RABAN & RABAN

Attorneys at Law

REGINALD J. RABAN (Retired)

JAMES S. RABAN*▲

Attorneys at Law 11710 Long Beach Blvd. Haven Beach, NJ 08008

MEMBER OF NI BAR *
MEMBER OF PA BAR ▲

TEL (609) 492-0533 FAX (609) 492-0464 Email: jraban@regraban.com

April 10, 2024

Via Hand Delivery and Jfife@longbeachtownship.com
Jackie Fife
Long Beach Township Land Use Board
6805 Long Beach Boulevard
Brant Beach, NJ 08008

Re: Santoro Preliminary and Final Major Site Plan and Bulk Variance Block 13.08, Lots 1 & 17 8511 Long Beach Blvd., Long Beach Township

Dear Jackie:

Enclosed please find the following with regard to the above referenced matter:

- (x) Original and 14 copies of Land Use Development Application;
- (x) 15 copies of Site Plan prepared by James Brzozowski, P.E., P.P., of Horn, Tyson & Yoder, Inc.;
- (x) 15 copies of Floor Plans prepared by David Gaffin, of Studio Tagland Designs, LLC;
- (x) 15 copies of Tax Map with Property Lot and Block highlighted;
- (x) 15 color copies of 4 property photos
- (x) 1 W-9;
- (x) 1 Affidavit of Ownership;
- (x) 1 Signed Checklist;
- (x) 1 Technical Checklist;
- (x) 1 Proposed Public Notice;
- (x) Application Fee check # 3337 Amount \$3,150.00
- (x) Attorney Escrow check # 3338 Amount \$4,500.00
- (x) Please consent and/or approve for public hearing on May 8, 2024 at 6:30 p.m.

Jackie Fife Long Beach Township Land Use Board April 10, 2024 Page 2

If you have any questions, please do not hesitate to contact me. Thank you for your courtesies and attention to this matter.

Very truly yours

JAMES S. RABAN

JSR/dh

Encl.

Cc: John and Dolores Santoro (via email)

James Brzozowski, P.E., P.P. (via email)

David Gaffin (via email)

Frank Little, Jr., P.E., P.P. (via email and regular mail)

Kevin Quinlan, Esq. (via email and regular mail)



LONG BEACH TOWNSHIP LAND USE BOARD CHECKLIST FOR INITIAL SUBMISSION **INCOMPLETE SUBMISSIONS WILL NOT BE ACCEPTED**

PLEASE READ

I LEAGE KEAD
INSTRUCTIONS:
1. A completed, signed checklist must be received by the Land Use Board Secretary & Attorney prior to application being
deemed complete.
2. All required documents must be submitted at least forty-five (45) days prior to the regularly scheduled Land Use
Board Meeting at which consideration is sought.
3. All documents must be submitted at the same time - Incomplete submissions will NOT be accepted!
4. Applicant MUST deliver Completed Application and supporting documents in the following arrangement:
4. Tippicant into i active complete and interest and inte
Kevin Quinlan, Esq.:
I Copy of Complete Application
1 Copy Variance Plan, Site Plan, or Subdivision Map
I Copy of Architectural Plans
1 Copy of Zoning Denial Letter (if applicable)
1 Copy of Color Photos 1 Copy of Tax Map with Property Block & Lot highlighted 1 Copy of Affidavit of Ownership, Consent, Authorization and Non-Collusion
1 Copy of Tax Map with Property Block & Lot highlighted
Copy of Affidavit of Ownership, Consent, Authorization and Non-Collusion
∑ 1 Copy of this Checklist
I Copy of Proposed Notice to Property Owners and for Publication
Mailed to Kevin Quinlan 207 W. Main Street, Tuckerton, NJ 08087
Frank Little, P.E., P.P.
≤ 1 Copy of Complete Application
∠ I Copy Variance Plan, Site Plan, or Subdivision Map
1 Copy of Architectural Plans
1 Copy of Zoning Denial Letter (if applicable)
X 1 Copy of Color Photos
1 Copy of Tax Map with Property Block & Lot highlighted
1 Copy of Zoning Denial Letter (if applicable) 1 Copy of Color Photos 1 Copy of Tax Map with Property Block & Lot highlighted 1 Copy of COMPLETED Technical Check List Mailed to Frank Little: Owen, Little & Associates Inc. 443 Atlantic City Boulevard, Beachwood, NJ 08722
Mailed to Frank Little: Owen, Little & Associates Inc. 443 Atlantic City Boulevard, Beachwood, NJ 08722
THE THE COURT OF LINE LAW AND ALL AND ADDRESS OF THE PARTY OF THE PART
Board Secretary: Jackie Fife 6805 Long Beach Boulevard, Brant Beach, NJ 08008:
1 ORIGINAL of each of the following:
Application Variance Plan Site Plan Subdivision Plan Architectural Plan(s)
Tax Map Color Photos 1-W-9 Zoning Denial Signed Checklist
Technical Checklist Affidavit of Ownership, Consent, Authorization and Non-Collusion
1 Copy of Proposed Notice to Property Owners and for Publication
Electronic copy PDF format of all the above emailed to jfife@longbeachtownship.com
Check for Application Fee \$ 3.150.00 Check # 3.33.7
K Check for Escrow Fee \$ 4,500. Check # 3338
Board Member Packets (COLLATED):
14 Copies of Complete Application including: 14 Copies Variance Plan, Site Plan, or Subdivision Map
> 14 Copies of Architectural Plans
14 Copies of Zoning Denial Letter (if applicable)
14 Copies of Color Photos
24 Copies of Tax Map with Property Block & Lot highlighted
4/10/24
Applicant Signature Date

Approved Denied
(FOR LAND USE BOARD SECRETARY ONLY)

	TO THE LONG BEACH ND USE BOARD	Do not write below - f	or official use only
Project Name: Santo	ro Site Plan	Date Received:	ф.
Block: 13.08	Lot(s): 1 & 17	— Application Fee: Escrow Fee:	\$ \$
	511 Long Beach Boulevard	Docket Number:	
CHECK ALL THAT A			
Use Inte	k Variance Variance crpretation ormal ditional Use	Minor Subdivision (Major Subdivision/) Major Subdivision I Site Plan/Prelimina Site Plan/Final	Preliminary Final Major
DO NOT LE	ESTIONS. IF NOT APPLICA AVE BLANKS. INCOMPLETI ACCEPTED OR WILL BE DEF	E APPLICATIONS WI	
1. Applicant Name:	Dolores Santoro		
Address: Street:	3 Brookside Circle	City: Marlboro	Zip: 07746
Phone: (732) 740-7	e-mail: deriv15	@msn.com	
addresses of all sto separate paper. C	Owner	rs having 10% or more ed by a New Jersey licer	the names interest on a
2. Owner's Name:	Same as Applicant		
Address: Street:		City:	Zip:
•	e-mail:	••••••••••••••••••••••••••••••••••••••	
All owners must b	e identified and sign application	n. (Use additional pa	ges if necessary)
3. Attorney:	James S. Raban		7
T 1	11710 Long Beach Blvd.	City: Haven Beach	Zip: 08008
(609) 492	e-mail: jraban@	@regraban.com	
	: Horn, Tyson & Yoder, Inc.		
Address: Street:			
	8510 Long Beach Blvd.	City: Long Beach T	w _B Zip: 08008

5.	Architec	:t:	Studio T	agland Design	s, LLC		·	
	Address:	Street:	3 W. Del	aware Ave.		City: Long Beach Tv	Va Zip: 08008	_
	Phone:	(609) 361-	8128	e-mail	: dave@st	udiotagland.com		_
		<u> </u>	·					-
	Attache	additiona	l sheets ij	^f necessary.				**
_	Y 45	<i>C</i>						
0.		of prope	rty:	T m4 A man	- 6 275 na	f Lat Diagnosis	75L. OF	
	Zone	: <u>C</u>		_ Lot Area	: <u>6,375 sq.</u>	ft. Lot Dimension	s: /5 x 85	_
7.	Is the pr	operty lo	cated on	a county road	i? Yes			
	_	Use: Mix		, ·	······································			
0.		of Dwellin		1	No. o	f Commercial Units:	4	-
Ω			•		<u> </u>	•	1	_
У.	Propose	ea Use: M	<u>ixed-Use:</u>	1 commercial	unit and 1	residential unit	<u> </u>	Œ
10.	When w	vas the pro	perty pu	irchased? 3/	/23/23			
11	D-4£	T = -4 C = -4	: <i>c</i> :	· • • • • • • • • • • • • • • • • • • •			1.0	
11.	Date of	Lasi Ceri	incate of	Occupancy:	<u></u>	· · · · · · · · · · · · · · · · · · ·	Attach Copy	-
12.	Date of	last const	ruction,	alteration or	addition:	Attac	ch copies of permits	
			_		Pre-Existing		Varia	nce
13.		ig condit	ions	***************************************	on-conformit	y Proposed condit	ions Need	
	Building	Height:		33.80		Building Height:	<u>34.00</u> \Box	
		rd Set Back	:	<u>-1.80</u>		Front Yard Set Back	10.00	
	+	d Set Back		34.20	<u> </u>	Side Yard Set Back	5.00	
		d Set Back		6.40		Side Yard Set Back	<u>25.00</u>	
		d Set Back Adj. Struct.	•	33.90		Rear Yard Set Back	<u>18.30</u> □	
	and the second second	rage (sq.ft.	-	<u>15.00</u>			> <u>15.00</u>	
	% Lot Co	_	,	· · · · · · · · · · · · · · · · · · ·	* ; .	Lot Coverage (sq.ft.)	2,231.25	
		vious Cove	rage	70.10		% Lot Coverage	<u>35.00</u>	
		cipal Struc	-	1.00		% Impervious Coverage	the control of the co	
		essory Struc		1.00		No. Principal Structures		
	Lot Widt	th		75.00		No. Accessory Structure	s <u>0.00</u>	
14.	Existing	g Restrict	ions:	70.00	N-mar-E			
	(A)	Deed Re		s:		(Attach Cop	ies) 🛮 None	
	(B)	Easemen	its:			(Attach Cop		
	(C)	Condom	inium:			(Attach Cop	·	
15.	Propos	ed Restric	tion:	<u>. *</u>			— ☑ None	

16.	Variances and Wai	vers:					
	(A) List Required	Variances: (Ir	iclude Ordi	nance Numl	ber)		None
	See attached A	pplication Supp	lement.	·	·		
		•					
			•		·		
			:	•		*a	
	On a separate	paper provide	legal theor	y supporting	g variance re	lief.	• •
	(B) List of Reques	ted Waivers:		نو		Ø	None
			•		• •		
4							
or a	Briefly describe an ny other Federal, S subject of this appl dings, decisions an	tate, County o ication and at	r local Boar tach copies	rd or Agency of any appli	vinvolving the cation, support	nis property orting docum	which is mentation
						' .	
			e e	·	a de la companya de l	. F - 1	
			·				
	•		•			÷	
	List all material sul orts etc.	bmitted with t	his applica	tion i.e. plai	is, surveys, d	rawings, ph	otos,
ж		ared by Horn, T	yson & Yod	er, Inc.			
		Drawings prepar of the subject	•	Tagland De	signs LLC		

ALL OWNERS OF RECORD AND APPLICANT MUST SI	GN APPLICATION. (ATTACHTED STATES)
Dates: 4/6/24	Dolores Santoro , Owner (Print name under signature)
Dates:	, Owner (Print name under signature)
Applicant Signature (if different from	•
Dates:	, Applicant (Print name under signature)
Dates:	, Applicant (Print name under signature

MUST BE SIGNED BY OWNER(S) AND/OR APPLICANT NOT ATTORNEY

APPLICATION SUPPLEMENT/STATEMENT OF OPERATIONS

Dolores Santoro (the "Applicant") has made application to the Long Beach Township

Land Use Board for preliminary and final major site plan approval and a bulk variance relative to
proposed development at the property designated as Lots 1 and 17 in Block 13.08 on the Tax

Map of the Township of Long Beach, located at 8511 Long Beach Boulevard in the Brighton

Beach Section of Long Beach Township. The property is currently developed with a mixed-use
building, the commercial portion of which was formerly known as Brighton Beach Surf Shop.

The Applicant is seeking to demolish the existing mixed-use building and garage, and to
construct a new mixed-use building. The proposed mixed-use building has commercial space on
the ground floor, with a two-story single-family residential unit above. The Applicant is seeking
to utilize the commercial space as a retail frozen yogurt store. The following variance is
requested from the Long Beach Township Zoning Ordinance:

 Two of the eight proposed parking spaces at the site encroach into the site triangle, required by Section 205-6 of the Long Beach Township Zoning Ordinance, at the southwest corner of the property.

It is important to note that none of the parking spaces encroach into the ASHTO sight triangle.

The Applicant's engineer will provide testimony that the location of the proposed parking spaces does not create a safety issue.

The Applicant anticipates that the hours of operation for the frozen yogurt store will be 11:00 a.m. to 9:00 p.m., with the possibility of being open until 10:00 p.m. on weekends depending on demand. It is anticipated that the store will have one to three employees at any given time.

Long Beach Township Land Use Board

AFFIDAVIT OF OWNERSHIP, CONSENT, AUTHORIZATION, and NON-COLLUSION

STATE OF	;		
COUNTY OF _	; ss.		
	Dolores Santoro		being duly sworn according to law,
-	h depose and say:		
1. I/we a	m/are the only owner(s)	of propert	y known as 8511 Long Beach Blvd.
	ownship, Ocean County		(Street Address)
	13.08	Lot Lot Lot	1.8.17
As shown on the	Official Tax Maps of the	e Townsh	np of Long Beach.
herewith. I/we is myself/ourselve connection with other designated. 3. There	further agree to be bound s or my/our authorized ag this application as deemed officials or representative has been no collusion by	by all repent. I/we dent. I/we dent incress res.	cation and the approval of the plans submitted bresentations and commitments made by a further consent to the inspection of this property in any by the members of the Land Use Board and/or e/us and any member of the Township of Long and the Long Beach with respect to said
•	(Print ag	ent name)	n, Esq. (Agent), to make application on my/our
agent. Dated: //3	12.4		Wulnes Santon
			Dolores Santoro
			Print Name above
	oscribed to before me		Signature of Owner
	Norany Dablic		Print name above



Owner: <u>Dolores Santoro</u>	Phone # 732-74 0 -71	32 Email: deri	V15 pmsn. con
Applicant: Same as Owner	Phone #:	Email:	
Address: 8511 Long Beach Blud.			
Block: 13.08 Lot(s): 1217	Date:	1/10/24	

		<u> </u>		<u> </u>						
	VARIANCE APPLICATION			MINOR PLICATION	MAJOR SITE PLAN		MAJOR SUBDIVISION		CIRCLE ONE	
DESCRIPTION	BULK	USE	SITE PLAN	SUBDIVISION	PRELIMINARY	FINAL	PRELIMINARY	FINAL	MUST BE COMPLETED	
MANAGER CONTROL OF THE PROPERTY OF THE PROPERT										
For Major and Minor Subdivisions and Site Plan Applications, a scale of not less than 1" = 30' for tracts up to five (5) acres or 1" = 50' for										
tracts greater than five (5) acres. For Variance Applications, a scale of not less than 1" = 10' for lots 10,000 SF or less and 1" = 20' for lots greater than 10,000 SF.	X	X	X	X	X	X	X .	Х	(P) (W) (N/R)	
Signature, seal, address, license number of professional preparing plat.	X	Х	х	х	X	х	Х	Х	(P)(W) (N/R)	
Plat based on land survey less than 12 months old	х	х	X	х	х	х	Х	X	(P)(W) (N/R)	
Sheet size up to 30" x 42"	х	Х	Х	Х	Х	Х	X	Х	(P)(W) (N/R)	
Each sheet numbered and titled	Х	Х	Х	Х	X	Х	X	Х	(P)(W) (N/R)	
GENERAL INFORMATIO	N									
Existing and proposed lot lines with dimensions, bearing and curve data.	х	X	х	X	x	х	×	X	(P) (W) (N/R)	
Key Map: site location and features within 400 FT, including streets, street names, and zone boundaries	Х	X	х	х	X	x	х	х	(P)(W) (N/R)	

^{**}This checklist **MUST** be completed and submitted as part of any application. All of the following items must be shown on the submitted plans or attached for the application to be considered for completeness review.**

^{**}Waivers may be requested from some of the following items should be checked where provided and an explanation of the reason for the waiver or non-applicable items explained in a separate letter to be attached to this checklist. See Initial Submission Checklist for number of copies and how to distribute.**

	VARIANCE APPLICATION				MAJOR SITE P	LAN	MAJOR SUBDIVISION		CIRCLE ONE	
DESCRIPTION	BÜLK	USE	SITE PLAN	SUBDIVISION	PRELIMINARY	FINAL	PRELIMINARY	FINAL	MUST BE COMPLETED	
Title Block: Applicant name, name of development, preparer, lot and block numbers,	x	X							COMPLETED	
date prepared, application type, and zoning district.	*		X	X	X	X	X	X		
fax map sheet, lot and block numbers	Х	Х	Х	Х	X	х	Х	х	(P) (W) (N/R)	
Zone boundaries, tax map sheet, lot and block numbers and names and addresses of all owners within 200 FT.	x	X	x	х	X	x	X	X	(P) (W) (N/R)	
Date of original and all revisions.	Х	X	Х	Х	×	Х	Х	Х	(P) (W) (N/R)	
Written and graphic map scale.	Х	Х	Х	χ̈́	Х	Х	Х	х	(P) (W) (N/R)	
North arrow with reference meridian.	Х	X	Х	Х	Х	X	Х	х	(P) (W) (N/R)	
Data and signature as per the "Map Filing .aw"	х	Х	х	Х	X	Х	Х	х	(P) (W) (N/R)	
able of zoning equirements, showing existing nonconformities and proposed variances.	x	X	X	X	х	х	x	X	(P) (W) (N/R)	
Area of the tract and of each lot.	х	Х	Х	X	X	X	Х	Х	(P) (W) (N/R)	
Approval signature lines for Chairman, Secretary and Board Engineer			X	Х	х	х	Х	X	(P) (W) (N/R)	
NATURAL DEFATURES.		*55	*							
Existing and proposed contours at one-toot intervals indicating surface drainage and topography within 50 FT			X	х					(P) (W) (N/R)	
Existing and proposed contours at one-foot intervals indicating surface drainage and topography within 200 FT					x	x	x	х	(P)(W) (N/R)	
All existing water courses and related areas that are subject to 100 Year floods under FEMA standards.			х	х	х	х	X	х	(P)(W) (N/R)	
The boundaries of wetlands and wetland transition areas,	х	х	х	. х	X	х	Х	х	(P) (W) (N/R)	

	VARIANCE APPLICATION		MINOR APPLICATION		MAJOR SITE P	LAN	MAJOR SUBDIV	CIRCLE ONE	
DESCRIPTION	BULK USE		CITE		PRELIMINARY	PRELIMINARY FINAL		FINAL	MUST BE
NVARI-MADE HEAVILLE	Section						PRELIMINARY		COMPLETED
Show existing structures and setbacks from existing and proposed property lines, indicating those to be modified or removed or to remain. Show setback of structures on adjacent properties.	x	X	x	x	X	X	X	x	(P) W) (N/R)
Location of proposed buildings; finished grade, first floor and basement elevations, setbacks of all buildings from nearest lot lines, building height and other pertinent improvements.	x	х	х	x	X	x	x	x	(P)(W) (N/R)
Building coverage and lot coverage calculations.	х	х	х		X	х			(P) (W) (N/R)
Existing and proposed easements, rights-of-way and their purposes.	Х.	X	х	х	Х	х	Х	х	(P)(W) (N/R)
Existing and proposed manholes, sewer lines, stormwater management facilities, waterlines, fire hydrants and utility poles within 200 FT.			х	х	X ,	x	X	X	(P)(W) (N/R)
Plans and profiles of proposed utility layouts, such as sewers, storm drains, water, gas, communications and electric, showing feasible connections to existing or proposed utility systems as well as channel section details, pipe sizes, types and inverts, road crowns and slopes.		v			X	х	X	Х	(P) w) (N/R)
All monumentation as required as per the "Map Filing Law" including all monuments found, set or to be set.				X			Х	x	(P) (W) (N/R)

	VARIANCE APPLICATION		MINOR APPLICATION		MAJOR SITE I	PLAN	MAJOR SUBDIV	CIRCLE ONE	
DESCRIPTION	BULK	USE	SITE	SUBDIVISION	PRELIMINARY	FINAL	PRELIMINARY	FINAL	MUST BE
Offstreet parking and loading spaces required and proposed, and location and dimensions of access drives, aisles and parking stalls		X	PLAN X		X	X	TREEMINARY	FINAL	COMPLETED (P)(W) (N/R)
SUREST WAS A STATE	A A								
Location, names and widths of all existing and proposed streets, sidewalks and street widening within 200 FT of the site.			Х	X	X	x	X	X	(P)(W) (N/R)
Plans, profiles and cross- sections of paved areas, curbs and sidewalks.			х	X	×	x	x	х	(P) (W) (N/R)
MISCELLANEOUS									
Exterior Lighting Plan, including the location, direction of illumination, amount of illumination expressed in horizontal foot candles, wattage and drawn details of all outdoor lighting standards and fixtures.			X		X	X	X	X	(P)(W) (N/R)
Landscaping and Screening Plan showing the location, type of tree or shrub and the location, type and amount of each type of ground cover.			х	x	X	x	×	X	(P)(W) (N/R)
Storm drainage calculations.	*******	···	•		Х		X		(P)(W) (N/R)
Stormwater management facilities shown on the grading plan showing all aspects of the stormwater system.			×		X	х	X.	X	(P)(W) (N/R)

5

TOWNSHIP OF LONG BEACH LAND USE BOARD TECHNICAL CHECKLIST

		IANCE CATION	MINOR APPLICATION		MAJOR SITE P	MAJOR SITE PLAN		MAJOR SUBDIVISION		
DESCRIPTION	BULK	USE	SITE PLAN	SUBDIVISION	PRELIMINARY	FINAL	PRELIMINARY	FINAL	MUST BE COMPLETED	
Applications for new construction or additions to buildings: See initial Checklist for		<u></u>							COMPLETED	
number of copies to distribute of building plans showing elevations and floor			-							
areas (including dimensions) for all floors. "Multi-family units and commercial uses		·								
require sealed Architectural Plans;" Building elevation to be provided for the full	x	X							(P)(W) (N/R)	
neight of the building from grade to roof peak. Plan scale shall be a minimum of ¼"										
per foot. Building elevations shall be provided for all sides			·.							
and shall be labeled North, South, East and West										
ocation of all signs and diawn details showing the size, construction type, height and content of all signs.			х		х	х			(P) (W) (N/R)	
Orawn details of the ype of screening to be used for the refuse torage areas, outdoor equipment and bulk torage.			х		х	х		((P) (W) (N/R)	

PUBLIC NOTICE

LONG BEACH TOWNSHIP

PLEASE TAKE NOTICE that Dolores Santoro (the "Applicant") has made application to the Long Beach Township Land Use Board (the "Board") for preliminary and final major site plan approval and a bulk variance relative to proposed development at the property designated as Lots 1 and 17 in Block 13.08 on the Tax Map of the Township of Long Beach, located at 8511 Long Beach Boulevard in the Brighton Beach Section of Long Beach Township. The property is currently developed with a mixed-use building, the commercial portion of which was formerly known as Brighton Beach Surf Shop. The Applicant is seeking to demolish the existing mixed-use building and garage, and to construct a new mixed-use building. The proposed mixed-use building has commercial space on the ground floor, with a two-story single-family residential unit above. The Applicant is seeking to utilize the commercial space as a retail frozen yogurt store. The following variance is requested from the Long Beach Township Zoning Ordinance:

 Two of the eight proposed parking spaces at the site encroach into the site triangle, required by Section 205-6 of the Long Beach Township Zoning Ordinance, at the southwest corner of the property.

Although the Applicant believes that no additional variances, waivers or exceptions are required, any additional variances, waivers or exceptions deemed necessary or appropriate by the Board will be requested at the public hearing.

This matter is on the Clerk's Docket and a hearing has been ordered for May 8, 2024 at 6:30 PM in the Administration Building, First Floor Court Room, 6805 Long Beach Boulevard, Brant Beach, NJ, at which time persons interested may appear personally or by agent or attorney

with a properly authorized power of attorney. Please note that this is an in-person meeting only. There will be no virtual component.

Should the meeting format change, the Township website will be updated with necessary information up to and including the date of the meeting. You will not receive notice of a meeting format change. It is up to you to check the Township website or call the Township (609-361-6653) during normal business hours on the day of the hearing for any change from in person to virtual meeting.

Documents are available for inspection at the Land Use Board Office, 6805 Long Beach Boulevard, Brant Beach, New Jersey during normal business hours Monday through Thursday 9:00 a.m. to 3:00 p.m.

File #3634

James S. Raban Attorney for the Applicant