

RABAN & RABAN

— LLC —

Attorneys at Law

**11710 Long Beach Blvd.
Haven Beach, NJ 08008**

REGINALD J. RABAN (Retired)
JAMES S. RABAN* ▲

MEMBER OF NJ BAR *
MEMBER OF PA BAR ▲

TEL (609) 492-0533
FAX (609) 492-0464
Email: jraban@regraban.com

March 2, 2021

Via Hand Delivery & Email Jfife@longbeachtownship.com

Jackie Fife
Long Beach Township Land Use Board
6805 Long Beach Boulevard
Brant Beach, NJ 08008

Re: BI 8200 LLC Major Subdivision
Block 13.16, Lot 9.01, Long Beach Township
8200 Long Beach Blvd.

Dear Jackie:

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

- (x) 19 copies of Land Use Development Application
- (x) 19 copies of Subdivision Plat prepared by Joseph Barbieri, Jr, of Joseph F. Barbieri & Associates, Inc.
- (x) 19 copies of Existing Conditions Survey prepared by Joseph Barbieri, Jr, of Joseph F. Barbieri & Associates, Inc.
- (x) 19 copies of Major Subdivision for 8200 Long Beach Boulevard Block 13.16 – Lot 9.01 (5 sheets) prepared by MCB Engineering Associates, LLC
- (x) Storm Water Management Report prepared by Patrick D. McClellan, P.E. of MCB Engineering Associates, LLC.
- (x) Certification of Patrick McClellan, P.E.
- (x) Checklist
- (x) Proposed Public Notice
- (x) Affidavit of Ownership
- (x) Application Fee check # Amount \$2,400.00
- (x) Escrow Account Deposit check # Amount \$4,000.00
- (x) Please consent and/or approve for public hearing April 14, 2021 at 7:00 p.m.

Jackie Fife, Secretary

March 2, 2021

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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,

JAMES S. RABAN

JSR/dh

Encl.

cc: Jon Rosen (via email)
Patrick McClellan, P.E., (via email)
Roger Barbieri, P.L.S., P.P. (via email)

**LONG BEACH TOWNSHIP
6805 LONG BEACH BOULEVARD
BRANT BEACH, NEW JERSEY 08008
(609) 361-1000**

LAND USE DEVELOPMENT APPLICATION
(TO BE COMPLETED BY TOWNSHIP STAFF ONLY)

Date Filed _____ Docket No. _____
Application Fees _____ Escrow Deposit _____
Scheduled for: Review for Completeness _____ Hearing _____

1. SUBJECT PROPERTY (TO BE COMPLETED BY APPLICANT)

Location: 8200 Long Beach Blvd., Brighton Beach

Tax Map: Page 16 Block 13.16 Lot(s) 9.01

Dimensions: Frontage: 160 feet Width: 160 feet Total Area: 28,275 square feet

Zoning District **C General Commercial Zone & R-50 General Residential Zone**

2. APPLICANT

Name BI 8200 LLC

Address 8200 Long Beach Blvd., Long Beach Township, NJ 08008

Telephone Number: Home: 917-912-9766 Local:

Work: FAX:

Applicant is: Corporation Partnership Individual

Other (Please Specify): Limited Liability Company

Social Security Number / Federal ID Number:

3. DISCLOSURE STATEMENT

Pursuant to N.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. 40:55D-48.2, 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.)

Name Barrier Island Enterprises LLC (Jon Rosen, Sole Member)

Address: 8200 Long Beach Blvd., Long Beach Township, NJ 08008

Interest: 100%

4. If the Owner (s) is other than the applicant, provide the following information on the Owner (s):

Owner's Name: N/A - Same as applicant

Address

Telephone Number:

Home:

Work:

Local:

Relationship of the applicant to the property in question:

Owner: Lessee Purchaser Under Contract Other

5. PROPERTY INFORMATION:

Deed restrictions, covenants, easements, rights of way, association by-laws or other dedications existing and proposed must be submitted for review.

Site plan and / or conditional use applicants: N/A

Proposed for: Expanded Area Alteration

Expansion of Structure Change of Use Sign

Other (please specify)

Has this property been the subject of any prior application (s) to the Planning Board or Zoning Board of Adjustment: Yes No . If so, please attach the date (s), the relief sought, the disposition of the case and a copy of the resolution (s).

Is the subject property located on:

A County Road: Yes No ; A State Road: Yes No
within 200 feet of a municipal boundary: Yes No

Present use of the premises: Mixed Use – Bar/restaurant with liquor store and apartments

6. Applicant's Attorney James S. Raban, Esq.

Address 11710 Long Beach Boulevard, Haven Beach, New Jersey

Telephone Number (609) 492-0533 Fax Number (609) 492 – 0464

7. Applicant's Surveyor/Planner: Joseph F. Barbieri & Associates, Inc.

Address 11 Furler Street, Totowa, NJ 07512

Telephone Number 973-256-6950

Fax Number 973-256-6020

8. Applicant's Engineer – MCB Engineering Associates, LLC

Address P.O. Box 588, 11 Furler Street, Totowa, NJ 07511-0588

Telephone Number 973-812-6680

Fax Number 973-812-6681

9. Applicant's Architect: N/A

Address

Telephone Number

Fax Number

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

Name N/A

Field of Expertise

Address

Telephone Number

Fax Number

11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION:

Minor Subdivision Approval

X Subdivision Approval (Preliminary)

X Subdivision Approval (Final)

Number of lots to be created Six Number of proposed dwelling units Six

Area and dimensions of each proposed lot:

Lot 9.03: Net Area: 4,500 square feet
Lot Frontage: 60 feet
Lot Width: 60 feet

Lot 9.04: Net Area: 4,500 square feet
Lot Frontage: 60 feet
Lot Width: 60 feet

Lot 9.05: Net Area: 5,250 square feet
Lot Frontage: 70 feet
Lot Width: 70 feet

Lot 9.06:	Net Area:	5,015 square feet
	Lot Frontage:	59 feet
	Lot Width:	59 feet
Lot 9.07:	Net Area:	4,505 square feet
	Lot Frontage:	53 feet
	Lot Width:	53 feet
Lot 9.08:	Net Area:	4,505 square feet
	Lot Frontage:	53 feet
	Lot Width:	53 feet

SITE PLAN: N/A

Minor Site Plan Approval		
Preliminary Site Plan Approval	(Phases (if applicable)))
Final Site Plan Approval	(Phases (if applicable)))
Amendment or Revision to an Approved Site Plan		
Area to be disturbed (square feet)	N/A	

Total number of proposed dwelling units

Request for Waiver from Site Plan Review and Approval.
Reason for request:

Informal Review

Appeal decision of an Administrative Officer [N.J.S. 40:55D-70a]
 Map or Ordinance Interpretation or Special Question [N.J.S. 40:55D-70b]
 Variance Relief (hardship) [N.J.S. 40:55D-70c(1)]
 Variance Relief (substantial benefit) [N.J.S. 40:55Dc(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-34]
 Direct issuance of a permit for a lot lacking street frontage [N.J.S. 40:55-35]

12. Section(s) of Ordinance from which a variance is requested:

While the Applicant does not believe that any variances are required, the Applicant reserves the right to request any variances that may be required at the time of the hearing.

13. Waivers Requested of Development Standards and / or Submission Requirements:
[attach additional pages as needed]

While the Applicant does not believe that any waivers are required, the Applicant reserves the right to request any waivers that may be required at the time of the hearing.

14. Attach a copy of the proposed 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 a 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)
 Currently, the mixed use site contains a bar/restaurant and liquor store with residential apartments above. The Applicant proposes to demolish all existing improvements on the Property and create six residential single-family building lots in accordance with the major subdivision plat submitted with the application. Three (3) of the proposed lots will front on Rhode Island Ave. and three (3) of the proposed lots will front on Connecticut Ave.
16. Is public water line available? Yes
17. Is public sanitary sewer available? Yes
18. Does the application propose any lighting? Normal residential lighting
19. Have any proposed new lots been reviewed with Tax Assessor to determine appropriate lot and block number? Yes
20. Are any off-trail improvements required or proposed? No
21. Is the subdivision to be filed by Deed or Plat? Plat
22. What form of security does the applicant propose to provide as performance and maintenance guarantees? Cash or Letter of Credit
23. Other approvals which may be required and date plans submitted:

	Yes	No	Date Plans Submitted
Long Beach Township Fire Prevention Bureau			
Long Beach Township Water & Sewer Dept.		x	
Long Beach Township Public Works Dept.		x	
Long Beach Island Health Dept.		x	
Ocean County Planning Board		x	
Ocean County Soil Conservation District (LBT)	x		
N.J. Dept. of Environmental Protection	x		
Sanitary Sewer Connection Permit		x	
Sewer Extension Permit		x	
Waterfront Development Permit		x	
Wetland Permit		x	
Tidal Wetlands Permit		x	
FEMA		x	
N.J. Department of Transportation		x	
Other		x	

24. Certification from the Tax Collector that all taxes due on the subject property have been paid.
25. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing).

The documentation must be received by the Board Secretary at least twenty-one (21) days prior to the meeting at which the application is to be considered, or as otherwise required in the Land Development Ordinance. A list of the professional consultants is attached to the application form.

Quantity	Description of Item
19 copies	Land Use Development Application
19 copies	Existing Conditions Survey prepared by Joseph F. Barbieri & Associates, Inc.
19 copies	Subdivision Plat prepared by Joseph F. Barbieri & Associates, Inc.
19 copies	Major Subdivision for 8200 Long Beach Boulevard Block 13.16 – Lot 9.01 (5 sheets) prepared by MCB Engineering Associates, LLC
19 copies	Storm Water Management Report prepared by MCB Engineering Associates, LLC

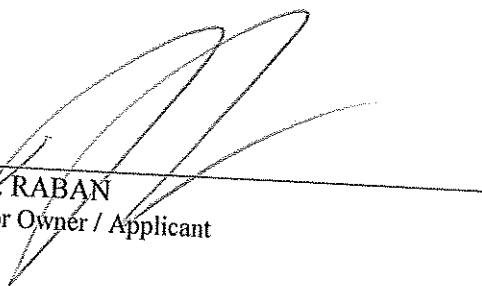
26. The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals:
Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

Applicant's Professional		Reports Requested
Attorney	X	All Reports
Engineer	X	All Reports
Surveyor	X	All Reports

CERTIFICATIONS

27. I certify that the foregoing statements and the materials submitted are true, and waive all applicable time limits until the first public hearing of this application. I further certify that I am the individual applicant or that I am an Officer of the corporate applicant and that I am authorized to sign the application for the corporation or that I am a general partner of the partnership applicant. (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.)

3/2/21
DATE


JAMES S. RABAN
Attorney for Owner / Applicant

28. I, the Developer/Applicant understand that a sum, to be determined by the Administrative Officer, will be deposited in an Escrow Account, in accordance with the Ordinances of the Township of Long Beach. I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and / or other expenses associated with the review of the 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 additional amount and shall add that sum to the escrow account within fifteen (15) days. I, the Developer / Applicant, as signed below, acknowledge familiarity with the procedures set forth in the Township of Long Beach Land Development Ordinance for submittals and required action and agree to be bound by it.

3/2/21

Date



JAMES S. RABAN
Attorney for Owner / Applicant

TOWNSHIP OF LONG BEACH PROFESSIONAL CONSULTANTS

Engineer

Frank J. Little, Jr.
Owen, Little & Associates
443 Atlantic City Blvd.
Beachwood, NJ 08722

(732) 244-1090
FAX (732) 341-3412

Land Use Board Attorney

Kevin S. Quinlan, Esq.
207 West Main Street
Tuckerton, NJ 08087

(609) 296-6400
FAX (609) 296-7237

James S. Raban, Esq.
NJ Attorney ID: 016632008
RABAN & RABAN, LLC
11710 Long Beach Boulevard
Haven Beach, NJ 08008
Phone: (609) 492-0533
Fax: (609) 492-0464

In Re BI 8200 LLC Major Subdivision

**CERTIFICATION OF
PATRICK McCLELLAN, P.E.**

I, PATRICK McCLELLAN, of full age, hereby state and certify as follows:

1. I am a licensed professional engineer in the State of New Jersey and an employee at MCB Engineering Associates, LLC.
2. I have prepared a set of documents containing five (5) sheets entitled, "Major Subdivision for 8200 Long Beach Boulevard Block 13.16 – Lot 9.01," along with a storm water management report, relative to a major subdivision application filed with the Long Beach Township Land Use Board by BI 8200 LLC at the property designated as Lot 9.01 in Block 13.16 on the Tax Map of the Township of Long Beach, County of Ocean, State of New Jersey.
3. The major subdivision application submitted by BI 8200 LLC complies in all respects with all ordinances of the Township of Long Beach.
4. The foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: March 2, 2021


PATRICK McCLELLAN, P.E.

PUBLIC NOTICE

LONG BEACH TOWNSHIP

Public notice is hereby given that BI 8200 LLC (the "Applicant") has applied to the Land Use Board of the Township of Long Beach, Ocean County, New Jersey preliminary and final major subdivision approval relative to the property designated as Lot 9.01 in Block 13.16 on the Tax Map of the Township of Long Beach, located at 8200 Long Beach Blvd. in Brighton Beach. Currently, the mixed use site contains a bar/restaurant and liquor store with residential apartments above. The Applicant proposes to demolish all existing improvements on the property and create six residential single-family building lots in accordance with the major subdivision plat submitted with the application. Three (3) of the proposed lots will front on Rhode Island Ave. and three (3) of the proposed lots will front on Connecticut Ave. While the Applicant does not believe that any variances are required, any variances, waivers or exceptions deemed necessary or appropriate by the Board will be requested at the public hearing.

PUBLIC ACCESS TO ZOOM MEETING

A public hearing has been scheduled for April 14, 2021 at 7:00 p.m., at which time any interested persons may appear and have an opportunity to be heard on this application. As a result of the COVID-19 pandemic, the meeting will be conducted remotely. The virtual meeting is being conducted via Zoom to enable the Township of Long Beach Land Use Board to comport with the requirements established under the declared State of Emergency per Executive Order Number 103 et. seq. entered in response to the coronavirus outbreak. Formal action will be taken.

To access the virtual hearing, you must join the Zoom meeting. To access the Zoom meeting, you will need access to a computer with internet access and/or dial in through a mobile

or land line phone to log into the meeting. To join the Zoom meeting, click on the link below and type in the Meeting ID and Password. You will join the meeting and be able to listen and view the evidence shared on the screen at the meeting. You will also be able to access the files for the meeting on the Long Beach Township Land Use Board Website found here:

<https://www.longbeachtownship.com/departments/land-use-board/>

PUBLIC PARTICIPATION IN ZOOM MEETING

You will be able to participate when the Board Chairwoman opens the meeting to the public for the public participation portion of the meeting at the end of the Applicant's presentation for you to ask questions and or cross examine witnesses and make statements. If you have information or exhibits that you wish to be considered and entered into the record, please email them to the Land Use Board Secretary, Jackie Fife, at Jfife@longbeachtownship.com in advance of the meeting to enable them to be marked for identification.

PUBLIC ACCESS TO APPLICATION FILES

If you are unable to access the information for the application(s) via computer, or need assistance in logging on or using this technology, you may contact the Land Use Board Secretary, Jackie Fife, at 609-361-6653 or via email at Jfife@longbeachtownship.com. The public access instructions to join the Zoom meeting are as follows:

To Join Zoom Meeting:

<https://zoom.us/j/99253901298?pwd=L2pRaDYrakhaOWw2M3NjMXgrYVR1dz09>

Use Meeting ID: 992 5390 1298

Use Passcode: 188919

One tap mobile

+13017158592,99253901298#,,,,,0#,188919# US (Washington D.C)

+13126266799,99253901298#,,,,,0#,188919# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington D.C)
+1 312 626 6799 US (Chicago)
+1 929 205 6099 US (New York)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 669 900 6833 US (San Jose)

Use Meeting ID: 992 5390 1298

Use Passcode: 188919

Find your local number: <https://zoom.us/j/99253901298>

If there are any questions please call the Land Use Board Secretary,
Jfife@longbeachtownship.com, at 609-361-6636. Please also visit the Long Beach Township
Land Use Board Website at <https://www.longbeachtownship.com/departments/land-use-board/>
for the latest updates regarding future Land Use Board Meetings and any updates regarding this
meeting since the publication of this notice.

James S. Raban
Attorney for the Applicant

File #3436