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KELLY M. CAREY

RETIRED
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IN MEMORIAM
LEON ANSCHELEWITZ (1929-1986)
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LICENSED ALSO IN:
D.C. • MASS. • N.Y. • WASH.
• PENN. • FLA. • CALIF.

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LAWYERS

‡ CERTIFIED BY THE SUPREME
COURT OF NEW JERSEY AS A
CIVIL TRIAL ATTORNEY

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February 23, 2021

Via e-mail and UPS Next Day Air

Candace Mitchell, Secretary, Unified Planning Board
Borough of Sea Bright
1099 Ocean Avenue
Sea Bright, NJ 07760

Re: Minor Subdivision Application of David Meyers
and Christina Walker
Premises: 548 Ocean Avenue
Block 28, Lot 10
Our File No. 094624-0

Dear Ms. Mitchell:

This office represents David Meyers and Christina Walker in connection with the above-referenced matter. Enclosed please find seventeen (17) collated sets of the following documents regarding the same (plus one set marked "FOR PUBLIC INSPECTION"):

1. Denial Letter from the Borough of Sea Bright dated February 13, 2021;
2. A completed Planning/Zoning Board Application (with attachments); and

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Candace Mitchell, Secretary, Unified Planning Board
Borough of Sea Bright
February 23, 2021
Page 2

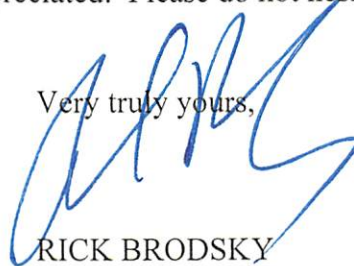
3. Survey & Minor Subdivision Plan prepared by MidAtlantic Engineering Partners, LLC and dated January 11, 2021, consisting of one (1) sheet.

Once the enclosed submission has been reviewed and the necessary application fees and escrows have been determined, please advise and the same will be promptly delivered to you.

In addition, please advise as to when this matter can be placed on the Unified Planning Board's agenda.

Your attention to this matter is greatly appreciated. Please do not hesitate to contact me if you have any questions.

Very truly yours,



RICK BRODSKY
A Member of the Firm
Direct e-mail: rb@ansellgrimm.com
Direct Dial: 732-643-5296

RB/ahn
Encs.

cc: David J. Hoder, PE, PP, Hoder Associates,
Borough Engineer (w/encs. via regular mail)
Kerry E. Higgins, Esq., Board Attorney (w/encs.
via regular mail)
David Meyers and Christina Walker (w/encs. via e-mail)
Suzanne Warren, MidAtlantic Engineering
Partners, LLC (w/encs. via e-mail)

094624.000000.70699731

BOROUGH OF SEA BRIGHT
1099 Ocean Avenue, Sea Bright, NJ 07760
(732) 842-0099 x 128
APPLICATION FOR A ZONING PERMIT - Z-2021-011
Fee \$25

Instructions:

1. All applications must be accompanied by a property survey showing the location, size of all structures, and all setbacks to property lines.
2. Preliminary drawings must be provided indicating all existing and proposed floor elevations.
3. Commercial applications must indicate scope of business and include all activities that will be part of the existing or proposed business.

OWNER / APPLICANT:

Name David Meyers and Christina Walker

Address 548 Ocean Avenue, Sea Bright, NJ 07760

Telephone (Home) n/a (Cell) (201) 906-2387, (646) 808-5277

Email: davermeyers@gmail.com Date: _____ Fee \$25 Check Cash
tt.walker@icloud.com

LOCATION OF THE WORK:

Block 28 Lot(s) 10 Zone R-2 Address 548 Ocean Avenue, Sea Bright

128450

DESCRIPTION OF WORK TO BE PERFORMED (OR USE PROPOSED):

Minor subdivision to create two new lots.

CHECK ONE: New Addition Alteration Repair

Signature: [Signature] Date: 2/5/21
By: Rick Brodsky Esq.

For Borough Use Only:

Determination: APPROVED DENIED * (see note below)

***NOTE: IF YOU CHANGE YOUR PLANS IN ANY WAY BETWEEN THIS APPROVAL AND SEEKING BUILDING PERMITS, YOU MUST APPLY FOR A REVISED ZONING APPROVAL. IT IS YOUR RESPONSIBILITY TO INFORM US OF ANY CHANGES TO YOUR PLANS.**

PRELIMINARY FLOOD REVIEW: Check if N/A

FIRM Advisory Advisory Sea Bright Proposed
Flood Zone BFE Required BFE BFE

LAND USE REVIEW:
Ordinance Section Allowed/Required Existing Proposed Variance

130-3.B(1)(a) Site plan approval required for subdivision of land

Remarks: Proposed lots are fully compliant. No structure proposed at this time.

Zoning Officer [Signature] Date 2/13/21
Mary Tangolics

NOTE: A Zoning Permit indicates that the proposed project conforms to the planning/zoning regulations of the Borough of Sea Bright; A building permit is required (per the requirements of the Uniform Construction Code of N.J.) BEFORE beginning work. This Zoning Permit is valid for one year, and may be extended to three years by action of the Planning/Zoning Board. If your application has been denied, you may appeal this denial to the Planning Board as provided by the NJMLUL. Appeal forms are available from the office of the Secretary to the Planning Board.
Building Dept. Forms\Zoning Permit Application

BOROUGH OF SEA BRIGHT PLANNING/ZONING BOARD APPLICATION

1099 Ocean Avenue Sea Bright, New Jersey 07760
732-842-0099 ext. 123

The application with supporting documentation must be filed with the office of the Planning Board Secretary and must be delivered for review at least ten (10) days prior to the meeting at which the application is to be considered.

NOTE: All plans must be folded. Any rolled plans will not be accepted.

To be completed by Municipal staff only.

Date Filed _____ Application No. _____

Application Fees _____ Escrow Deposit _____

Reviewed for Completeness _____ Hearing _____

1. SUBJECT PROPERTY

Location: 548 Ocean Avenue, Sea Bright, NJ 07760
Block 28 Lot 10
Dimensions: Frontage 75 feet Depth 153 feet Total Area 11,475 SF
Zoning District: R-2

2. APPLICANT

Name: David Meyers and Christina Walker
Address: 548 Ocean Avenue, Sea Bright, NJ 07760
Telephone Number: _____
Applicant is a: Corporation ___ Partnership ___ Individual X

3. DISCLOSURE STATEMENT: Pursuant to J.J.S. 40:55D-48-1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership, applicant must be disclosed. In accordance with N.J.S. 40:55D4-8.2 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.)

4. If owner is other than the applicant, provide the following information on the Owner(s). Same as applicant
Owner's Name: _____
Address _____
Telephone Number _____

5. Property Information:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

(Attach copies)

No X Proposed _____

Note: All deed restrictions, easements, association by-laws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

Present the use of the premises: Residential

6. Applicant's Attorney: Rick Brodsky, Esq.

Address: Ansell Grimm & Aaron, PC, 1500 Lawrence Avenue, Ocean, NJ 07712

Telephone Number (732) 922-1000 FAX Number (732) 643-5266

Surveyor:

7. Applicant's ~~Engineer~~ Engineer Suzanne E. Warren, PLS of MidAtlantic Engineering Partners, LLC

Address: 5 Commerce Way, Suite 200, Hamilton, NJ 08691

Telephone Number (609) 910-4450 FAX Number _____

8. Applicant's Planning Consultant: _____

Address: _____

Telephone Number _____ FAX Number _____

9. Applicant's Traffic Engineer: _____

Address: _____

Telephone Number _____ FAX Number _____

10. List any other Expert(s) who will submit a report or who will testify for the Applicant: (Attach additional sheets as may be necessary).

Name: _____

Field of Expertise: _____

Address _____

Telephone Number _____ FAX _____

11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

_____ PLOT PLAN or VARIANCE PLAN APPROVAL

X SUBDIVISION

X _____ Minor Subdivision Approval

_____ Subdivision Approval (Preliminary)

_____ Subdivision Approval (Final)

Number of lots to be created 2 (including remainder lot)

Number of proposed dwelling units _____ (if Applicable)

SITE PLAN:

- _____ Minor Site Plan Approval
- _____ Preliminary Site Plan Approval
- _____ Final Site Plan Approval
- _____ Amendment or Revision to an Approval Site
- _____ Plan Area to be disturbed (square feet)
- _____ Total number of proposed dwelling units
- _____ Request for Waiver from Site Plan Review and Approval
- _____ Request for Variance Approval

Reason for request:

130-3.B(1)(a) - Site plan/Subdivision approval required for all subdivisions of land. Applicant proposes to subdivide one (1) lot into two (2), new, conforming lots.

- _____ Informal Review
- _____ Appeal decision of an Administrative Officer (N.J.S.A 40:55D-70A)
- _____ Map or Ordinance Interpretation of Special Question (N.J.S.A.40:55D-70b)
- _____ Variance Relief (hardship) (N.J.S. A. 40:55D-70c (1))
- _____ Variance Relief (substantial benefit) (N.J.SA.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-334)
- _____ 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~~ applicable to this fully conforming application. 130-3.B(1) (a) - Site plan/ Subdivision approval required for all subdivisions of land.

13. Waivers requested of development standards and/or submission requirements:(attach additional pages as needed)

n/a

14. Attach a copy of the 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. See attached

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. An Affidavit of Service on all property owners and Proof of Publication must be filed before the application will be complete and the hearing can proceed.

15. 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)

16. Is a public water line available? Yes

17. Is public sanitary sewer available? Yes

18. Does the application propose a well and septic system? No

19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block number? Requested

20. Are any off-tract improvements required or proposed? No

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

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

23. Other approvals, which may be required, and date plans submitted:

MARK THE FOLLOWING WITH A YES OR NO AND DATES OF THE PLANS SUBMITTED n/a

- NE Regional Sewer Auth _____
- Monmouth County Board Of Health _____
- Monmouth County Planning Board _____
- Freehold Soil Conservation District. _____
- NJ DEP _____
- Sewer Extension Permit _____
- Sanitary Sewer Connection Permit _____
- Stream Encroachment Permit _____
- Waterfront Development Permit _____
- Wetlands Permit _____
- Tidal Wetlands Permit _____
- Potable Water Constr. Permit _____
- NJ Department of Transportation _____
- Public Service Electric & Gas _____
- Other _____

24. Certification from the Tax Collector that all taxes due on the subject property have been paid. Requested (see attached)

25. Certification from Sewer Collector that sewer utility charges due on the subject property have been paid. Requested (see attached)

Note: It is the responsibility of the Applicant to mail or deliver copies of the Application form and all supporting documents to the Board Secretary, Borough Engineer and Board Attorney for their review. Documentation must be at least ten (10) days prior to the meeting at which the application is to be considered, otherwise the application will be deemed incomplete. A list of those required to receive documents is attached to the application form.

26. The Applicant hereby requests that copies of the reports of the Borough Engineer and Board Attorney reviewing the application be provided to the following of the applicant's professionals.

Applicant's Professional Report Requested

Attorney Rick Brodsky, Esq
Address: Ansell Grimm & Aaron, PC
1500 Lawrence Avenue, Ocean, New Jersey 07712
Phone Number: (732) 922-1000
Fax Number: (732) 643-5266

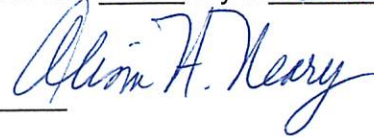
Engineer: Suzanne E. Warren, PLS
Address: MidAtlantic Engineering Partners, LLC
5 Commerce Way, Suite 200, Hamilton, NJ 08691
Phone Number: (609) 910-4450
Fax Number: _____

CERTIFICATION

I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate Application and that I am authorized to sign. (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).

Sworn to and subscribed before me this 22nd day of FEBRUARY, 2021.

A Notary Public of NJ Owner
My Commission Expires: _____



ALISON H. NEARY
NOTARY PUBLIC OF NEW JERSEY
COMMISSION EXPIRES SEPT. 13, 2025

I understand that the sum of \$ _____ has been deposited in an escrow account (Builder's Trust Account). In accordance with the Ordinances of the Borough of SeaBright, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and 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 amount and shall add that sum to the escrow account within fifteen (15) days.

Date: 2/22/21 Applicant: Ansell Grimm & Aaron, PC
By: Rick Brodsky, Esq. Attorney for Applicant/Owner

**BOROUGH OF SEA BRIGHT PLANNING/ZONING BOARD
PROFESSIONAL STAFF**

ENGINEER

Hoder Associates
548 Ridge Road
Fair Haven, NJ 07704
(732) 241-4543

PLANNING/ZONING BOARD ATTORNEY

Kerry E. Higgins, Esq
229 Broad Street
Red Bank, NJ 07701
732-780-8359

CONSTRUCTION OFFICIAL

Ed Wheeler, Construction Official
Karen DiBerardino, Secretary
1099 Ocean Avenue
Sea Bright, NJ 07760
732-842-0099 x 121 Mr. Wheeler
732-842-0099 x 110 Mrs. DiBerardino
732-963-8998 (FAX)

PLANNING/ZONING BOARD SECRETARY

Candace B. Mitchell
1099 Ocean Avenue
Sea Bright, NJ 07760
732-842-0099 x 123
732-963-8998 (FAX)
cmitchell@seabrightnj.org

FIRE MARSHAL

Thomas Haege
1099 Ocean Avenue
Sea Bright, NJ 07760
732-842-0099 x 120

ZONING OFFICER/FLOOD PLAIN MANAGER

Mary Tangolics
Office hours: Wednesdays, 8:30 a.m. – 1:30 p.m.
732-842-0099 Ext 128
mtangolics@seabrightnj.org

MINOR SUBDIVISION

Application No. _____ Date _____
Application Name Meyers and Walker Minor Subdivision
Application Address 548 Ocean Avenue
Property Address 548 Ocean Avenue
Lot 10 Block 28

CHECKLIST

Prior to issuance of a Certificate of Completeness, the Administrative Officer shall determine that the following documents have been submitted:
To be completed by the Applicant (C: complete; N: not complete; NA: non-applicable)

- C 1. 17 copies of the application and minor subdivision plat **plus one** marked **"FOR PUBLIC INSPECTION"**
- 2. Right of Entry/Consent Form
- 3. Certification of owner authorizing application
- 4. Certificate of title to property
- 5. Required Fees
- 6. Water/Sanitary Sewer information
- 7. Certification of payment of taxes/sewer
- 8. Request for any Variances
- 9. Proof of Application to County Planning Board
- 10. Copy of any proposed covenants or Deed Restrictions

I certify the above information is accurate and complete.

DATED: _____
NAME: _____
SEAL: _____
LICENSE NO. _____

SIGNATURE _____



FOR MUNICIPAL USE ONLY

Application submitted on _____

Application reviewed/declared complete on _____

Application reviewed/declared incomplete on: _____

Reason for incomplete Application _____

Application to be heard on: _____

**BOROUGH OF SEA BRIGHT
MONMOUTH COUNTY, NEW JERSEY
NOTICE OF HEARING**

TO ALL OWNERS OF PROPERTY LOCATED WITHIN A RADIUS OF TWO HUNDRED FEET FROM BLOCK 28, LOT 10.

PLEASE TAKE NOTICE that David Meyers and Christina Walker have applied to the Unified Planning Board of the Borough of Sea Bright to consider an application to permit a minor subdivision of the property into two (2), new, conforming lots, with respect to premises located in the R-2 Zone and known as Block 28, Lot 10 on the Tax Map of the Borough of Sea Bright, and commonly known as 548 Ocean Avenue, Sea Bright, New Jersey. No variances are required in connection with this application.

It is believed that the two proposed new lots will be fully conforming to the provisions of the Sea Bright Zoning Ordinances. The Applicant will request such other variances, exceptions, interpretations and design waivers as may be determined to be necessary by the Unified Planning Board, and/or its professionals, in order to develop this property as stated above and will amend its application on the record accordingly.

In accordance with N.J.S.A. 10:4-12, the "Open Public Meetings Act," you are hereby notified of a Virtual Meeting of the Sea Bright Planning/Zoning Board on Tuesday, _____, 2021 at 7:30 p.m., at which time you may appear in person or by agent or attorney and present any objection which you may have to granting this application.

ADVISORIES

This meeting will be conducted by electronic means in accordance with the "Senator Byron M. Baer Open Public Meetings Act" of 2020, which explicitly permits a public body to conduct a meeting electronically during a state of emergency. Governor Murphy issued Executive Orders 103 and 107 declaring a "Public Health Emergency and State of Emergency" and directing residents to quarantine and practice social distancing.

VIRTUAL MEETING ACCESS AND PARTICIPATION INSTRUCTIONS

The Sea Bright Planning/Zoning Board is utilizing the GoToMeeting service to conduct regular meetings in compliance with the New Jersey Open Public Meetings Act.

Planning/Zoning Board Meeting

Tuesday, _____, 2021 7:30 PM – 10:00 PM (EDT)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/605364757> (Verify no change)

You can also dial in using your phone.

United States (Toll Free): 1 877 309 2073

United States: +1 (571) 317-3129

Access Code: 605-364-757 (*Verify no change*)

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/605364757> (*Verify no change*)

APPLICATION MATERIALS ACCESS

To access application materials, including plans, please go to the municipal website, www.seabrightnj.org.

Unified Planning Board in left menu, Agendas and Minutes page, Supporting Documentation section.

Any member of the public wishing to present a document during the meeting should email a digital copy to the Board Secretary at cmitchell@seabrightnj.org by _____, 2021. Members of the public will have an opportunity to be heard and to present evidence during the hearing.

Any questions can be directed to the Planning/Zoning Board Secretary, Candace Mitchell, 732-842-0099, Ext. 123. Please leave a voicemail if no answer or send email to cmitchell@seabrightnj.org.

This Notice is sent to you by the Applicant, by order of the Unified Planning Board of the Borough of Sea Bright.

ANSELL GRIMM & AARON
Attorneys for Applicants

By: _____
RICK BRODSKY, ESQ.

Dated: _____, 2021



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609-751-5551

140 GRAND STREET
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800-569-3886

41 UNIVERSITY DRIVE
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LICENSED ALSO IN:
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PENN. FLA CALIF.

FELLOW, AMERICAN
ACADEMY OF MATRIMONIAL
LAWYERS

CERTIFIED BY THE SUPREME
COURT OF NEW JERSEY AS A
CIVIL TRIAL ATTORNEY

CERTIFIED BY THE SUPREME
COURT OF NEW JERSEY AS A
CRIMINAL TRIAL ATTORNEY

CERTIFIED BY THE SUPREME
COURT OF NEW JERSEY AS A
MATRIMONIAL LAW ATTORNEY

February 9, 2021

Office of the Tax/Sewer Utility Collector
Borough of Sea Bright
1099 Ocean Avenue
Sea Bright, NJ 07760

Re: Block 28, Lot 10
548 Ocean Avenue
Our File No. 094624-0

Dear Sir or Madam:

We represent David Meyers and Christina Walker, who are about to submit an application to the Borough of Sea Bright Unified Planning Board. In this regard, we hereby request a letter on your official letterhead indicating the name and address of the record owner of the above-referenced properties, together with a statement certifying that taxes and sewer/utility fees on the properties have been paid up-to-date. A self-addressed, stamped envelope has been enclosed for your convenience.

Your cooperation in this matter is greatly appreciated. Please do not hesitate to call if you have any questions.

Very truly yours,

RICK BRODSKY
A Member of the Firm
Direct e-mail: rb@ansellgrimm.com
Direct Dial: 732-643-5296

RB/ahn
Enc.

cc: David Meyers and Christina Walker