulation, or imposes any condition or requirement, which affects this approval or any of the conditions contained herein, then this Board shall have the right to review such action as it relates to this Board's approval or conditions and to modify, amend or revoke its approval and/or conditions.
- b. No Township permit for demolition of any structure, preparation of the Site or construction of any improvement shall be issued until proof of request for such approvals, and any action thereupon, shall have been presented to the Construction Official and the Board Secretary by the Applicant.

12. Paving and Sidewalks

- a. Applicant shall install the top course of street paving:
 - (1) For residential development not later than the earlier of three (3) years after the issuance of the first certificate of occupancy or three (3) months after fifty percent (50%) of residential units have received certificates of occupancy.
 - (2) For non-residential or mixed-use development, prior to issuance of the first certificate of occupancy.
- b. All manholes, catch basins, and driveway curbs shall be ramped until the top course of street paving has been installed.
- c. All sidewalks shall be constructed of concrete or of non-asphalt pavers and shall be not less than four feet wide in a residence district or five feet wide in the Business Improvement District. Existing sidewalks that do not meet prior Township Code requirements shall be replaced to the standard for the new sidewalks.

13. Signs

The Board shall retain jurisdiction over any and all signs until the final certificate of occupancy has been issued.

14. Traffic and Parking Enforcement

- a. The Applicant shall comply with State law and applicable Township

Ordinances regarding handicapped parking and shall maintain such spaces and all the traffic and parking signage and markings on the Site in good order and repair.

- b. At the time of applying for a building permit the Applicant shall submit proof of having filed a written request pursuant to, and in accordance with, N.J.S.A. 39:5A-1, requesting that N.J.S.A. 39:1-1 *et seq.* be made applicable to the roads, streets, driveways, parking areas, etc. within the Site. The Applicant shall provide proof of the governmental action on such request to the Construction Official prior to issuance of the final certificate of occupancy.

15. Utilities for Site Plans and Major Subdivisions

Applicant will construct all utilities underground as required by law, and shall submit to the Engineering Department a written instrument from each serving utility evidencing full compliance with this condition and with Code Section 170-73.A.(17) of the Land Use Ordinance before issuance of any certificate of occupancy.

16. Wetlands

- a. Applicant will insert on the final subdivision map a metes and bounds description of all wetlands, wetlands transition areas, and buffers on the Site.
- b. Where applicable, each deed for a lot, and the subdivision plat, shall contain the following language: “The lands designated herein contain wetlands and wetlands transition areas. There shall be no disturbance of any kind as to any wetlands or wetlands transition areas unless permitted by N.J.D.E.P. pursuant to law, and Best Management Practices (as defined in N.J.A.C. 7:7A-1.4 or superseding requirements) for prevention or reduction of adverse impacts upon or pollution of wetlands, wetlands transition areas and buffers shall be followed at all times. This restrictive covenant shall run with the land and be binding upon the grantees, their heirs and successors and assigns.”

17. Developer’s Agreement

Prior to issuance of any permit for demolition, site preparation, or construction, the Applicant shall have entered into a Developer’s Agreement with the Township when informed by the Township Engineer that such an agreement is required. The terms of such an agreement shall be subject to review and approval by the Township Attorney prior to signing.

18. As-built Plans

A final certificate of occupancy shall not be issued until the Applicant shall have submitted to the Construction Official four (4) properly signed and sealed copies each of as-built site plans, surveys and building elevations prior to signing.