



**ANSELL GRIMM & AARON PC**  
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† FELLOW, AMERICAN  
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LAWYERS

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

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CRIMINAL TRIAL ATTORNEY

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

**RECEIVED**

**APR 21 2021**

**Borough of Sea Bright**

April 20, 2021

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

*Via e-mail and UPS Next Day Air*

Re: Application of Sea Bright Surf School, LLC  
d/b/a Lucky Dog Surf School  
Premises: East Ocean Avenue, Block 23, Lot 100  
East Ocean Avenue, Block 23, Lot 101  
Our File No. 094483-0

Dear Ms. Mitchell:

In connection with the above, enclosed please find an original Affidavit of Proof of Service of the Notice of Hearing. We have not yet received the original Affidavit of Publication from the *Asbury Park Press*, but we enclose herewith a copy of the Affidavit we received from the newspaper electronically. We will forward the original Affidavit of Publication to you upon receipt.

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

Very truly yours,

*/s/ Rick Brodsky*

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

RB/ahn

Encs.

cc w/encs. via e-mail only:

Christopher Stephan and Melissa D'Anna,  
Sea Bright Surf School, LLC d/b/a Lucky Dog Surf School

AFFIDAVIT OF PUBLICATION

**Publisher's Fee \$75.60 Affidavit \$35.00**

STATE OF WISCONSIN

Brown County

Personally appeared *Kathleen Olsen* at County of Brown, State of Wisconsin.

Of the **Asbury Park Press**, a newspaper printed in Freehold, New Jersey and published in Neptune, in the State of New Jersey and Monmouth/Ocean Counties, and of general circulation in Monmouth/Ocean Counties, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper  
1 time(s), once in each issue as follows:

04/16/2021 **A.D 2021**

*Shelly Hora*  
Notary Public, State of Wisconsin, County of Brown

8-25-23  
My commission expires

SHELLY HORA  
Notary Public  
State of Wisconsin

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 23, LOTS 100 AND 101.

PLEASE TAKE NOTICE that Sea Bright Surf School, LLC d/b/a Lucky Dog Surf School has applied to the Unified Planning Board of the Borough of Sea Bright to consider an application for use "d" variances to permit certain parking of automobiles in connection with the Applicant's surf school, with respect to premises located in the C-P Zone and known as Block 23, Lots 100 and 101 on the Tax Map of the Borough of Sea Bright, and commonly known as East Ocean Avenue, Sea Bright, New Jersey. The Applicant seeks the following variances:

Section 130.38.C(8)(a)[1]: Use "d" variance to permit automobile parking for surf instructors employed by the Applicant, as well as clients of the Applicant that are taking private lessons, as well as drop off only for surf school camps, in the C-P Zone, where no such use is permitted; and

Section 130.38.C(8)(a)[2]: Use "d" variance to permit automobile parking for surf instructors employed by the Applicant, as well as clients of the Applicant that are taking private lessons, as well as drop off only for surf school camps, in the C-P Zone, where only property owners are permitted to park their vehicles.

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, April 27, 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, April 27, 2021 7:30 PM – 10:00 PM (EDT)

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

<https://global.gotomeeting.com/join/279884261>

You can also dial in using your phone.

United States: +1 (312) 757-3121

Access Code: 279-884-261

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

<https://global.gotomeeting.com/install/279884261>

APPLICATION MATERIALS ACCESS

To access application materials, including plans, please go to the municipal website, [www.seabrightnj.org](http://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](mailto:cmitchell@seabrightnj.org) by April 27, 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](mailto: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 Applicant

By: RICK BRODSKY, ESQ.  
Dated: April 14, 2021  
(\$75.60)



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Agency:  
 ANSELL GRIMM & AARON, PC  
 1500 LAWRENCE AVE  
 OCEAN, NJ 07712  
 ATTN:  
Acct:ASB-001502

Client: ANSELL GRIMM & AARON, PC  
 1500 LAWRENCE AVE,  
 OCEAN, NJ 07712

Acct No: ASB-001502

**This is not an invoice**

Order #	Advertisement/Description	# Col x # Lines	Rate Per Line	Cost
0004691203	BOROUGHOFSEABRIGHTMONMOUTHCOUNTYNEWJERSEYN CEOFHEARINGTOALLOWNERSOFPROPERTYLOCATEDWITH RADIUSOFTWOHUNDREDFEETFROMBLOCK23LOTS1	2 col x 84 lines	\$0.45	\$75.60
		Affidavit of Publication Charge	0	\$35.00
		Tearsheet Charge	0	\$0.00
		Net Total Due:		<b>\$110.60</b>

Run Dates: 04/16/2021

Check #: \_\_\_\_\_

Date: \_\_\_\_\_

CERTIFICATION BY RECEIVING AGENCY  
 I, HAVING KNOWLEDGE OF THE FACTS, CERTIFY AND DECLARE THAT THE GOODS HAVE BEEN RECEIVED OR THE SERVICES RENDERED AND ARE IN COMPLIANCE WITH THE SPECIFICATIONS OR OTHER REQUIREMENTS, AND SAID CERTIFICATION IS BASED ON SIGNED DELIVERY SLIPS OR OTHER REASONABLE PROCEDURES OR VERIFIABLE INFORMATION

SIGNATURE \_\_\_\_\_

TITLE \_\_\_\_\_ DATE: \_\_\_\_\_

CERTIFICATION BY APPROVAL OFFICIAL  
 I CERTIFY AND DECLARE THAT THIS BILL OR INVOICE IS CORRECT, AND THAT SUFFICIENT FUNDS ARE AVAILABLE TO SATISFY THIS CLAIM. THE PAYMENT SHALL BE CHARGEABLE TO:

APPROPRIATION ACCOUNT(S) AND AMOUNTS CHARGED: P 0 # \_\_\_\_\_

SIGNATURE \_\_\_\_\_

TITLE \_\_\_\_\_ DATE: \_\_\_\_\_

**CLAIMANT'S CERTIFICATION AND DECLARATION:**

I DO SOLEMNLY DECLARE AND CERTIFY UNDER THE PENALTIES OF THE LAW THAT THIS BILL OR INVOICE IS CORRECT IN ALL ITS PARTICULARS; THAT THE GOODS HAVE BEEN FURNISHED OR SERVICES HAVE BEEN RENDERED AS STATED HEREIN; THAT NO BONUS HAS BEEN GIVEN OR RECEIVED BY ANY PERSON OR PERSONS WITHIN THE KNOWLEDGE OF THIS CLAIMANT IN CONNECTION WITH THE ABOVE CLAIM. THAT THE AMOUNT HEREIN STATED IS JUSTLY DUE AND OWING; AND THAT THE AMOUNT CHARGED IS A REASONABLE ONE

Date: 04/16/2021

Federal ID #: 061032273

Signature: \_\_\_\_\_



Official Position: Clerk

Kindly return a copy of this bill with your payment so that we can assure you proper credit.

**Asbury Park Press**  
 New Jersey Press Media Solutions  
 P.O. Box 677599

ANSELL GRIMM & AARON  
1500 Lawrence Avenue  
CN 7807  
Ocean, New Jersey 07712  
(732) 922-1000  
Attorneys for Applicant

IN THE MATTER OF THE APPLICATION OF  
SEA BRIGHT SURF SCHOOL d/b/a  
LUCKY DOG SURF SCHOOL

AFFIDAVIT OF PROOF  
OF SERVICE

STATE OF NEW JERSEY                    )  
  ) ss.  
COUNTY OF MONMOUTH                )

RICK BRODSKY, of full age, being duly sworn according to law, upon his oath, deposes and says:

1. I am an Attorney at Law of the State of New Jersey, a partner with the firm of Ansell Grimm & Aaron, and the attorney in charge of the application of Sea Bright Surf School, LLC d/b/a Lucky Dog Surf School for the firm.

2. Sea Bright Surf School, LLC d/b/a Lucky Dog Surf School is the applicant in the proceedings before the Unified Planning Board of the Borough of Sea Bright, New Jersey, being an appeal or application under the revised ordinances of the Borough of Sea Bright and relating to premises located at East Ocean Avenue, Block 23, Lots 100 and 101, Borough of Sea Bright, New Jersey.

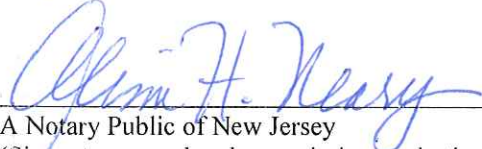
3. On April 16, 2021, our firm did send, by certified mail, a copy of the attached Notice to all persons and/or entities listed on the attached certified list. The envelopes containing said Notices bore sufficient postage thereon and were mailed from the United States Post Office Ocean Branch, Ocean, New Jersey. The mailing receipts are attached hereto and made a part of this Affidavit.

I certify that the foregoing information is true and correct to the best of my knowledge and belief. I am aware that if any of the foregoing is willfully false, I am subject to punishment.

ANSELL GRIMM & AARON  
Attorneys for Applicant

By:   
RICK BRODSKY, ESQ.

Sworn to and subscribed before me  
this 10th day of April, 2021

  
A Notary Public of New Jersey  
(Sign, stamp, seal and commission expiration date)

ALISON H. NEARY  
NOTARY PUBLIC OF NEW JERSEY  
094483.000000.71493701 COMMISSION EXPIRES SEPT. 13, 2025

ANSELL GRIMM & AARON  
A PROFESSIONAL CORPORATION  
COUNSELORS AT LAW  
1500 LAWRENCE AVENUE  
CN 7807  
OCEAN, N.J. 07712  
(732) 922-1000





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DAVID K. ANSELL † (1962-2019)

LICENSED ALCOHOL
& DRUG COUNSELOR
V.C. - MASS. - N.Y. - WASH.
- PENN. - FLA. - CALIF.

‡ FELLOW, AMERICAN
ACADEMY OF MATRIMONIAL
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CRIMINAL TRIAL ATTORNEY

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

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

TO ALL OWNERS OF PROPERTY LOCATED WITHIN A RADIUS OF TWO
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**You can also dial in using your phone.**

United States: [+1 \(312\) 757-3121](tel:+13127573121)

**Access Code:** 279-884-261

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ANSELL GRIMM & AARON  
Attorneys for Applicant

By:   
RICK BRODSKY, ESQ.

Dated: April 14, 2021



**BOROUGH OF SEA BRIGHT  
OFFICE OF THE MUNICIPAL CLERK  
1099 OCEAN AVENUE  
SEA BRIGHT, NJ 07760  
732-842-0099 EXT. 119**

Information requested for properties located within 200' of Block 23, Lots 100 and 101, also known as East Ocean Avenue.

**YOU MUST SEND NOTICES TO THE UTILITIES AND APPROPRIATE GOVERNMENTAL AGENCIES NOTED BELOW:**

✓ ✓ <b>Borough of Sea Bright</b> ✓ 1099 Ocean Avenue Sea Bright, NJ 07760	✓ ✓ <b>State of New Jersey (for State Hwy 36)</b> Commissioner, Department of Transportation ✓ 1035 Parkway Avenue P.O. Box 600 Trenton, NJ 08625
✓ ✓ <b>Comcast</b> Comcast Center ✓ 1701 John F Kennedy Blvd. Philadelphia, PA 19103	✓ ✓ <b>State of New Jersey (for Coastal Waters)</b> Division of Coastal Resources ✓ P.O. Box 401 Trenton, NJ 08625
✓ ✓ <b>New Jersey American Water Company</b> ✓ 661 Shrewsbury Avenue Shrewsbury, NJ 07702	✓ ✓ <b>Two Rivers Water Reclamation Authority</b> ✓ 1 Highland Avenue Monmouth Beach, NJ 07750
✓ ✓ <b>New Jersey Natural Gas Company</b> ✓ 1415 Wyckoff Road Wall, NJ 07719	✓ ✓ <b>Verizon</b> ✓ 175 W. Main St Freehold, NJ 07728 Attn: Corporate Secretary/Right of Way Agent
✓ ✓ <b>Jersey Central Power &amp; Light</b> Area Manager Central New Jersey ✓ 1500 Florance Avenue Union Beach, NJ 07735	✓ ✓ <b>Monmouth County Planning Board</b> Hall of Records Annex – 2 <sup>nd</sup> Floor ✓ 1 East Main Street Freehold, NJ 07728

Attached is a true list of the Property Owners within 200' of Block 23, Lots 100 and 101, also known as East Ocean Avenue in the Borough of Sea Bright as submitted by Sea Bright Tax Assessor Timothy Anfuso.

*Candace B. Mitchell*  
Candace B. Mitchell, Administrative Assistant  
Borough Clerk's Office

Date: March 22, 2021  
Date Request Received: March 18, 2021  
Amount Paid: \$10.00

Cc. File

OWNER & ADDRESS REPORT

SEA BRIGHT

200 FOOT OWNERS LIST FOR BLOCK 23, LOTS 100 & 101

03/20/21 Page 1 of 1

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
23	97		1	FORTUNETTE HPOLDINS, LLC 93 EMILY ROAD FAR HILLS, NJ 07931	EAST OCEAN AVENUE	
23	98		1	MATTIMORE, THOMAS 55 VISTA TIBURON ROAD TIBURON, CA 94920	EAST OCEAN AVENUE	
23	102		1	BAHRS, WILLIAM K. III 376 OCEAN AVENUE SEA BRIGHT, NJ 07760	EAST OCEAN AVENUE	
23	103		1	CAPPILLO, CHRISTOPHER 370 OCEAN AVENUE SEA BRIGHT, NJ 07760	EAST OCEAN AVENUE	
23	104		1	DIXON, WILLIAM E JR 360 OCEAN AVENUE SEA BRIGHT, NJ 07760	EAST OCEAN AVENUE	
23	105		1	KALAKA, JOANN 1184 OCEAN AVE UNIT B-1 SEA BRIGHT, NJ 07760	EAST OCEAN AVENUE	
30	26		2	FORUNETTE HOLDINGS 412 OCEAN AVENUE SEA BRIGHT, NJ 07760	412 OCEAN AVENUE	
30	27		1	MATTIMORE, THOMAS 55 VISTA TIBURON ROAD TIBURON, CA 94920	408 OCEAN AVENUE	27.01, 29.01
30	28		2	TAGLIANTI, STEPHEN A & LEE ANN 4 MELVILLE COURT LEDGEWOOD, NJ 07852	408 REAR OCEAN AVENUE	25.01
30	30		2	404 OCEAN AVENUE, LLC 21 49TH STREET WEEHAWKEN, NJ 07086	404 OCEAN AVENUE	30.01
30	31		2	DE MARCO, ANTHONY S. & JANICE 562 CALVIN STREET WASHINGTON TWP., NJ 07676	406 OCEAN AVENUE	31.01
30	32		2	D'ANNA, JOHN & ROBIN 400 OCEAN AVENUE SEA BRIGHT, NJ 07760	400 OCEAN AVENUE	
30	33		2	FAHRENHOLTZ, KAREN A 402 OCEAN AVENUE SEA BRIGHT, NJ 07760	402 OCEAN AVENUE	33.02
30	33.01		2	D'ANNA, JOHN & ROBIN 400 OCEAN AVENUE SEA BRIGHT, NJ 07760	400 OCEAN AVENUE REAR	32.01
30	34		2	BAHRS, WILLIAM K. III 376 OCEAN AVENUE SEA BRIGHT, NJ 07760	376 OCEAN AVENUE	
30	36		2	CAPPILLO, CHRISTOPHER 370 OCEAN AVENUE SEA BRIGHT, NJ 07760	370 OCEAN AVENUE	
30	37		2	DIXON, WILLIAM E JR 360 OCEAN AVENUE SEA BRIGHT, NJ 07760	360 OCEAN AVENUE	
30	38		2	KALAKA, JOANN 1184 OCEAN AVE UNIT B-1 SEA BRIGHT, NJ 07760	356 OCEAN AVENUE	38.01