

**MARK R. AIKINS, L.L.C.**  
COUNSELORS AT LAW  
AUTUMN RIDGE OFFICE PARK  
3350 ROUTE 138, BUILDING 1, SUITE 113  
WALL, NEW JERSEY 07719

**MARK R. AIKINS**  
E-MAIL: maikins@aikinslaw.com  
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TELEPHONE: 732-280-2606

FACSIMILE: 732-280-8084

February 22, 2021

**HAND DELIVERED**

Ms. Candace B. Mitchell  
Planning/Zoning Officer  
Borough of Sea Bright  
1099 Ocean Avenue  
Sea Bright, New Jersey 07760

RE: Block 29, Lot 27 ( 46 Normandie Place)  
Sea Bright, New Jersey  
(Hart Application)

Dear Ms. Mitchell:

Pursuant to the above matter, enclosed please find the following documents:

1. 17 copies of Zoning Permit Denial dated 2/17/21
2. 17 copies of Application and Checklist
3. 17 sets of Plans prepared by N2 Architecture dated 12/8/20
4. 17 sets of Boundary & Topographic Survey prepared by InSite Surveying, LLC
5. 17 sets of NJDEP Permit & Grading Plans prepared by Jensen Design Group, dated 12/4/20
6. 17 sets of photographs
7. Certification of Taxes and Sewer
8. Copy of certified list of property owners within 200 ft.
9. W-9 Form
10. Application fees – to be advised by Borough
11. Escrow fees – to be advised by Borough

Should you require additional information and/or documentation in order to deem this matter complete for hearing before the Board, please do not hesitate to contact our office.

February 22, 2021

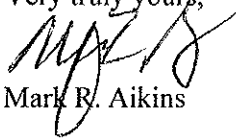
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RE: Block 29, Lot 27  
Borough of Sea Bright, New Jersey

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Thank you.

Very truly yours,



Mark R. Aikins

MRA:mb

Enclosures

cc: Mr. & Mrs. Brian Hart, w/o/encs. (via e-mail)  
N2 Architecture, w/o/encs. (via e-mail)  
Jensen Design Group, w/o/encs. (via e-mail)

**PLOT PLAN OR VARIANCE PLAN**

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

Application No. \_\_\_\_\_ Date February, 2021  
Application Name BRIAN & VICKI HART  
Application Address c/o Mark R. Aikins, Esq., 3350 Rt. 138, Bldg. 1, Suite 113, Wall, New Jersey 07719  
Property Address 46 NORMANDIE PLACE Block 29 Lot 27

**CHECKLIST**

**Prior to issuance of a Certificate of Completeness and assignment of a hearing date, the Administrative Officer shall determine that the following documents have been submitted:**

- To be completed by Applicant (C=complete, N=Not complete, NA=not-applicable)
- Completed 1. 17 copies of Zoning Permit Denial
  - Completed 2. 17 copies of completed application and check list, signed, dated, and notarized, **plus one** marked "FOR PUBLIC INSPECTION"
  - Completed 3. 17 sets of plot plan or variance plan signed, dated, and notarized, also **Show Base Flood Elevation, plus one** marked "FOR PUBLIC INSPECTION"
  - Completed 4. 17 copies of Survey (unless Variance Plan states that it is based upon the survey). Must indicate mean high waterline, if pertinent to application)
  - Completed 5. 17 (sets of) Photographs of property/dwelling as it currently exists
  - N/A 6. Description of proposed operation (No. 15 in first part of application)
  - Completed 7. Request for any variances (under No. 11 in first part of application)
  - Completed 8. Certificate of owner authorizing submission (after No. 26 in first part of application)
  - To Be Advised 9. Required application fees/check made payable to Borough of Sea Bright
  - To Be Advised 10. Required escrow fees/check made payable to Borough of Sea Bright
  - Completed 11. Completed W-9 Form
  - Completed 12. Certification that taxes and sewer utility charges are paid to date
  - Not Completed 13. Completed Notice of Hearing
  - Completed 14. Certified list of property owners within 200 feet

**The following requirements must also be met before an application may be heard:**

- Not Completed 15. Affidavit of Mailing and Service for Public Notice (Provide 7 days prior to hearing.)
- Not Completed 16. Affidavit of Publication for Public Notice (Provide 7 days prior to hearing.)

If Applicable:

- N/A 17. Proof of Application to Monmouth County
- N/A 18. Proof of application to NJDOT
- Not Completed 19. Application for CAFRA
- Not Completed 20. Application for Floodplain Encroachment Permit
- N/A 21. Application for Stream Encroachment Permit

**After the application is deemed complete then the Board Secretary will provide you with a hearing date so you may notice property owners.**

I certify the above information is accurate and complete.

DATED: February 18, 2021

NAME: MARC R. NEMERGUT, ARCHITECT

SEAL:

LICENSE NO. 01782600

SIGNATURE 

**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 \_\_\_\_\_

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**1. SUBJECT PROPERTY**

Location: 46 NORMANDIE PLACE

Block 29 Lot 27

Dimensions: Frontage \_\_\_\_\_ Depth 228 ft. Total Area 8,532.98 sq.ft.

Zoning District: R-2

**2. APPLICANT**

Name: BRIAN & VICKI HART

Address: c/o Mark R. Aikins, Esq., 3350 Rt. 138, Bldg. 1, Suite 113, Wall, New Jersey 07719

Telephone Number: c/o 732-280-2606

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).

Owner's Name: Same

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

5. Property Information:

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

(Attach copies)

No \_\_\_\_\_ 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: Mark R. Aikins, Esquire

Address: 3350 Route 138, Bldg. 1, Ste 113, Wall, N.J. 07719

Telephone Number 732-280-2606 FAX Number 732-280-8084

7. Applicant's Engineer: N2 Architecture

Address: 516A Lincoln Avenue, Avon-by-the-Sea, New Jersey 07717

Telephone Number 732-938-5006 FAX Number none

8. Applicant's Planning Consultant: InSite Engineering, LLC

Address: 1955 Route 34, Suite 1A, Wall, New Jersey 07719

Telephone Number 732-531-7100 FAX Number 732-531-7344

9. Applicant's Traffic Engineer: Jensen Design Group

Address: 2150 Rt. 35, Suite 230, Sea Girt, New Jersey 08750

Telephone Number 732-256-9358 FAX Number none

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: Marc R. Nemergut, Architect

Name: Jason L. Fichter, P.E. & P.P. CFM, CME

Field of Expertise: Architecture

Field of Expertise: Planner/Engineer

Address: 516A Lincoln Avenue, Avon-by-the-Sea, New Jersey 07717

Address: 1955 Route 34, Suite 1A, Wall, New Jersey 07719

Telephone Number 732-938-5006 FAX None

Telephone Number: 732-531-7100

Fax: 732-531-7344

William Jensen, Jr. P.E., c/o Jensen Design Group ; Telephone: 732-256-9358

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

**PLOT PLAN or VARIANCE PLAN APPROVAL**

**SUBDIVISION**

Minor Subdivision Approval

Subdivision Approval (Preliminary)

Subdivision Approval (Final)

Number of lots to be created     (including remainder lot)

Number of proposed dwelling units one (1) (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:

Demolish existing one (1) story residence (front) and demolish two (2) story residence (rear)  
Construct new two (2) story single family residence

- \_\_\_\_\_ 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 130:50.C

13. Waivers requested of development standards and/or submission requirements:(attach additional pages as needed)  
Not Applicable

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.

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? No

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

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

22. What form of security does the applicant propose to provide as performance and maintenance guarantees? Not Applicable

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**

NE Regional Sewer Auth NO  
Monmouth County Board Of Health NO  
Monmouth County Planning Board NO  
Freehold Soil Conservation District. NO  
NJ DEP NO  
Sewer Extension Permit NO  
Sanitary Sewer Connection Permit NO  
Stream Encroachment Permit NO  
Waterfront Development Permit NO  
Wetlands Permit NO  
Tidal Wetlands Permit NO  
Potable Water Constr. Permit NO  
NJ Department of Transportation NO  
Public Service Electric & Gas NO  
Other \_\_\_\_\_

24. Certification from the Tax Collector that all taxes due on the subject property have been paid.

25. Certification from Sewer Collector that sewer utility charges due on the subject property have been paid.

**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** Mark R. Aikins c/o Esquire, Mark R. Aikins, L.L.C.

**Address:** 3350 Route 138, Bldg. 1, Ste 113, Wall, N.J. 07719

**Phone Number:** 732-280-2606

**Fax Number:** 732-280-8084

**Engineer:** Jason L. Fichter, P.E. & P.P. CFM, CME

**Address:** InSite Engineering, LLC, 1955 Route 34, Suite 1A, Wall, New Jersey 07719

**Phone Number:** 732-531-7100

**Fax Number:** 732-531-7344

**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 \_\_\_\_\_ day of February, 2021.

A Notary Public of NJ Owner

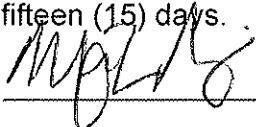
My Commission Expires: \_\_\_\_\_

I understand that the sum of \$ TBA 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: February 22, 2021

Applicant: \_\_\_\_\_

  
Mark R. Aikins, Attorney for Applicants/Owners  
Brian and Vickie Hart