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FILE NO. 63604/00001

July 20, 2021

Via Hand Delivery

Jackie Fife, Land Use Board Clerk Long Beach Township 6805 Long Beach Boulevard Brant Beach, New Jersey 08008

Re: Applicant: 120 88th St LLC

Property: 120 E. Mermaid Lane

Block 12.24, Lot 9

Dear Ms. Fife:

We are the attorneys for the Applicant, 120 88th St LLC, with respect to a variance application to construct a new single-family home at the above-captioned property. The application requires variance relief for the rear yard setback and for the projection of the roof deck more than two (2) feet beyond the exterior walls of the living space of the building.

In support of the application, we submit the following documents:

- 1. Original and eighteen (18) copies of the Land Use Development Application along with the Affidavit of Ownership by a Business Entity and the Project Narrative;
- 2. Nineteen (19) copies of the Land Use Board Checklist;
- 3. Nineteen (19) sets of the Variance Plan prepared by Horn, Tyson & Yoder, Inc. consisting of one (1) sheet with last revision date of July 15, 2021;
- 4. Nineteen (19) sets of architectural plans and elevations prepared by Michael Pagnotta Architecture + Construction entitled "McGovern Residence" consisting of three (3) sheets each dated 7/15/2021;



COOPER LEVENSON, P.A.

Jackie Fife, Land Use Board Clerk July 20, 2021 Page 2

- 5. One (1) copy of the request for the list of property owners within 200 feet;
- 6. One (1) copy of the proof of taxes paid;
- 7. W-9 form; and
- 8. Checks in the amount of \$500.00 and \$1,000.00 representing the application and escrow fees, respectively.

If you have any questions or require any additional information, please do not hesitate to contact me.

Thank you for your attention.

Very truly yours,

Cooper Levenson, P.A.

Nicholas F. Talvacchia

NFT/rcl Enclosures

cc: 120 88th St. LLC (via Email w/enclosures)

James Brzozowski, PE, PP (via Email w/enclosures) Michael Pagnotta, PP, AIA (via Email w/enclosures)

CLAC 6470271.1

LONG BEACH TOWNSHIP LAND USE BOARD 6805 LONG BEACH BOULEVARD BRANT BEACH, NEW JERSEY 08008 (609) 361-6636



LAND USE DEVELOPMENT APPLICATION

TO BE COMPLETED BY TOWNSHIP STAFF ONLY

	20/202			o. LUP	
Application Fees Scheduled for: Review	500 - w for Comple	eteness FL.	Escrow D	Deposit Hearing _	\$ 1,000 - 8-11-2021
TO THE APPLICAN	T,				
Chapter 205 of the Tothis application to the	the Townshi wnship Code Land Use B non-colloca	p Land Use Boe and all applic Board, you are stition constructi	eard to deer able state a stating that on/installat	n the applicand federal the wirele	all documentation required must be cation to be complete pursuant to the law. By completing and submittings communications facility/facilities wer-based wireless communication in Code.
wireless communication	ons facilities Jse Board.	Accordingly,	wnship are	subject to	ion of and/or substantial change the site plan application and review the checklist must be submitted in
agreeing to the costs and application, including a fees and other required whether the application	of \$1,000.00 nd fees requany and all of d costs and in is denied	 Moreover, bired by the Torescrow fees received are manda or is not acceived. 	by submitting waship Cooperation In a second in the submitted on the submi	ng this app de relating addition, p ion-refunda ne basis tha	applicant and shall be accompanied dication you are acknowledging and to the processing and review of the lease be advised that all applicationable upon submission, regardless of at it has been deemed incompleted be returned to the applicant.
1. SUBJECT PRO	OPERTY				
Location120 E. Merm	aid Lane			***************************************	
Tax Map Page		Block12.24		Lot(s	9
Page		Block		Lot(s	s)
Lot width Dimensions knownsee_	50ft		oth 485 ft.		
Zoning District	R50		CONTROL OF CONTROL AND CONTROL OF		

2. APPLICANT

Name 120 88th St	LLC		
Address 788 Schil	rra Drive, Oradell, NJ 07649		
Telephone Numbers	Home 917-650-3324	Local	
Applicant is a	Corporation		
X Other (Please	e Specify) LLC		
		ovide the following informa	
Owner's Name	me as Applicant		
Address			
Telephone Numbers	Home	Local	
Work	Facsimi	le	
Relationship	of the applicant to the pro	operty in question:	
Owner X	LesseeP	urchaser Under Contract	Other
3. DISCLOSUI	RE STATEMENT		
N.J.S. 40:55D-48.2, than 10% interest in	or 10% interest in any p that disclosure requireme the applicant followed up	partnership applicant must on the chain of ownership up the chain of ownership up	ns owning 10% of the stock in a be disclosed. In accordance with on or partnership which owns more atil the names and addresses of the parion have been disclosed (Attach pages as
Name Michael McGo	overn	Address788 Schirra	Drive, Oradell, NJ 07649
Name Kristy McGov	ern	Address 788 Schirra	Drive, Oradell, NJ 07649
4. WIRELESS	COMMUNICATIONS	FACILITY PROPOSAL	N/A
Proposed substantial	change to existing wireles	ss communications facility ((Y/N)
Proposed wireless con	mmunications facility tow	ver outside of the right-of-w	ay (Y/N)
Height of proposed w	ireless communications f	acility tower	
f proposal is a substa	ntial change to existing w	vireless facilities set forth in	n detail the proposed changes to ze, lot coverage, etc.

Separation distance between the proposed wireless communications facility and the nearest residential unit and/or residentially zoned property
Separation distance between the proposed wireless communications facility and the other wireless communications facilities set forth in the inventory of existing sites
Distance from the closest tower-based wireless communications facility
Will the wireless communications facility will accommodate collocation of additional antenna for future users (Y/N) If yes, how many
If the wireless communications facility will not accommodate collocation of additional antenna for future users, set forth the basis for failure to provide for collocation
Identity of the entities providing the blackhaul network for the wireless communications facility
Is there a significant gap in coverage that requires the construction of the wireless communications facility proposed
What efforts have been made to identify existing wireless communications facilities can accommodate the wireless communications equipment proposed
Has this property been the subject of any prior application(s) to the Planning Board or Zoning Board of Adjustment (Y/N) If so, please attach the date(s), the relief sought, the disposition of the case and a copy of the resolution(s).
Will the tower-based wireless communications facility interfere with public safety communications or the reception of broadband, television, radio, or other communications services (Y/N) If the answer is no, set forth the basis for that conclusion
Is artificial lighting proposed for the wireless communications facility
5. PROPERTY INFORMATION
Deed restrictions, covenants, easements, rights of way, association by-laws or other dedication existing or proposed on the property
Yes (attach copies) No X Proposed

Note: All 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 (check all that apply) N/A Proposal for New Structure _____ Expanded Area _____ Alteration ____ Substantial Change _____ Change of Use _____ New Tower _____ Other (please specify) Is the subject property located on County Road (Y/N) N A State Road (Y/N) N Within 200 feet of a municipal boundary (Y/N) N Present use of the premises: Single family dwelling APPLICANT'S ATTORNEY ___Nicholas F. Talvacchia, Esquire/Cooper Levenson, PA 6. Address 1125 Atlantic Ave., 3rd Floor, Atlantic City, NJ 08401 Telephone Number 609-572-7544 Fax Number 60-572-7545 APPLICANT'S ENGINEER Horn Tyson & Yoder 7. Address 8510 Long Beach Boulevard, North Beach Haven, NJ 08008 Telephone Number 609-492-5050 Fax Number 609-492-4163 8. APPLICANT'S PLANNING CONSULTANT Same as Engineer Address Telephone Number Fax Number _____ 9. APPLICANT'S ARCHITECT Michael Pagnotta Architecture and Construction Address 342 West Ninth Street, Ship Bottom, NJ 08008 Telephone Number 609-361-0011 Fax Number 609-361-1188 LIST ANY OTHER EXPERTS WHO WILL SUBMIT A REPORT OR WHO WILL 10. TESTIFY FOR THE APPLICANT (Attach additional sheets as may be necessary) Name N/A Field of Expertise Address Telephone Number _____ Fax Number _____

APPLICATION REPRESENTS ADDDITIONAL REQUESTS FOR THE FOLLOWING, IF ANY: SITE PLAN: 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) 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-c(1)] Variance Relief (substantial benefit) [N.J.S. 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-34] Direct issuance of a permit for a lot lacking street frontage [N.J.S. 40:55D-35] SECTION OF ORDINANCE FROM WHICH A VARIANACE IS REQUESTED 12. Section 205-54(C)(5)(c) and Section 205-11F(3)(a) WAIVERS REQUESTED OF DEVELOPMENT STANDARDS AND/OR SUBMISSION 13. REQUIREMENT [attach additional pages as needed] N/A 14. PROPOSED NOTICES 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.

11.

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. NATURE OF APPLICATION

Long Beach Township Fire Prevention Bureau Long Beach Township Water & Sewer Department Long Beach Township Public Works Department Long Beach Island Health Department Ocean County Planning Board Ocean County Soil Conservation District NJ Department of Environmental Protection Sanitary Sewer Connection Permit Sewer Extension Permit Waterfront Development Permit Wetlands Permit Tidal Wetlands Permit Tidal Wetlands Permit FEMA NJ Department of Transportation Other Other		ingle family dwelling and construct a new single family dwell
IS PUBLIC SANITARY SEWER AVAILABLE (Y/N) DOES THE APPLICATION PROPOSE ANY LIGHTING (Y/N) HAVE ANY PROPOSED NEW LOTS BEEN REVIEWED WITH THE TAX ASSESSO DETERMINE APPROPRIATE LOT AND BLOCK NUMBER (Y/N) ANY OF-TRACT IMPROVEMENTS REQUIRED OR PROPOSED (Y/N) OTHER APPROVALS THAT MAY BE REQUIRED AND DATE PLANS SUBMITTED Yes No Date Plans Sut Long Beach Township Fire Prevention Bureau Long Beach Township Water & Sewer Department X Long Beach Township Water & Sewer Department X Long Beach Township Water & Sewer Department X CAFRA application of Control Properties Sewer Department Cocan County Planning Board Ocean County Planning Board Ocean County Soil Conservation District NJ Department of Environmental Protection Sanitary Sewer Connection Permit Sewer Extension Permit Waterfront Development Permit Waterfront Development Permit Waterfront Development Permit Waterfront Development Permit Wetlands Permit Tidal Wetlands Permit Tidal Wetlands Permit FEMA NJ Department of Transportation Other Other Other	See attached Project Narrative for addition	nal details.
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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.

Quai 19	шу	Architectural Plans prepared by	Michael Pagnotta Architecture and Construction - 3 sheets dated
19		Variance Plan prepared by Horn, Tys	son & Yoder - 1 sheet dated July 15, 2021
24.	FOLL Specify	ESSIONAL STAFF REVIEV OWING OF THE APPLICAN	or each of the applicant's professionals or whether all reports
	X X X	Applicant's Profe Architect Attorney Engineer	Reports Requested all all all
25.	I certify time lir applica applica	nits until the first public hearing nt or that I am an Officer of the tion for the corporation or that	and the materials submitted are true, and waive all applicable g of this application. I further certify that I am the individual he corporate applicant and that I am authorized to sign the I am a general partner of the partnership applicant. [If the
7// DATE	a partner $3/202$	ership, this must be signed by a g	signed by an authorized corporate officer. If the applicant is general partner.] Muhay Mukeun SIGNATURE OF APPLICANT Michay Medovar Sismins on Rahae of Muchay Medovar Sismins on Rahae of SIGNATURE OF OWNER
6.	ESCRO	OW CERTIFICATION	Michael Mibrovern, Signing on Bohalf of

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.

7/13/2021 DATE

SIGNATURE OF OWNER OR APPLICANT

Michael MEGOVERN, Signing on Balack of

120 88th St. LLC

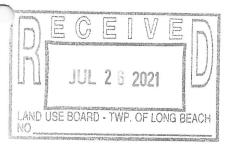
AFFIDAVIT OF OWNERSHIP BY A BUSINESS ENTITY

PROJECT NARRATIVE 120 E. Mermaid Street Block 12.24, Lot 9 July 20, 2021

Applicant, 120 88th St. LLC, proposes to construct a new single-family home on the property located at 120 E. Mermaid Lane also known as block 12.24, lot 9 in Long Beach Township. The proposed dwelling will provide a substantial aesthetic enhancement to the property and therefore to the neighborhood. A number of non-conforming conditions will be brought into compliance including side yard setbacks, combined side yard setback, distance between buildings, impervious coverage, front yard impervious coverage and on-site parking. The application requires variance relief for the rear yard setback (13.8 feet is proposed where 20 feet required). The application also requires variance relief for the top floor roof deck projecting more than two (2) feet beyond the exterior walls of the living space of the building (13.5 feet is proposed where 2 feet permitted). The proposed dwelling will meet all other setback and height requirements.

The proposed deviations will not have any significant detriment to the zone plan or the public good. As shown by compliance with the lot coverage requirement, Applicant is not seeking to over-build on the lot and in fact is improving the impervious coverage conditions, setbacks (with the exception of the rear yard) and parking from what is currently existing. Moreover, the proposed new construction will provide an aesthetic enhancement for the home and therefore serves as a basis for the requested variance.

LONG BEACH TOWNSHIP NEW JERSEY LAND USE BOARD



NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE THAT 120 88th St. LLC ("Applicant"), has applied to the Long Beach Township Land Use Board ("Land Use Board") for bulk variance relief for the construction of a new single-family home on the property located at 120 E. Mermaid Lane and also known as block 12.24, lot 9 on the tax map for Long Beach Township ("Property").

The Property is located in the R-50 residential zone where single-family dwellings are a permitted use. The application requires variance relief for the rear yard setback (13.8 feet is proposed where 20 feet required) and for the top floor roof deck projecting more than two (2) feet beyond the exterior walls of the living space of the building (13.5 feet is proposed where 2 feet permitted). The proposed dwelling will bring a number of non-conforming conditions into compliance.

Applicant also requests any interpretations, variances, waivers or exceptions that the Land Use Board deems necessary and/or appropriate for this application.

Any person interested in this application will be given an opportunity to be heard at the Land Use Board meeting to be held on Wednesday, August 11, 2021 at 7:00 p.m. in the Multi-Purpose Room on the second floor of the James J. Mancini Administration Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey. At such time, you may appear in person, by agent or attorney, and present any comments with respect to the submission. **THIS IS AN IN-PERSON MEETING.** The meeting format will be posted on the Township website and may change up to the day of the meeting. Interested parties are encouraged to check the web site to confirm the meeting format as same is subject to change at any time prior to the actual meeting date. If a meeting is in-person there will not be a virtual means to attend, and anyone wanting to participate will have to attend the meeting in person. Should government-imposed restrictions change prior to the meeting that would prevent an in-person meeting, this meeting will proceed virtually under the follow circumstances:

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) +1669 900 6833 US (San Jose)

JUL 2 0 2021

ECEIVE

1/14	LAN			- TWP	OFIO	NG BEA	CH							
	Township of Long Beach Land Use Board Checklist Application Name: Variance Plan for 120 E. Mermaid Lane Block: 12.24 Lot(s): 9	MINOT SITE Plan	Prelim. Major Site Plan	Final Major Site Plan	Minor Subdivision	Prelim. Major Subdivision	Final Major Subdivision	Bulk Variance	Use Variance	(Anneals/Internretations)	Applicant Submission	Board Receipt	Not Applicable	Waiver (Attach Reason)
	T SPECIFICATIONS	9 10 22				a X				A Karah	(2 + 18)	53853	F.* - }	11 (C. 11)
1	For Major and Minor Subdivisions and Site Plan Applications, a scale of not less than 1" = 30' for tracts up to five (5) acres or 1" = 50' for tracts greater than five (5) acres. For Variance Applications, a scale of not less than 1" = 10' for lots 10,000 SF or less and 1" = 20' for lots greater than 10,000 SF.		X	X	X	X	X	X	X	X	X			d.
2	Signature, seal, address, license number of professional preparing plat.	X	X	X	X	X	X	X	X	X	X			
3	Plat based on land survey less than 12 months old	X	X	X	X	X	X	X	X	X	X			
4	Sheet size up to 30" x 42"	X	X	X	X	X	X	X	X	X	X			
5	Each sheet numbered and titled	X	X	X	X	X	X	X	X	X	X			
6 6	ERAL INFORMATION			- 100										
-	Existing and proposed lot lines with dimensions, bearing and curve data.	X	X	X	X	X	X	X	X	X	X			
7	Key Map: site location and features within 400 FT, including streets, street names, and zone boundaries	X	X	X	X	X	X	X	X	X	X			
8	Title Block: Applicant name, name of development, preparer, lot and block numbers, date prepared, application type, and zoning district.	X	X	X	X	X	X	X	X	X	X			8
9	Tax map sheet, lot and block numbers	X	X	X	X	X	X	X	X	X	X	_		
10	Zone boundaries, tax map sheet, lot and block numbers and names and addresses of all owners within 200 FT.	X	X	X	X	X	X	X	X	X	X			
11	Date of original and all revisions.	X	X	X	X	X	X	X	X	X	X		+	_
12	Written and graphic map scale.	X	X	X	X	X	X	-	X	$\frac{X}{X}$	$\frac{X}{X}$	-	+	ď
	North arrow with reference meridian.	X	X	X	X	X	X		X	$\frac{X}{X}$	X	_		
14	Data and signature as per the "Map Filing Law"				X		X		+		X	+		
	Table of zoning requirements, showing existing nonconformities and proposed variances.	X	X	X	X			X	X		X			
16	Area of the tract and of each lot.	X	X	X	X	X	X	X	X	X	X		+	
	Page 5	of 10		-	1									

17	Approval signature lines for Chairman, Secretary and Board Engineer	X	X	X	X	X	X					N/A	A
NAT	TURAL FEATURES			, k				2.5	<u> </u>				1
18	Existing and proposed contours at one foot intervals indicating surface drainage and topography within 50 FT	X			X	* X-						N/A	4
19	Existing and proposed contours at one foot intervals indicating surface drainage and topography within 200 FT		X	X		X	X					N/A	
20	All existing water courses and related areas that are subject to 100 Year floods under FEMA standards.	X	X	X	X	X	X					N/A	8
21	The boundaries of wetlands and wetland transition areas.	X	X	X	X	X	X	X	X	X	X		7.5
MAN	I-MADE FEATURES					585,414	95809						
22	Show existing structures and setbacks from existing and proposed property lines, indicating those to be modified or removed or to remain. Show setback of structures on adjacent properties.	X	X	X	X	X	X	X	X	X	X		3
23	Location of proposed buildings, finished grade, first floor and basement elevations, setbacks of all buildings from nearest lot lines, building height and other pertinent improvements.	X	X	X	X	X	X	X	X	X	X		
24	Building coverage and lot coverage calculations.	X	X	X				37	77	~~	1,		
25	Existing and proposed easements, rights-of-way and their purposes.	X	X	X	X	X	X	X	X	X	X		
26	Existing and proposed manholes, sewer lines, stormwater management facilities, waterlines, fire hydrants and utility poles within 200 FT.	X	X	X	X	X	X			x		N/A	. 25
27	Plans and profiles of proposed utility layouts, such as sewers, storm drains, water, gas, communications and electric, showing feasible connections to existing or proposed utility systems as well as channel section details, pipe sizes, types and inverts, road crowns and slopes.		X	X	1	X	X					N/A	0

,	Township of Long Beach Land Use Board Checklist	Minor Site Plan	Prelim. Major Site Plan	Final Major Site Plan	Minor Subdivision	Prelim. Major Subdivision	Final Major Subdivision	Bulk Variance	. - -	olications	Applicant Submission	Board Receipt	Not Applicable	Waiver (Attach Reason)	
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28	All monumentation as required as per the "Map Filing Law" including all monuments found, set				X	X	X		T			1	V/.
20	or to be set.												
29	Offstreet parking and loading spaces required and proposed, and location and dimensions of access drives, aisles and parking stalls	X	X	X					X		X		C-1
TR	EET Starts		3203			Charles and		<u> </u>	<u> </u>			<u></u>	
30	Location, names and widths of all existing and proposed streets, sidewalks and street widening within 200 FT of the site.	X	X	X	X	X	X					N/	/A
31	Plans, profiles and cross-sections of paved areas, curbs and sidewalks.		X	X	X	X	X					N/	 /A
11S	CELLANEOUS Exterior Lighting Plan including the leasting	5 miles		W/5302	444		0.00	J. 100		50.000	4 - 744	2000000	
	direction of illumination, amount of illumination expressed in horizontal foot candles, wattage and drawn details of all outdoor lighting standards and fixtures.	X	X	X		X	X					N/	I
13	Landscaping and Screening Plan showing the location, type of tree or shrub and the location, type and amount of each type of ground cover.	X	X	X	X	X	X					N/A	A
4	Storm drainage calculations.		X			X						N/A	4
5	Stormwater management facilities shown on the grading plan showing all aspects of the stormwater system.	X	X	X		X	X					N/A	+
36	Applications for new construction or additions to buildings: provide 19 sets of building plans showing elevations and floor areas (including dimensions) for all floors. Building elevation to be provided for the full height of the building from grade to roof peak. Plan scale shall be a minimum of ¹ / ₄ " per foot. Building elevations shall be provided for all sides and shall be labeled North, South, East and West.							X	X	X	X		
	Location of all signs and drawn details showing the size, construction type, height and content of all signs.	X	X	X								N/A	
	Drawn details of the type of screening to be used for the refuse storage areas, outdoor equipment and bulk storage.	X	X	X								N/A	
		L					1	1	1	1	1	1 1	

Reviewed By	
Date:	
Block:	
Lot:	