

RABAN & RABAN

LLC

Attorneys at Law

REGINALD J. RABAN (Retired)
JAMES S. RABAN* ▲

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

MEMBER OF NJ BAR *
MEMBER OF PA BAR ▲

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

June 10, 2024

Via Hand Delivery and Email lubsecretary@beachhaven-nj.gov

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

Re: JS Pro LLC Minor Subdivision and Variance
Block 53 Lots 24 & 25
404 Iroquois Ave., Borough of Beach Haven

Dear Gina:

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

- (x) 5 copies of Land Use Development Application
- (x) 5 copies of a minor subdivision map prepared by Gravatt Consulting Group;
- (x) Affidavit of Ownership
- (x) Public Notice
- (x) W-9
- (x) Check No.: 3400 Amount \$300.00 Administrative Fee
- (x) Check No.: 3401 Amount \$4,000.00 Escrow Account Deposit
- (x) Please consent and/or approve for public hearing July 1, 2024 at 6:00 p.m.

Very truly yours,


JAMES S. RABAN

JSR/dh
Encl.

cc: JS Pro, LLC (via email)
Gravatt Consulting Group (via email)
Frank J. Little, Jr., P.E., P.P., C.M.E. (via email and regular mail)
Eric Riso, Esq. (via email and regular mail)

LAND USE DEVELOPMENT APPLICATION

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

TO BE COMPLETED BY BOROUGH STAFF ONLY

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

1. SUBJECT PROPERTY - TO BE COMPLETED BY APPLICANT

Location: 404 Iroquois Avenue
Tax Map Page 3 Block 53 Lots 24 & 25
Dimensions Frontage: 90 ft. Depth: 100 ft. Total Area: 9,000 sq. ft.

Zoning District: RB Two-Family Residential District

2. APPLICANT

Name: JS Pro Construction, LLC

Address: 28 Rodeo Dr., West Creek, NJ 08092

Telephone Number: 609-342-6000 Fax:

Applicant is a Corporation Partnership Individual

Other (Please Specify): Limited Liability Company

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: John Casale Interest: 100%

Address: 28 Rodeo Drive, West Creek, NJ 08092

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:

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).

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: Single-Family

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 Gravatt Consulting Group

Address 414 Lacey Road, Forked River, NJ 08731

Telephone Number: 609-693-6127 Fax Number: 609-534-285

8. Applicant's Planning Consultant: Same as Engineer

Address

Telephone Number

Fax Number

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:

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

Number of Lots to be created: 2

Number of proposed Dwellings: 2 single-family building lots

Area and Dimensions of each Proposed Lot:

Lot 24.01: 45 feet x 100 feet; 4,500 square feet

Lot 25.01: 45 feet x 100 feet; 4,500 square feet

SITE PLAN: N/A

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)]

X 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:

Section 212-12(D)(2): On all new subdivisions, the minimum required lot area is 5,000 square feet, and the minimum required lot frontage is 50 feet. Proposed lots 24.01 and 25.01 each have a proposed lot area of 4,500 square feet and proposed frontage of 45 feet.

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

The Applicant requests a waiver from the requirement to submit architectural drawings relative to the proposed single-family dwellings based upon the fact that the proposed lots exceed the minimum lot area and frontage of the zone for single-family dwellings; the variances are required based upon the fact that this is a new subdivision. While the Applicant does not believe any additional waivers will be required, Applicant reserves the right to request any appropriate waivers at the hearing.

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)

Currently, the site is developed with a single-family dwelling, which is located partially on Lot 24, and partially on Lot 25. The Applicant is seeking to demolish the existing single-family dwelling and subdivide Block 53, Lots 24 and 25, into two single-family building lots. Each proposed lot is 45 feet wide by 100 feet deep. New construction on the single-family building lots will conform to all bulk zoning requirements.

17. Is public Sanitary Sewer available? Yes
18. Does the application propose any lighting? Yes
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	Major Subdivision Plan prepared by Gravatt Consulting Group

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> </u>	Architect	<u>All Reports</u>

27.	CHECK LISTS USED	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.

DATE

6/7/24

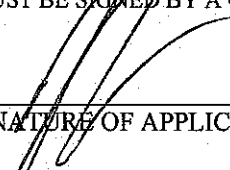
SIGNATURE OF OWNER OR APPLICANT

JAMES S. RABAN, Attorney for Applicant

27.	CHECK LISTS USED	SCHEDULE A	X	YES	NO
		SCHEDULE B	X	YES	NO
		SCHEDULE C	X	YES	NO

CERTIFICATIONS

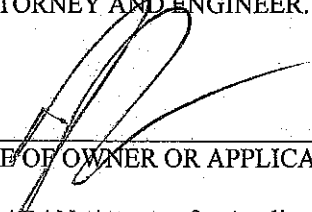
28. I CERTIFY THAT THE FOREGOING STATEMENTS AND THE MATERIALS SUBMITTED ARE TRUE, AND WAIVE ALL APPLICABLE TIME LIMITS UNTIL THE FIRST PUBLIC HEARING OF THIS APPLICATION. I FURTHER CERTIFY THAT I AM THE INDIVIDUAL APPLICANT OR THAT I AM AN OFFICER OF THE CORPORATE APPLICANT AND THAT I AM AUTHORIZED TO 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

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 6/3/24
 DATE



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

BOROUGH OF BEACH HAVEN PROFESSIONAL CONSULTANTS

LAND USE BOARD ATTORNEY

Eric J. Riso, Esq.
Zeller & Wieliczko, LLP
120 Haddontowne Court
Cherry Hill, New Jersey 08034

(856) 428-6600
FAX: (856) 428-6314

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



AFFIDAVIT OF OWNERSHIP BY AN INDIVIDUAL

STATE OF NEW JERSEY :

COUNTY OF OCEAN : SS

JS PRO LLC of full age, being duly sworn according to law, on oath deposes and says that he or she resides at owns 404 Iroquois Ave., in the Municipality of Beach Haven, County of Ocean and the State of New Jersey that he or she is the owner in fee simple, of all that certain lot, tract, or parcel of land, situated, lying and being in the Borough of Beach Haven, Ocean County, State of New Jersey, and known and designated as LOT: 24 & 25, BLOCK: 53 and that he or she hereby authorizes and appoints James Raban as his or her attorney, in fact, to make the within Application on his or her behalf to the Land Use Board of the Borough of Beach Haven, Ocean County, State of New Jersey.

[Signature]
SIGNATURE OF OWNER/APPLICANT

4/15/24
DATE

SIGNATURE OF OWNER/APPLICANT

DATE

Sworn to and subscribed
Before me this 15th day
of April
2024.

[Signature]

NOTARY PUBLIC

KENNETH W. MCTIGUE
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES JULY 11, 2027
COMMISSION: #2361953

PUBLIC NOTICE

BOROUGH OF BEACH HAVEN

Public notice is hereby given that JS Pro Construction, LLC (the "Applicant") has applied to the Land Use Board of the Borough of Beach Haven (the "Board"), Ocean County, New Jersey for minor subdivision approval and bulk variances relative to proposed development at the property designated as Lots 24 and 25 in Block 53 on the Tax Map of the Borough of Beach Haven, located at 404 Iroquois Avenue. Currently, the site is developed with a single-family dwelling, which is located partially on Lot 24, and partially on Lot 25. The Applicant is seeking to demolish the existing single-family dwelling and to subdivide Block 53, Lots 24 and 25, into two single-family building lots. Each proposed lot is 45 feet wide by 100 feet deep. New construction on the single-family building lots will conform to all bulk zoning requirements. The dimensions of the proposed lots are as follows:

1. Proposed Lot 24.01: 45 feet by 100 feet (4,500 square feet)
2. Proposed Lot 25.01: 45 feet by 100 feet (4,500 square feet)

Under Section 212-12(D)(2) of the Beach Haven Zoning Ordinance, on all new subdivisions, the minimum required lot area is 5,000 square feet, and the minimum required lot frontage is 50 feet. Proposed lots 24.01 and 25.01 each have a proposed lot area of 4,500 square feet and proposed frontage of 45 feet.

An in-person public hearing has been scheduled for July 1, 2024 at 6:00 p.m. in the Meeting Room at 300 Engleside Avenue, Beach Haven, New Jersey, at which time any interested persons may appear and have an opportunity to be heard on this application.

As a result of the COVID-19 pandemic, participation in the meeting will also be permitted remotely via Zoom. To access the virtual hearing, you must join the Zoom meeting. To access the Zoom meeting, you will need access to a computer with internet access and/or dial

in through a mobile or land line phone to log into the meeting. The following is the information required to access the meeting:

Join Zoom Meeting
<https://us02web.zoom.us/j/84291698629>

Meeting ID: 842 9169 8629

You will join the meeting and be able to listen and view the evidence shared on the screen at the meeting. Additionally, you will be able to access all documents pertaining to this application and all files for the meeting on the Borough of Beach Haven Website found here <https://beachhaven-nj.gov/government/land-use-board/>

You will be able to participate when the Board Chairwoman opens the meeting to the public for the public participation portion of the meeting at the end of the Applicant's presentation for you to ask questions and or cross examine witnesses and make statements. If you have information or exhibits that you wish to be considered and entered into the record, please email them to the Land Use Board Secretary, at Lubsecretary@beachhaven-nj.gov in advance of the meeting to enable them to be marked for identification. Please note that in order for any exhibits to be considered at the meeting, the individual(s) who prepared the exhibits must be present at the meeting.

If you are unable to access the information for the application(s) via computer, or need assistance in logging on or using this technology, you may contact the Land Use Board Secretary, Gina Sauchelli, at 609-492-0111 extension 213 or via email at Lubsecretary@beachhaven-nj.gov. If you wish a particular file to be emailed or mailed to you, you must request that with 72 hours advanced notice. Please also visit the Borough of Beach Haven webpage at <https://beachhaven-nj.gov/government/land-use-board/> for the latest updates regarding future Land Use Board Meetings and any updates regarding this meeting since the publication of this notice.

James S. Raban
Attorney for the Applicant

File # 3635