

HANLON NIEMANN & WRIGHT

A PROFESSIONAL CORPORATION

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JUNIPER BUSINESS PLAZA

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Court as a Civil Trial Attorney
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Admitted in NJ

Nicole C. Tomlin, Esq.

Admitted in NJ

Elizabeth Loud-Hayward, Esq.

Admitted in NJ

Thomas F. X. Foley, Esq.,
of Counsel

October 28, 2021

VIA ELECTRONIC AND REGULAR MAIL

Borough of Sea Bright

Unified Planning Board

1099 Ocean Avenue

Sea Bright, NJ 07760

Attn: Candace B. Mitchell, Planning Board Secretary

Re: **Martin and Theresa Phan**

164 Ocean Avenue

Block 33, Lot 20.01

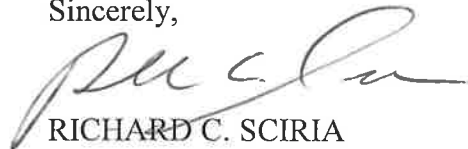
Application for Amended Site Plan Approval

Dear Ms. Mitchell:

Enclosed please find the original Affidavit of Mailing together with the original Mail Manifest Report regarding the above matter.

Thank you for your attention to this matter.

Sincerely,



RICHARD C. SCIRIA

RCS:jbm

Enc.

cc: Martin and Theresa Phan (via electronic mail)

PLANNING/ZOING BOARD
BOROUGH OF SEA BRIGHT
MONMOUTH COUNTY, NEW JERSEY

Re: Martin and Theresa Phan
164 Ocean Avenue
Block 33, Lot 20.02

AFFIDAVIT OF MAILING

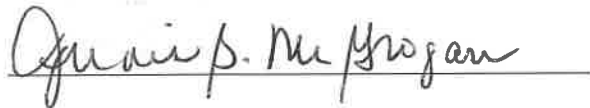
RICHARD C. SCIRIA, of full age, being duly sworn upon his oath deposes and says:

On October 28, 2021, I 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, were placed in a receptacle at the United States Post Office, Freehold, New Jersey.

The Mail Manifest Report attached hereto and made a part of this Affidavit.


RICHARD C. SCIRIA

Sworn and Subscribed to before me
this 28th day of October, 2021.



JUDITH B. MCGROGAN
NOTARY PUBLIC OF NEW JERSEY
Commission # 50040676
My Commission Expires 06/23/2026

**BOROUGH OF SEA BRIGHT
UNIFIED PLANNING BOARD
NOTICE OF HEARING
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that Martin and Theresa Phan have filed an Application with the Borough of Sea Bright Unified Planning Board regarding the property located at 164 Ocean Avenue, Sea Bright, New Jersey (Block 33, Lot 20.01) for Amended Site Plan Approval from the Resolution entered on February 13, 2018. Specifically, the Applicant will be seeking Amended Site Plan/Bulk (“c”) Variance Approval for the following:

Eliminate the two (2) rear exterior decks;

Incorporate any front decks or balconies below the roof deck;

Incorporate “Juliet Balcony(ies)” on the rear elevation of the House;

Change the contour of the rear stairwell, thereby reducing the length as to the area of the rear stairwell from the back of the house by three (3) feet, which shall not change the footprint of the livable space;

Incorporate the planting of no less than five (5) trees of similar species, size, height, and caliper as currently exists on the Property in the buffer between the Property and the Association’s property;

Extend the brick wall that runs half-way up the Ocean Avenue exterior stairwell with any other non-transparent material to the entire height of the stairwell. The enclosure of the stairwell triggers a front yard setback variance from Ocean Avenue whereas 25 feet is required and 17 feet is proposed;

Install a solid barrier (non-transparent) at the left-side railing on the roof deck adjacent to the Lands End Condominium.

The Applicant will also be seeking approval for any and all other Variances and/or Design Waivers which are necessary, or which may become necessary, during the Public hearing process.

The Application is scheduled for a Public Hearing on **Tuesday, November 9, 2021, at 7:30 p.m.** prevailing time, at the Borough of Sea Bright Beach Pavilion, 3rd Floor, 1097 Ocean Avenue, Sea Bright, New Jersey 07760, at which time you may appear, either in person, or by

agent or Attorney, and present any comments, objections, or questions which you may have to the granting of the Application, and/or any component parts thereof.

Copies of pertinent documents are available for public inspection, Monday through Friday, 9:00 a.m. to 4:00 p.m. at the Office of the Board Secretary, located at the Borough of Sea Bright Municipal Building, located at 1099 Ocean Avenue, Sea Bright, New Jersey 07760, and on the municipal website: www.seabrightnj.org.

10/27/2021

Date

Richard C. Sciria, Esq.
Attorney for Applicant
732-863-9900

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

Information requested for properties located within 200' of Block 33, Lot 20.01, also known as 164 Ocean Avenue.

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

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

Attached is a true list of the Property Owners within 200' of Block 33, Lot 20.01, also known as 164 Ocean Avenue in the Borough of Sea Bright as submitted by Sea Bright Tax Assessor Timothy Ambro.


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

Date: September 13, 2021
Date Request Received: September 7, 2021
Amount Paid: \$10.00

Cc: File

SEA BRIGHT

280 FOOT OWNERS LIST FOR BLOCK 33, LOT 20.01

OWNER & ADDRESS REPORT

09/11/21 Page 1 of 3

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	ADD'L LOTS
23	199	01	1	7055 PROPERTY 15 BAY AVE HIGHLANDS, NJ 07732	EAST OCEAN AVENUE	COMMON ELEMENTS
23	199.01		15F	ASSESSED WITH BLOCK 33.01 THRU BLOCK 33.04 AS PART OF COMMON ELEMENTS	EAST OCEAN AVENUE	
23	130		1	MOUNTAIN VIEW VILLAS AT SEA BRIGHT 754 HYSLIP AVENUE WESTFIELD, NJ 07099	EAST OCEAN AVENUE	
23	132		1	FLALNO, RUTH 159 OCEAN AVENUE SEA BRIGHT, NJ 07760	EAST OCEAN AVENUE	
23	133		1	KILLYK, BORDAN M 11327 MARROW TAIL TERR, BELLEVILLE MARLTON, NJ 20705	EAST OCEAN AVENUE	
23	134		15F	NORTH POINTE CONDO ASSOCIATION HARD STATE ROUTE 36, #103 HAZEL, NJ 07730	EAST OCEAN AVENUE	
33	19		1	LAND 3 END CONDO ASSOCIATION 7200 MARSH 15 BAY AVE HIGHLANDS, NJ 07732	174 OCEAN AVENUE	19.01 THRU 19.04
33	20.02		1	MOUNTAIN VIEW VILLAS AT SEA BRIGHT WESTFIELD, NJ 07090	2 MOUNTAIN VIEW WAY	
34	1		2	FLALNO, RUTH 215 BRUNO ROAD PALM BEACH SHORES, FL 33404	159 OCEAN AVENUE	
34	2		2	KILLYK, BORDAN M 11327 MARROW TAIL TERR, BELLEVILLE MARLTON, NJ 20705	154 OCEAN AVENUE	
34	3.03		2	MOUNTAIN VIEW VILLAS AT SEA BRIGHT 754 HYSLIP AVENUE WESTFIELD, NJ 07090	6 MOUNTAIN VIEW WAY	
34	3.04		2	MOUNTAIN VIEW VILLAS AT SEA BRIGHT 754 HYSLIP AVENUE WESTFIELD, NJ 07090	4 MOUNTAIN VIEW WAY	
34	3.05		1	MOUNTAIN VIEW VILLAS AT SEA BRIGHT 754 HYSLIP AVENUE WESTFIELD, NJ 07090	3 MOUNTAIN VIEW WAY	
34	3.06		1	MOUNTAIN VIEW VILLAS AT SEA BRIGHT 754 HYSLIP AVENUE WESTFIELD, NJ 07090	1 MOUNTAIN VIEW WAY	
34	4		15F	NORTH POINTE CONDO ASSOCIATION HARD STATE ROUTE 36, #103 HAZEL, NJ 07730	150 OCEAN AVENUE	4.01
33.01	1		2	HENDERSON, BERNIE & O'CONNOR, SUSAN SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 2	
33.01	2		2	DI NIGOLA, PETER F. & TERESA A. 174 OCEAN AVENUE UNIT 4 SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 4	
33.01	3		2	KAHA, LAURA & RUSSECKE, LEONARD 1107 EVERGREEN ROAD YAROLEY, PA 19067	174 OCEAN AVENUE UNIT 6	
33.01	4		2	VON ZIEGESSER, ELIZABETH T. PO BOX 3129 SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 8	

SEA BRIGHT

200 FOOT OWNERS LIST FOR BLOCK 33, LOT 20.01

OWNER & ADDRESS REPORT

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BLOCK	LOT	QUAL	CL	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
33.01	5		2	FRANKLIN J. BROWN 135 E. BIRD ST. #21 NEW YORK, NY 10028	174 OCEAN AVENUE UNIT 10	
33.02	1		2	PRA. ELIHO, JOAN M & ALBERT J 174 OCEAN AVENUE UNIT 12 SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 12	
33.02	2		2	MURPHY, ARTHUR R. & SHELIA A. 174 OCEAN AVENUE UNIT 14 SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 14	
33.02	3		2	GRIMM, CAROL A. 174 OCEAN AVENUE UNIT 16 SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 16	
33.02	4		2	PARISE, SERRINA P 174 OCEAN AVENUE UNIT 18 SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 18	
33.02	5		2	OHARA, GERARD THOMAS & CATHERINE A 174 OCEAN AVENUE UNIT 20 SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 20	
33.02	6		2	HOUZERS, HERBERT & SHIRLEY 174 OCEAN AVENUE UNIT 22 SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 22	
33.02	7		2	HOOKE, MARY J. & MARY C. TRUSTEE 174 OCEAN AVENUE UNIT 24 SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 24	
33.03	1		2	LISTER, DENNIS & VIOLET 174 OCEAN AVENUE UNIT 26 SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 26	
33.03	2		2	GRICIAN, VIGORIE H. & WENDY K. 44 CAMELOT DR. OHENRY HILL, NJ 08003	174 OCEAN AVENUE UNIT 28	
33.03	3		2	PELEFFER, N. ARTHUR & BERNADETTE J. 174 OCEAN AVENUE UNIT 30 SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 30	
33.03	4		2	JANAZZO, DAVID & SUSAN 174 OCEAN AVENUE UNIT 32 SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 32	
33.03	5		2	CALLENDO, NICHOLAS A. & DIANA S. 174 OCEAN AVENUE UNIT 34 SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 34	
33.03	6		2	ESQUAVIAN, THOMAS & NANCY 174 OCEAN AVENUE UNIT 36 SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 36	
33.03	7		2	SERAFIN, FAYMI, MARGR2TAVIA 902 EMING AVENUE FRANKLIN LAKES, NJ 07417	174 OCEAN AVENUE UNIT 38	
33.04	1		2	MACDONALD, DONALD SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 40	
33.04	2		2	GRUBB, ERIN E 174 OCEAN AVENUE UNIT 42 SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 42	
33.04	3		2	LEIGBORN, MICHAEL & EMILENT, DANIE 174 OCEAN AVENUE UNIT 44 SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 44	
33.04	4		2	SEIFMAN TRUST 174 EAST 115TH ST 11D NEW YORK, NY 10003	174 OCEAN AVENUE UNIT 46	

SEA BRIGHT
200 FOOT OWNERS LIST FOR BLOCK 33, LOT 20, 01

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BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	ADD'L LOTS
3304	4		2	LOREVEY, ALEXANDER & LARISSA SEA BRIGHT, NJ 07760	174 OCEAN AVENUE UNIT 4B	



Shipment Confirmation Acceptance Notice

A. Mailer Action

Note To Mailer: The labels and volume associated to this form online must match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 10/27/2021

Shipped From:

Name Christopher J. Hanlon Esq.

Address Hanlon Niemann Wright P.C.

City Freehold

State NJ Zip+4® 07728

Type of Mail	Volume
Priority Mail Service®	0
Priority Mail Express Service®	0
Library Mail Service®	0
International Mail®	0
First-Class Package Service®	40
Parcel Select®	0
Other	0
Total Volume	40

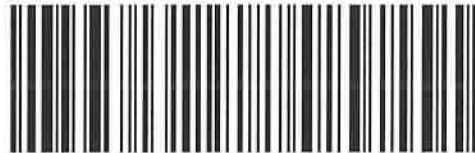


*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

B. USPS Action

USPS EMPLOYEE: Please scan upon pickup or receipt of mail. Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9475 7112 0108 0780 0697 20

MAIL MANIFEST REPORT

Postmark Date	Company	Name	Address	Address2	City	State	ZIP	Mail Class/ Service	USPS Certified Tracking#	Total	Reference	User
10/27/2021		Borough of Sea Bright	1099 Ocean Avenue		Sea Bright	NJ	07780	Certified with Electronic Delivery Confirmation	9407111898765 856259133	\$5.28		273
10/27/2021	State of New Jersey for State Hwy 36	Commissioner, Department of Transportation	1035 Parkway Ave	P.O. Box 600	Trenton	NJ	08625	Certified with Electronic Delivery Confirmation	9407111898765 856259171	\$5.28		273
10/27/2021	Comcast	Comcast Center	1701 John F. Kennedy Blvd.		Philadelphia	PA	19103	Certified with Electronic Delivery Confirmation	9407111898765 856259317	\$5.28		273
10/27/2021	State of New Jersey for Coastal Waters	Division of Coastal Resources	P.O. Box 401		Trenton	NJ	08625	Certified with Electronic Delivery Confirmation	9407111898765 856259355	\$5.28		273
10/27/2021		New Jersey American Water Company	661 Shrewsbury Avenue		Shrewsbury	NJ	07702	Certified with Electronic Delivery Confirmation	9407111898765 856259362	\$5.28		273
10/27/2021		Two Rivers Water Reclamation Authority	1 Highland Avenue		Monmouth Beach	NJ	07750	Certified with Electronic Delivery Confirmation	9407111898765 856259324	\$5.28		273
10/27/2021		New Jersey Natural Gas Company	1415 Wyckoff Road		Wall	NJ	07719	Certified with Electronic Delivery Confirmation	9407111898765 856259393	\$5.28		273
10/27/2021	Verizon	Alt Corporate Secretary Right of Way Agent	175 W. Main St.		Freehold	NJ	07728	Certified with Electronic Delivery Confirmation	9407111898765 856259348	\$5.28		273
10/27/2021	Jersey Central Power and Light	Area Manager Central New Jersey	1500 Florence Avenue		Union Beach	NJ	07735	Certified with Electronic Delivery Confirmation	9407111898765 856259331	\$5.28		273
10/27/2021	Monmouth County Planning Board	Hall of Records Annex, 2nd Floor	1 East Main Street		Freehold	NJ	07728	Certified with Electronic Delivery Confirmation	9407111898765 856259379	\$5.28		273
10/27/2021	Lands End Condominium Assn. Inc.	DVS Property	15 Bay Ave.		Highlands	NJ	07732	Certified with Electronic Delivery Confirmation	9407111898765 856259010	\$5.28		273
10/27/2021		Mountain View Villas at Sea Bright	754 Hyalip Avenue		Westfield	NJ	07090	Certified with Electronic Delivery Confirmation	9407111898765 856259058	\$5.28		273
10/27/2021		Ruth Fialko	158 Ocean Avenue		Sea Bright	NJ	07760	Certified with Electronic Delivery Confirmation	9407111898765 856259085	\$5.28		273
10/27/2021		Ruth Fialko	215 Bamboo Road		Palm Beach Shores	FL	33404	Certified with Electronic Delivery Confirmation	9407111898765 856259027	\$5.28		273
10/27/2021		Klyk, Bohdan M.	11327 Narrow Trell Terr.		Beltsville	MD	20705	Certified with Electronic Delivery Confirmation	9407111898765 856259003	\$5.28		273
10/27/2021		North Pointe Condo Association	1390 State Route 36, No. 103		Hazlet	NJ	07730	Certified with Electronic Delivery Confirmation	9407111898765 856259096	\$5.28		273
10/27/2021		DiNicola, Peter T. and Theresa A.	174 Ocean Avenue Unit 4		Sea Bright	NJ	07760	Certified with Electronic Delivery Confirmation	9407111898765 856259041	\$5.28		273
10/27/2021		Henderson, George and OConnor, Susan	174 Ocean Avenue Unit 2		Sea Bright	NJ	07760	Certified with Electronic Delivery Confirmation	9407111898765 856259089	\$5.28		273
10/27/2021		Von Ziegeler, Elizabeth T.	P.O. Box 3126		Sea Bright	NJ	07760	Certified with Electronic Delivery Confirmation	9407111898765 856259034	\$5.28		273



									Confirmation				
10/27/2021		Muka, Laura and Lawrence Leonard	1107 Evergreen Road		Yardley	PA	19067		Certified with Electronic Delivery Confirmation	9407111898765 858259072	\$5.28		273
10/27/2021		Farrell, Michael R.	135 E. 83rd St. Apt. 9D		New York	NY	10028		Certified with Electronic Delivery Confirmation	9407111898765 856259416	\$5.28		273
10/27/2021		PRA Sisto, Joan M. and Albert J.	174 Ocean Avenue, Unit 12		Sea Bright	NJ	07780		Certified with Electronic Delivery Confirmation	9407111898765 856259454	\$5.28		273
10/27/2021		Murphy, Arthur H. and Sheila	174 Ocean Avenue, Unit 14		Sea Bright	NJ	07780		Certified with Electronic Delivery Confirmation	9407111898765 856259461	\$5.28		273
10/27/2021		Graham, Carol A.	174 Ocean Avenue, Unit 18		Sea Bright	NJ	07780		Certified with Electronic Delivery Confirmation	9407111898765 858259423	\$5.28		273
10/27/2021		Parise, Sabrina	174 Ocean Avenue, Unit 18		Sea Bright	NJ	07780		Certified with Electronic Delivery Confirmation	9407111898765 856259492	\$5.28		273
10/27/2021		Chlers, Gerard Thomas and Catherine A.	174 Ocean Avenue, Unit 20		Sea Bright	NJ	07780		Certified with Electronic Delivery Confirmation	9407111898765 856259447	\$5.28		273
10/27/2021		Holzberg, Herbert and Shirley	174 Ocean Avenue, Unit 22		Sea Bright	NJ	07780		Certified with Electronic Delivery Confirmation	9407111898765 856259485	\$5.28		273
10/27/2021		Noone, Mary J. and Mary C. Trustee	174 Ocean Avenue, Unit 24		Sea Bright	NJ	07780		Certified with Electronic Delivery Confirmation	9407111898765 856259430	\$5.28		273
10/27/2021		Lister, Dennis and Violet	174 Ocean Avenue, Unit 26		Sea Bright	NJ	07780		Certified with Electronic Delivery Confirmation	9407111898765 856259478	\$5.28		273
10/27/2021		Gracias, Vicente H. and Wendy K.	44 Cameo Drive		Cherry Hill	NJ	08003		Certified with Electronic Delivery Confirmation	9407111898765 856259516	\$5.28		273
10/27/2021		Pfeifer, H. Arthur and Bernadette J.	174 Ocean Avenue, Unit 30		Sea Bright	NJ	07780		Certified with Electronic Delivery Confirmation	9407111898765 856259553	\$5.28		273
10/27/2021		Janazzo, David and Susan	174 Ocean Avenue, Unit 32		Sea Bright	NJ	07780		Certified with Electronic Delivery Confirmation	9407111898765 856259560	\$5.28		273
10/27/2021		Cellendo, Nicholas A. and Diana S.	174 Ocean Avenue, Unit 34		Sea Bright	NJ	07780		Certified with Electronic Delivery Confirmation	9407111898765 856259522	\$5.28		273
10/27/2021		Boudekian, Thomas and Nancy	174 Ocean Avenue, Unit 38		Sea Bright	NJ	07780		Certified with Electronic Delivery Confirmation	9407111898765 856259508	\$5.28		273
10/27/2021		Serafini, Fahim, Malgorzata	902 Ewing Avenue		Franklin Lake	NJ	07417		Certified with Electronic Delivery Confirmation	9407111898765 858259591	\$5.28		273
10/27/2021		Macdonald, Donald	25 Village Road		Sea Bright	NJ	07780		Certified with Electronic Delivery Confirmation	9407111898765 858259546	\$5.28		273
10/27/2021		Gaughan, Erin E.	174 Ocean Avenue, Unit 42		Sea Bright	NJ	07780		Certified with Electronic Delivery Confirmation	9407111898765 856259584	\$5.28		273
10/27/2021		Leighton, Michael and Engler, Gayle	174 Ocean Avenue, Unit 44		Sea Bright	NJ	07780		Certified with Electronic Delivery Confirmation	9407111898765 858259538	\$5.28		273
10/27/2021		Spilern Trust	114 East 13th St. 11D		New York	NY	10003		Certified with Electronic Delivery Confirmation	9407111898765 858259577	\$5.28		273
10/27/2021		Lebovsky, Alexander and Larisa	174 Ocean Avenue Unit 48		Sea Bright	NJ	07780		Certified with Electronic Delivery Confirmation	9407111898765 858253216	\$5.28		273



Mailer Name & Address: Christopher J. Hanlon Esq., Hanlon Niemann Wright P.C., 3499
Route 9 North Suite 1-F, Freehold, NJ 07728-

MAIL MANIFEST REPORT

Total Pieces in this mailing: 40
Total postage and fees for this mailing: \$ 211.20

Postmaster, PER: *JSW*
(Signature of receiving employee)

Total pieces received: 40

