

**RABAN & RABAN**

— LLC —

*Attorneys at Law*

**11710 Long Beach Blvd.  
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JAMES S. RABAN\*▲

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April 17, 2020

Via Hand Delivery & Email [cmcnally@beachhaven-nj.gov](mailto:cmcnally@beachhaven-nj.gov)

Colleen McNally, Secretary  
Beach Haven Land Use Board  
300 Engleside Ave.  
Beach Haven, NJ 08008

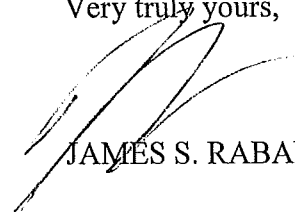
Re: Brennan Minor Subdivision  
Block 170, Lot 2  
415 N. Bay Ave, Beach Haven, NJ 08008

Dear Ms. McNally:

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

- (x) 5 copies of Land Use Development Application
- (x) 5 copies of Minor Subdivision Plans prepared by James Brzozowski, P.E, P.P. of Horn, Tyson & Yoder, Inc.
- (x) Public Notice
- (x) Check No. 2374      Amount    \$200.00    Administrative Fee
- (x) Check No. 2375      Amount    \$1,500.00    Escrow Account Deposit
- (x) Please consent and/or approve for public hearing on June 1, 2020 at 6:00 p.m.

Very truly yours,

  
JAMES S. RABAN

JSR:dh

Encl.

Cc: John Brennan (via email) (w/ enc.)  
James Brzozowski, P.E., P.P. (via email) (w/ enc.)  
Frank Little, Jr., P.E.(via email and regular mail) (w/ enc.)  
Stuart Snyder, Esq. (via email and regular mail) (w/ enc.)

**LAND USE DEVELOPMENT APPLICATION**

**BOROUGH OF BEACH HAVEN**  
BAY AVENUE AND ENGLSIDE AVENUE  
BEACH HAVEN, NEW JERSEY 08008  
(609) 492-0111

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**TO BE COMPLETED BY BOROUGH STAFF ONLY**

Date Filed \_\_\_\_\_ Docket No. \_\_\_\_\_  
Application Fees \_\_\_\_\_ Escrow Deposit \_\_\_\_\_  
Scheduled for: Review of Completeness \_\_\_\_\_ Hearing \_\_\_\_\_

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**1. SUBJECT PROPERTY - TO BE COMPLETED BY APPLICANT**

Location: 415 N. Bay Ave.  
Tax Map Page 7 Block 170 Lot 2  
Dimensions Frontage: 100 ft. Depth 80 ft. Total Area: 8,000 sq. ft.

Zoning District: BD Business District

**2. APPLICANT**

Name: John P. Brennan

Address: 11801 Long Beach Blvd., Long Beach Township, NJ 08008

Telephone Number: 609-492-9538 Fax:

Applicant is a Corporation Partnership Individual

Other (Please Specify):

Social Security Number / Federal ID Number

**3. DISCLOSURE STATEMENT**

Pursuant to N.J.S. 40:55D-48.1, the names and address of all persons owning 10% of the stock in a corporate application or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed (attach pages as necessary to fully comply.)

Name: N/A Interest:

Address:

Name: Interest:

Address:

APPLICANT IS RESPONSIBLE FOR PAYMENT OF ALL PROFESSIONAL REVIEW FEES, INCLUDING THE ENGINEERING AND ATTORNEY. ALL ENGINEERING AND LEGAL FEES MUST BE PAID BEFORE CONSTRUCTION OR ZONING PERMITS CAN BE ISSUED.

4. If owner (s) is other than the applicant, provide the following information on the Owner (s):

Owner's Name: Same as Applicant

Address:

Relationship of the applicant to the property in question:

Owner  Lessee  Purchaser Under Contract :  Other

**5. PROPERTY INFORMATION:**

Deed restrictions, covenants, easements, rights of way, association by-laws, or other dedication existing or proposed on the property:

Yes  No  Proposed

Note: All Deed Restrictions, Covenants, Easements, Rights of Ways, Association By-Laws, or other dedications existing and proposed must be submitted for review.

Site Plan and / or conditional use applicants: N/A

Proposed for: Expanded Area  Alteration

Expansion of Structure  Change of Use  Sign

Other (please specify):

Has this property been the subject of any prior application (s) to the Planning Board or Zoning Board of Adjustment? Yes  No   
If so, please attach the date (s), the relief sought, the disposition of the case and a copy of the resolution (s).

To be supplied

Is the subject property located on:

A County Road: Yes  No  ; A State Road: Yes  No  ;  
within 200 feet of a municipal boundary: Yes  No

Present use of the premises: Commercial gas station

6. Applicant's Attorney JAMES S. RABAN

Address 11710 Long Beach Blvd., Haven Beach, NJ 08008

Telephone Number (609) 492 - 0533 Fax Number (609) 492 - 0464

7. Applicant's Engineer/Surveyor Horn, Tyson & Yoder, Inc.  
 Address 8510 Long Beach Blvd., Long Beach Township, NJ 08008  
 Telephone Number: 609-492-5050 Fax Number: 609-492-4163
8. Applicant's Planning Consultant: Christine A. Nazzaro-Cofone, AICP/PP - Cofone Consulting Group, LLC  
 Address 125 Half Mile Road - Suite 200, Red Bank, NJ 07701  
 Telephone Number 732-933-2715 Fax Number 732-933-2601
9. Applicant's Architect: N/A  
 Address:  
 Telephone Number: Fax Number
10. List any other Expert who will submit a report or who will testify for the Applicant: (Attach additional sheets as may be necessary): N/A  
 Name  
 Field of Expertise  
 Address  
 Telephone Number Fax Number

**11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:**

**SUBDIVISION:**

- Minor Subdivision Approval
- Subdivision Approval (Preliminary)
- Subdivision Approval (Final)

Number of Lots to be created: 2

Number of proposed Dwelling:

Area and Dimensions of each Proposed Lot:

Lot 2.01: 40 feet x 100 feet; 4,000 square feet

Lot 2.02: 40 feet x 100 feet; 4,000 square feet

**SITE PLAN:**

- Minor Site Plan Approval
- Preliminary Site Plan Approval [Phases (if applicable)]
- Final Site Plan Approval [Phases (if applicable)]
- Amendment or Revision to an Approved Site Plan
- Area to be disturbed (square feet)

Total number of proposed dwelling units:

INFORMAL REVIEW

APPEAL DECISION OF AN ADMINISTRATIVE OFFICER [N.J.S. 40:55d-70A]

MAP OR ORDINANCE INTERPRETATION OR SPECIAL QUESTION [N.J.S. 40:55D-70B]

VARIANCE RELIEF (HARDSHIP) [N.J.S. 40:55D-70C(1)]

VARIANCE RELIEF (SUBSTANTIAL BENEFIT) [N.J.S. 40:55D-70C (2)]

VARIANCE RELIEF (USE) [N.J.S. 40:55D-70D]

CONDITIONAL USE APPROVAL [N.J.S. 40:55D-67]

DIRECT ISSUANCE OF A PERMIT FOR A STRUCTURE IN BED OF A MAPPED STREET, PUBLIC DRAINAGE WAY, OR FLOOD CONTROL BASIN [N.J.S. 40:55D-34]

DIRECT ISSUANCE OF A PERMIT FOR A LOT LACKING STREET FRONTAGE [N.J.S. 40:55D-35]

12. Section (s) of Ordinance from which a variance is requested: None

13. Waivers Requested of development Standards and/or Submission Requirements: (attach additional pages as needed):

Based upon the fact that the proposed lots are conforming, the Applicant respectfully requests a waiver from the submission of architectural plans. The Applicant reserves the right to request additional waivers if necessary.

14. ATTACH A COPY OF THE PROPOSED NOTICE TO APPEAR IN THE OFFICIAL NEWSPAPER OF THE MUNICIPALITY AND TO BE MAILED TO THE OWNERS OF ALL REAL PROPERTY, AS SHOWN ON THE CURRENT TAX DUPLICATE, LOCATED WITHIN THE STATE AND WITHIN 200 FEET IN ALL DIRECTIONS OF THE PROPERTY WHICH IS THE SUBJECT OF THIS APPLICATION. THE NOTICE MUST SPECIFY THE SECTIONS OF THE ORDINANCE FROM WHICH RELIEF IS SOUGHT, IF APPLICABLE.

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the administrative officer for the hearing.

15. An Affidavit of Service on all property owners and a Proof of Publications must be filed before the Application will be complete and the hearing can proceed.

Explain in detail the exact nature of the Application and the changes to be made at the premises, including the proposed use of the premises: (Attach pages as needed)

The Applicant seeks to subdivide Block 170, Lot 2 into two lots as shown on the minor subdivision plan submitted with the application. All existing improvements at the site will be removed. There are no immediate plans relative to the development of the proposed lots.

17. Is public Sanitary Sewer available? Yes

18. Does the application propose any lighting? Normal residential lighting

19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate Lot and Block number? Yes

20. Are any Off-Tract Improvements required or proposed? No

21. Is the Subdivision to be filed by Deed or Plat? Plat

22. What form of security does the applicant propose to provide as performance and maintenance guarantees?

Cash or letter of credit

23. OTHER APPROVALS WHICH MAY BE REQUIRED AND DATE PLANS SUBMITTED:

	YES	NO	DATE PLANS SUBMITTED
LOCAL FIRE PREVENTION			X
BEACH HAVEN WATER & SEWER DEPT.			X
BEACH HAVEN PUBLIC WORKS DEPT.			X
LONG BEACH ISLAND HEALTH DEPT.			X
OCEAN COUNTY PLANNING BOARD	X		
OCEAN COUNTY SOIL CONSERVATION DEPT.	X		
N.J. DEPT. ENVIRONMENTAL PROTECTION			X
SANITARY SEWER CONNECTION PERMIT			X
SEWER EXTENSION PERMIT			X
WATERFRONT DEVELOPMENT PERMIT			X
WETLANDS PERMIT			X
TIDAL WETLANDS PERMIT			X
F.E.M.A.			X
N.J. DEPT. OF TRANSPORTATION			X
ATLANTIC ELECTRIC			X
N.J. NATURAL GAS			X
OTHER			

24. CERTIFICATION FROM THE TAX COLLECTOR THAT ALL TAXES DUE ON THE SUBJECT PROPERTY HAVE BEEN PAID.

25. LIST OF MAPS, REPORTS AND OTHER MATERIALS ACCOMPANYING THE APPLICATION (attach additional pages as required for complete listing)

THE DOCUMENTATION MUST BE RECEIVED BY THE BOARD SECRETARY AT LEAST TWENTY-ONE (21) DAYS PRIOR TO THE MEETING AT WHICH THE APPLICATION IS TO BE CONSIDERED. A LIST OF THE PROFESSIONAL CONSULTANTS IS ATTACHED TO THE APPLICATION FORM.

<u>Quantity</u>	<u>Description of Item</u>
5 copies	Land Use Development Application
5 copies	Minor Subdivision Plan prepared by Horn, Tyson & Yoder, Inc.

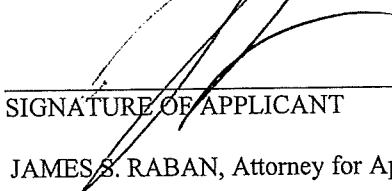
26. THE APPLICANT HEREBY REQUESTS THAT COPIES OF THE REPORTS OF THE PROFESSIONAL STAFF REVIEWING THE APPLICATION PROVIDED TO THE FOLLOWING OF THE APPLICANT'S PROFESSIONALS:

SPECIFY WHICH REPORTS ARE REQUESTED FOR EACH OF THE APPLICANT'S PROFESSIONALS OR WHETHER ALL REPORTS SHOULD BE SUBMITTED TO THE PROFESSIONAL LISTED.

	Applicant's Professional	Reports Requested												
<u>  x  </u>	Attorney	<u>All Reports</u>												
<u>  x  </u>	Engineer	<u>All Reports</u>												
<u>  N/A  </u>	Architect	<u>All Reports</u>												
27.	CHECK LISTS USED	<table border="0"> <tr> <td>SCHEDULE A</td> <td>X</td> <td>YES</td> <td>NO</td> </tr> <tr> <td>SCHEDULE B</td> <td>X</td> <td>YES</td> <td>NO</td> </tr> <tr> <td>SCHEDULE C</td> <td>X</td> <td>YES</td> <td>NO</td> </tr> </table>	SCHEDULE A	X	YES	NO	SCHEDULE B	X	YES	NO	SCHEDULE C	X	YES	NO
SCHEDULE A	X	YES	NO											
SCHEDULE B	X	YES	NO											
SCHEDULE C	X	YES	NO											

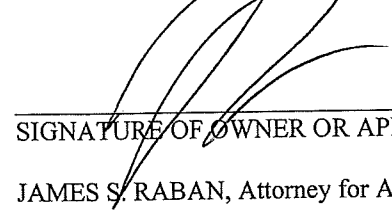
**CERTIFICATIONS**

28. I CERTIFY THAT THE FOREGOING STATEMENTS AND THE MATERIALS SUBMITTED ARE TRUE, AND WAIVE ALL APPLICABLE TIME LIMITS UNTIL THE FIRST PUBLIC HEARING OF THIS APPLICATION. I FURTHER CERTIFY THAT I AM THE INDIVIDUAL APPLICANT OR THAT I AM AN OFFICER OF THE CORPORATE APPLICANT AND THAT I AM AUTHORIZED TO SIGN THE APPLICATION FOR THE CORPORATION OR THAT I AM A GENERAL PARTNER OR THE PARTNERSHIP APPLICANT. (IF THE APPLICANT IS A CORPORATION, THIS MUST BE SIGNED BY AN AUTHORIZED CORPORATE OFFICER, IF THE APPLICANT IS A PARTNERSHIP, THIS MUST BE SIGNED BY A GENERAL PARTNER)

  
 \_\_\_\_\_  
 SIGNATURE OF APPLICANT  
 JAMES S. RABAN, Attorney for Applicant

29. I UNDERSTAND THAT A SUM, TO BE DETERMINED, WILL BE DEPOSITED IN AN ESCROW ACCOUNT, IN ACCORDANCE WITH THE ORDINANCES OF THE BOROUGH OF BEACH HAVEN. I FURTHER UNDERSTAND THAT THE ESCROW ACCOUNT IS ESTABLISHED TO COVER THE COST OF PROFESSIONAL SERVICES INCLUDING ENGINEERING, PLANNING, LEGAL AND/OR OTHER EXPENSES ASSOCIATED WITH THE REVIEW OF SUBMITTED MATERIALS. SUMS NOT UTILIZED IN THE REVIEW PROCESS SHALL BE RETURNED. IF ADDITIONAL SUMS ARE DEEMED NECESSARY, I UNDERSTAND THAT I WILL BE NOTIFIED OF THE REQUIRED ADDITIONAL AMOUNT AND SHALL ADD THAT SUM TO THE ESCROW ACCOUNT WITHIN FIFTEEN (15) DAYS. I UNDERSTAND THAT I WILL BE RESPONSIBLE FOR PAYING FEES DUE TO THE LAND USE BOARD ATTORNEY AND ENGINEER.

4/17/20  
 \_\_\_\_\_  
 DATE

  
 \_\_\_\_\_  
 SIGNATURE OF OWNER OR APPLICANT  
 JAMES S. RABAN, Attorney for Applicant

**BOROUGH OF BEACH HAVEN PROFESSIONAL CONSULTANTS**

**LAND USE BOARD ATTORNEY**

Stuart D. Snyder, Esquire  
2100 Long Beach Blvd.  
Surf City, NJ 08008

(609) 494-7676  
FAX: (609) 494-8499

**ENGINEER**

Frank J. Little, Jr. P.E., P.P.  
Owen, Little & Associates, Inc.  
443 Atlantic City Boulevard  
Beachwood, NJ 08722

(732) 244-1090  
FAX: (732) 341-3412

**BOROUGH ATTORNEY**

Bruce W. Padula, Esquire  
5 Ravine Drive P.O. Box 533  
Matawan, New Jersey 07747

(732) 583-7474  
FAX: (973) 845-6700