

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

July 8, 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: 123 E. Maryland LLC Minor Subdivision and Bulk Variance
Block 7.11, Lots 6
123 E. Maryland Ave., Long Beach Township

Dear Jackie:

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

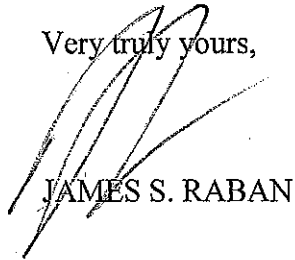
- (x) Original and 14 copies of Land Use Development Application;
- (x) 15 copies of Minor Subdivision Plan prepared by James Brzozowski of Horn, Tyson & Yoder, Inc.;
- (x) 15 copies of Tax Map with Property Lot and Block highlighted;
- (x) 15 color copies of four Property Photos;
- (x) 1 copy of Affidavit of Ownership;
- (x) W-9
- (x) 1 copy of Signed Checklist;
- (x) 1 copy of Technical Checklist;
- (x) 1 Proposed Public Notice;
- (x) Application Fee check 3421 Amount \$1,125.00
- (x) Attorney Escrow check 3422 Amount \$2,500.00
- (x) Please consent and/or approve for public hearing on August 14, 2024 at 6:30 p.m.

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

Jackie Fife
July 8, 2024
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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,

A handwritten signature in black ink, appearing to read 'JAMES S. RABAN', written over the typed name below.

JAMES S. RABAN

JSR/dh
Encl.

Cc: 123 E. Maryland LLC (via email)
James Brzozowski, P.E., P.P. (via email)
Frank Little, P.E., P.P. (via email) (w/encl.)
Kevin Quinlan, Esq. (via email) (w/encl.)

**APPLICATION TO THE LONG BEACH
TOWNSHIP LAND USE BOARD**

Do not write below - for official use only

Project Name: 123 E. Maryland LLC Subdivision
Block: 7.11 Lot(s): 6
Property Address: 123 E. Maryland Ave.

Date Received: _____
Application Fee: \$ _____
Escrow Fee: \$ _____
Docket Number: _____

CHECK ALL THAT APPLY:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Bulk Variance | <input checked="" type="checkbox"/> Minor Subdivision (Exempt) |
| <input type="checkbox"/> Use Variance | <input type="checkbox"/> Major Subdivision/Preliminary |
| <input type="checkbox"/> Interpretation | <input type="checkbox"/> Major Subdivision Final Major |
| <input type="checkbox"/> Informal | <input type="checkbox"/> Site Plan/Preliminary Major |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Site Plan/Final |

**ANSWER ALL QUESTIONS. IF NOT APPLICABLE INDICATE WITH 'N/A' OR 'None'
DO NOT LEAVE BLANKS. INCOMPLETE APPLICATIONS WILL NOT BE
ACCEPTED OR WILL BE DEEMED INCOMPLETE**

1. Applicant Name: 123 E. Maryland Ave. LLC
Address: Street: 121 S. Mountain Ave. City: Montclair Zip: 07042
Phone: (917) 214-9662 e-mail: sglasser@gmail.com

Applicant is: Owner Agent Corporation Partnership LLC

If applicant and/or owner is a corporation, LLC or partnership set forth the names addresses of all stockholders, partners or members having 10% or more interest on a separate paper. Corporations must be represented by a New Jersey licensed attorney and include a Resolution authorizing the Application.

2. Owner's Name: Same as Applicant
Address: Street: _____ City: _____ Zip: _____
Phone: _____ e-mail: _____

All owners must be identified and sign application. (Use additional pages if necessary)

3. Attorney: James S. Raban, Esq.
Address: Street: 11710 Long Beach Blvd. City: Haven Beach Zip: 08008
Phone: (609) 492-0533 e-mail: jraban@regraban.com

4. Planner/Surveyor: Horn, Tyson & Yoder, Inc.
Address: Street: 8510 Long Beach Blvd. City: Long Beach Twp Zip: 08008
Phone: (609) 492-5050 e-mail: jimb.hty@gmail.com

5. Architect: N/A
 Address: Street: _____ City: _____ Zip: _____
 Phone: _____ e-mail: _____

Attache additional sheets if necessary.

6. Location of property:
 Zone: R-50 Lot Area: 8,187.51 Lot Dimensions: 82.5' x 100.01'

7. Is the property located on a county road? No

8. Current Use: Single-family dwelling
 No. of Dwelling Units: 1 No. of Commercial Units: 0

9. Proposed Use: 2 single-family building lots

10. When was the property purchased? 6/21/24

11. Date of Last Certificate of Occupancy: _____ Attach Copy

12. Date of last construction, alteration or addition: _____ Attach copies of permits

*13. Existing conditions	Pre-Existing non-conformity	Proposed conditions	Variance Needed
Building Height: _____	<input type="checkbox"/>	Building Height: _____	<input type="checkbox"/>
Front Yard Set Back _____	<input type="checkbox"/>	Front Yard Set Back _____	<input type="checkbox"/>
Side Yard Set Back _____	<input type="checkbox"/>	Side Yard Set Back _____	<input type="checkbox"/>
Side Yard Set Back _____	<input type="checkbox"/>	Side Yard Set Back _____	<input type="checkbox"/>
Rear Yard Set Back _____	<input type="checkbox"/>	Rear Yard Set Back _____	<input type="checkbox"/>
Dist. to Adj. Struct. _____	<input type="checkbox"/>	Dist. to Adj. Struct. _____	<input type="checkbox"/>
Lot Coverage (sq.ft.) _____	<input type="checkbox"/>	Lot Coverage (sq.ft.) _____	<input type="checkbox"/>
% Lot Coverage _____	<input type="checkbox"/>	% Lot Coverage _____	<input type="checkbox"/>
% Impervious Coverage _____	<input type="checkbox"/>	% Impervious Coverage _____	<input type="checkbox"/>
No. Principal Structures _____	<input type="checkbox"/>	No. Principal Structures _____	<input type="checkbox"/>
No. Accessory Structures _____	<input type="checkbox"/>	No. Accessory Structures _____	<input type="checkbox"/>
Lot Width _____	<input type="checkbox"/>		

14. Existing Restrictions:
 (A) Deed Restrictions: _____ (Attach Copies) None
 (B) Easements: _____ (Attach Copies) None
 (C) Condominium: _____ (Attach Copies) None

15. Proposed Restriction: _____ None

* See Application Supplement regarding a waiver request from providing the existing and proposed conditions.

16. Variances and Waivers:

(A) List Required Variances: (Include Ordinance Number)

None

See attached Application Supplement.

On a separate paper provide legal theory supporting variance relief.

(B) List of Requested Waivers:

None

The Applicant requests a waiver from any requirement to submit floor plans and elevations for the proposed homes based upon the fact that conforming homes can easily be constructed on the proposed lots, and each proposed lot exceeds 4,000 square feet.

17. Briefly describe any prior or currently pending proceedings before the Land Use Board or any other Federal, State, County or local Board or Agency involving this property which is the subject of this application and attach copies of any application, supporting documentation, pleadings, decisions and/or orders from the relevant entity including any denials. None

18. List all material submitted with this application i.e. plans, surveys, drawings, photos, reports etc.

- Minor Subdivision Plan prepared by Horn, Tyson & Yoder, Inc.
- 4 photographs of the subject property

ALL OWNERS OF RECORD AND APPLICANT MUST SIGN APPLICATION. (ATTACH ADDITIONAL PAGES IF NECESSARY.)

123 E. Maryland, LLC

Dates: 7/8/24

x [Signature]
SEYMUR GLASSER, Owner/
Managing Member (Print name under signature)
123 E. Maryland, LLC

Dates: 7/8/24

x [Signature]
IRA Jeffrey Kapnick, Owner/
Managing Member (Print name under signature)

Applicant Signature (if different from owner):

Dates: _____

_____, Applicant
(Print name under signature)

Dates: _____

_____, Applicant
(Print name under signature)

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

OWNERSHIP INFORMATION SUPPLEMENT

123 E. Maryland LLC (Applicant) Membership Interests:

Seth Glasser: 50%
121 S. Mountain Ave.
Montclair, NJ 07042

Ira Kapnick: 50%
5501 Ocean Blvd.
Long Beach Township, NJ 08008

APPLICATION SUPPLEMENT

123 E. Maryland LLC (the "Applicant") has made application to the Long Beach Township Land Use Board (the "Board") for minor subdivision approval and bulk variances relative to proposed development at the property designated as Lot 6 in Block 7.11 on the Tax Map of the Township of Long Beach, located at 123 E. Maryland Avenue in the Beach Haven Terrace Section of Long Beach Township. Currently, the property is developed with a single-family dwelling with detached garage. The Applicant is seeking to demolish the existing single-family dwelling and detached garage, and to subdivide Block 7.11, Lot 6, into two single-family building lots. The dimensions of the proposed lots are as follows:

1. Proposed Lot 6.01: 41.50 feet by 100.01 feet (4,087.51 square feet)
2. Proposed Lot 6.02: 41 feet by 100 feet (4,100 square feet)

The following variances are requested:

1. Section 205-55(C)(1): The minimum required lot area is 5,000 square feet. The proposed lot area for proposed lot 6.01 is 4,087.51 square feet. The proposed lot area for proposed lot 6.02 is 4,100 square feet.
2. Section 205-55(C)(1): The minimum required lot width is 50 feet. The proposed lot width for proposed lot 6.01 is 41.50 feet. The proposed lot width for proposed lot 6.02 is 41 feet.

The single-family dwellings to be constructed on proposed lots 6.01 and 6.02 will conform to all bulk zoning requirements; the Applicant is only seeking variances for the lot area and lot width of the proposed lots. The proposed lots are similar in size to many lots on the block, and the proposed homes would fit in the neighborhood better than the existing lot, where

an extremely large single-family dwelling could be built. Additionally, the proposed homes will improve the housing stock in the neighborhood.

The Applicant is also seeking a waiver from providing the Existing Conditions and Proposed Conditions as required by Section 13 of the Application based upon the fact that all existing improvements on the property are being demolished and all new construction will conform to all bulk zoning requirements.

Long Beach Township Land Use Board

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

STATE OF _____ :
COUNTY OF _____ : ss.

I, 123 E. Maryland LLC being duly sworn according to law,
(Print owner(s) name(s))

upon my/our oath depose and say:

1. I/we am/are the only owner(s) of property known as 123 E. Maryland Ave.
(Street Address)

Long Beach Township, Ocean County, New Jersey known as :

Block 7.11 Lot 6 & 7
Block Lot
Block Lot

As shown on the Official Tax Maps of the Township of Long Beach.

2. I/we consent to the making of this application and the approval of the plans submitted herewith. I/we further agree to be bound by all representations and commitments made by myself/ourselves or my/our authorized agent. I/we further consent to the inspection of this property in connection with this application as deemed necessary by the members of the Land Use Board and/or other designated officials or representatives.

3. There has been no collusion between me/us and any member of the Township of Long Beach Land Use Board or any officials of the Township of Long Beach with respect to said application.

4. I/we hereby authorize James Raban, Esq. (Agent), to make application on my/our behalf. I further agree to be bound by all representations, promises and commitments made by my agent.
(Print agent name)

behalf. I further agree to be bound by all representations, promises and commitments made by my agent.

Dated: 7/2/2024

123 E. Maryland, LLC

x [Signature]

Signature of Owner/Managing Member

SETU R GLASSER

Print Name above

123 E. Maryland, LLC

x [Signature]

Signature of Owner/Managing Member

Ira Jeffrey Kapnick

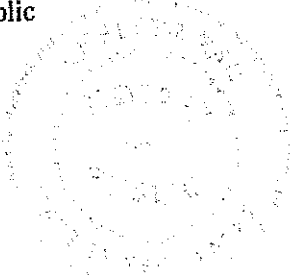
Print name above

Sworn and Subscribed to before me this 2nd day of JULY, 2024.

[Signature]

Notary Public

CHELSEA RAO
Notary Public, State of New Jersey
Comm. # 50219504
My Commission Expires 3/5/2029



TOWNSHIP OF LONG BEACH
 LAND USE BOARD
 TECHNICAL CHECKLIST

KEY: X= REQUIRED P= PROVIDED W= WAIVER N/R= NOT REQUIRED or APPLICABLE

DESCRIPTION	VARIANCE APPLICATION		MINOR APPLICATION		MAJOR SITE PLAN		MAJOR SUBDIVISION		CIRCLE ONE
	BULK	USE	SITE PLAN	SUBDIVISION	PRELIMINARY	FINAL	PRELIMINARY	FINAL	MUST BE COMPLETED
MAN-MADE FEATURES									
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	X	X	X	X	X	X	X	(P) (W) (N/R)
Building coverage and lot coverage calculations.	X	X	X		X	X			(P) (W) (N/R)
Existing and proposed easements, rights-of-way and their purposes.	X	X	X	X	X	X	X	X	(P) (W) (N/R)
Existing and proposed manholes, sewer lines, stormwater management facilities, waterlines, fire hydrants and utility poles within 200 FT.			X	X	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.					X	X	X	X	(P) (W) (N/R)
All monumentation as required as per the "Map Filing Law" including all monuments found, set or to be set.				X			X	X	(P) (W) (N/R)

TOWNSHIP OF LONG BEACH
LAND USE BOARD
TECHNICAL CHECKLIST

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DESCRIPTION	VARIANCE APPLICATION		MINOR APPLICATION		MAJOR SITE PLAN		MAJOR SUBDIVISION		CIRCLE ONE
	BULK	USE	SITE PLAN	SUBDIVISION	PRELIMINARY	FINAL	PRELIMINARY	FINAL	MUST BE COMPLETED
Offstreet parking and loading spaces required and proposed, and location and dimensions of access drives, aisles and parking stalls		X	X		X	X			(P) (W) (N/R)
STREET									
Location, names and widths of all existing and proposed streets, sidewalks and street widening within 200 FT of the site.			X	X	X	X	X	X	(P) (W) (N/R)
Plans, profiles and cross-sections of paved areas, curbs and sidewalks.			X	X	X	X	X	X	(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.			X	X	X	X	X	X	(P) (W) (N/R)
Storm drainage calculations.					X		X		(P) (W) (N/R)
Stormwater management facilities shown on the grading plan showing all aspects of the stormwater system.			X		X	X	X	X	(P) (W) (N/R)

TOWNSHIP OF LONG BEACH
 LAND USE BOARD
 TECHNICAL CHECKLIST

KEY: X= REQUIRED P= PROVIDED W= WAIVER N/R= NOT REQUIRED or APPLICABLE

DESCRIPTION	VARIANCE APPLICATION		MINOR APPLICATION		MAJOR SITE PLAN		MAJOR SUBDIVISION		CIRCLE ONE
	BULK	USE	SITE PLAN	SUBDIVISION	PRELIMINARY	FINAL	PRELIMINARY	FINAL	MUST BE COMPLETED
Applications for new construction or additions to buildings: See Initial Checklist for 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 height of the building from grade to roof peak. Plan scale shall be a minimum of 1/4" per foot. Building elevations shall be provided for all sides and shall be labeled North, South, East and West.	X	X							(P) (W) (N/R) See Application
Location of all signs and drawn details showing the size, construction type, height and content of all signs.			X		X	X			(P) (W) (N/R)
Drawn details of the type of screening to be used for the refuse storage areas, outdoor equipment and bulk storage.			X		X	X			(P) (W) (N/R)

PUBLIC NOTICE

LONG BEACH TOWNSHIP

PLEASE TAKE NOTICE that 123 E. Maryland LLC (the "Applicant") has made application to the Long Beach Township Land Use Board (the "Board") for minor subdivision approval and bulk variances relative to proposed development at the property designated as Lot 6 in Block 7.11 on the Tax Map of the Township of Long Beach, located at 123 E. Maryland Avenue in the Beach Haven Terrace Section of Long Beach Township. Currently, the property is developed with a single-family dwelling with detached garage. The Applicant is seeking to demolish the existing single-family dwelling and detached garage, and to subdivide Block 7.11, Lot 6, into two single-family building lots. The dimensions of the proposed lots are as follows:

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The following variances are requested:

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2. Section 205-55(C)(1): The minimum required lot width is 50 feet. The proposed lot width for proposed lot 6.01 is 41.50 feet. The proposed lot width for proposed lot 6.02 is 41 feet.

The single-family dwellings to be constructed on proposed lots 6.01 and 6.02 will conform to all bulk zoning requirements; the Applicant is only seeking variances for the lot area and lot width of the proposed lots. 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 August 14, 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 #3644

James S. Raban
Attorney for the Applicant



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

PLEASE READ

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:

Kevin Quinlan, Esq.:

- 1 Copy of Complete Application
- 1 Copy Variance Plan, Site Plan, or Subdivision Map
- 1 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 this Checklist
- 1 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
- 1 Copy Variance Plan, Site Plan, or Subdivision Map
- 1 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 COMPLETED Technical Check List
- Mailed to Frank Little: Owen, Little & Associates Inc. 443 Atlantic City Boulevard, Beachwood, NJ 08722

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 \$ 3421 Check # 1125.00
- Check for Escrow Fee \$ 3422 Check # 2,500

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
- 14 Copies of Tax Map with Property Block & Lot highlighted

Applicant Signature

James S. Raban,

Print Name

Attorney for Applicant

Date

7/8/24

Approved

Denied

(FOR LAND USE BOARD SECRETARY ONLY)