

## **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**

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**Email: [jraban@regraban.com](mailto:jraban@regraban.com)**

January 12, 2023

Via Hand Delivery and [Jfife@longbeachtownship.com](mailto:Jfife@longbeachtownship.com)

Jackie Fife

Long Beach Township Land Use Board

6805 Long Beach Boulevard

Brant Beach, NJ 08008

Re: Mark Rex Thomas, LLC Major Preliminary and Final Site Plan and Variances  
Block 15.147, Lot 2  
3200 Long Beach Blvd., Long Beach Township, NJ 08008

Dear Jackie:

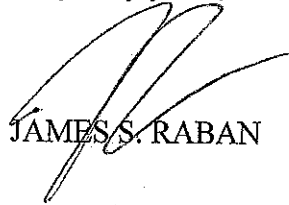
Enclosed please find the following with regard to the above referenced matter:

- (x) Original and 14 copies of Land Use Development Application;
- (x) 14 copies of Site Plan prepared by Thomas Donohue, P.E., of Donohue Engineering, LLC
- (x) 14 copies of Floor Plans prepared by Charles A. Maillet, of Maillet Architecture;
- (x) 14 copies of Tax Map with Property Lot and Block highlighted;
- (x) 14 color copies of 4 Property Photos;
- (x) 1 W-9;
- (x) 1 Affidavit of Ownership (to be supplied)
- (x) 1 Signed Checklist;
- (x) 1 Technical Checklist;
- (x) 1 Proposed Public Notice;
- (x) Application Fee Variance check # 2835 Amount \$3,150.00;
- (x) Attorney Escrow check # 2836 Amount \$4,500.00;
- (x) Please consent and/or approve for public hearing on February 8, 2023 at 6:30 p.m.

Jackie Fife  
January 12, 2023  
Page 2

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: Mark and Peter Thomas (via email)  
Thomas Donohue, P.E. (via email)  
Charles A. Maillet (via email)  
Frank Little, Jr., P.E., P.P. (via email and regular mail)  
Kevin Quinlan, Esq. (via email and regular mail)

# LONG BEACH TOWNSHIP LAND USE BOARD CHECKLIST FOR INITIAL SUBMISSION

**PLEASE NOTE:** A signed, completed checklist must be received by the Land Use Board Clerk and attorney prior to deeming your application complete.

All applications and all required documents shall be submitted at least thirty (30) days prior to the regularly scheduled meeting of the Land Use Board at which consideration is sought.  
NUMBER OF COPIES REQUIRED -All documents must be submitted at the same time.  
INCOMPLETE SUBMISSIONS WILL NOT BE ACCEPTED!!!!

**DISTRIBUTION**

Please note it is the Applicant's responsibility to distribute completed applications.

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

- 1 Copy of complete Application
- 1 Copy of Variance Map, Site Plan or Sub-division Map
- 1 Copy of Architectural Plan
- 1 Copy of color photos
- 1 Copy of Tax Map with property Lot and Block highlighted.
- 1 Copy of Affidavit of Ownership, Consent, Authorization and Non-Collusion.
- 1 Copy of Proposed Notice to Property Owners and for Publication
- 1 Copy of Checklist

Frank Little, P.E., P.P. , Owen Little and Assoc., Inc. 443 Atlantic City Blvd. Beachwood, NJ 08722

- 1 Copy of Completed Application
- 1 Copy of Variance Map, Site Plan or Sub-division Map
- 1 Copy of Architectural Plans
- 1 Copy of color photos
- 1 Copy of Tax Map with property Lot and Block highlighted
- 1 Copy of Technical Check List

**Board Clerk**

- 1 Original of each -  Application  Variance Plat, Site Plan or Sub-division Plat,  Architectural Plan(s)  Tax Map  Zoning Denial,  Color Photos and  items marked with \*\*\*. (Check all that apply)
- 14 Copies of Application
- 14 Copies of Variance Plat, Site Plan or Subdivision
- 14 Copies of Architectural Plan(s)
- 14 Copies of Tax Map with property Lot and Block highlighted
- 14 Copies of Zoning Denial Letter
- 14 Color copies of Property Photos
- 1 W-9 Form
- 1 copy of Affidavit of Ownership, Consent, Authorization and Non-Collusion.
- 1 copy of Signed Checklist (must be submitted with initial documentation. Application will not be accepted without signed Checklist.
- 1 Copy of Technical Check List
- Electronic copy of all of the above in PDF format.**
- Check for Application Fee \$ 3,150.00
- Check for Initial Escrow \$ 4,500.00

Board secretary will distribute copies to fire company after deemed complete, as necessary.

Signed: James S. Raban  
 Attorney for Applicant  
 (Print name under signature)

Date: 1/12/23

**APPLICATION TO THE LONG BEACH  
TOWNSHIP LAND USE BOARD**

Do not write below - for official use only

Project Name: Mark Rex Thomas LLC Major Site Plan  
Block: 15.147 Lot(s): 2  
Property Address: 3200 Long Beach Blvd.

Date Received: \_\_\_\_\_  
Application Fee: \$ \_\_\_\_\_  
Escrow Fee: \$ \_\_\_\_\_  
Docket Number: \_\_\_\_\_

**CHECK ALL THAT APPLY:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Bulk Variance | <input type="checkbox"/> Minor Subdivision (Exempt)             |
| <input checked="" type="checkbox"/> Use Variance  | <input type="checkbox"/> Major Subdivision/Preliminary          |
| <input type="checkbox"/> Interpretation           | <input type="checkbox"/> Major Subdivision Final Major          |
| <input type="checkbox"/> Informal                 | <input checked="" type="checkbox"/> Site Plan/Preliminary Major |
| <input type="checkbox"/> Conditional Use          | <input checked="" type="checkbox"/> Site Plan/Final             |

**ANSWER ALL QUESTIONS. IF NOT APPLICABLE INDICATE WITH 'N/A' OR 'None'  
DO NOT LEAVE BLANKS. INCOMPLETE APPLICATIONS WILL NOT BE  
ACCEPTED OR WILL BE DEEMED INCOMPLETE**

1. Applicant Name: Mark Rex Thomas LLC (Mark Thomas, Sole Member)  
Address: Street: 31 Tartan Road City: Mahwah Zip: 07430  
Phone: (201) 762-3697 e-mail: mt279@me.com

Applicant is:  Owner  Agent  Corporation  Partnership  LLC

If applicant and/or owner is a corporation, LLC or partnership set forth the names addresses of all stockholders, partners or members having 10% or more interest on a separate paper. Corporations must be represented by a New Jersey licensed attorney and include a Resolution authorizing the Application.

2. Owner's Name: Luigi & Providenza lamunno  
Address: Street: 1423 Crooked Pine Dr. City: Myrtle Beach SC Zip: 29575  
Phone: (732) 399-0300 e-mail: jraban@regraban.com

All owners must be identified and sign application. (Use additional pages if necessary)

3. Attorney: James S. Raban, Esq.  
Address: Street: 11710 Long Beach Blvd. City: Haven Beach Zip: 08008  
Phone: (609) 492-0533 e-mail: jraban@regraban.com

4. Planner/Surveyor: Donohue Engineering, LLC  
Address: Street: 210 Summit Ave., Suite C3 City: Montvale Zip: 07645  
Phone: (201) 444-6500 e-mail: tom@donohueengineering.com

5. Architect: Charles A. Maillet, Architect  
 Address: Street: 44 Kettle Creek Road City: Freehold Zip: 07728  
 Phone: (908) 246-6388 e-mail: design@mailletarchitecture.com

*Attache additional sheets if necessary.*

6. Location of property:  
 Zone: C Lot Area: 15,000 sq. ft. Lot Dimensions: 150' x 100'

7. Is the property located on a county road? Yes

8. Current Use: Mixed-Use  
 No. of Dwelling Units: 1 No. of Commercial Units: 1

9. Proposed Use: Mixed-Use (2 commercial units; 4 residential units)

10. When was the property purchased? Contract Purchaser

11. Date of Last Certificate of Occupancy: \_\_\_\_\_ Attach Copy

12. Date of last construction, alteration or addition: \_\_\_\_\_ Attach copies of permits

13. Existing conditions	Pre-Existing non-conformity	Proposed conditions	Variance Needed
Building Height: <u>28.80</u>	<input type="checkbox"/>	Building Height: <u>34.00</u>	<input type="checkbox"/>
Front Yard Set Back <u>14.80</u>	<input type="checkbox"/>	Front Yard Set Back <u>0.50</u>	<input type="checkbox"/>
Side Yard Set Back <u>50.80</u>	<input type="checkbox"/>	Side Yard Set Back <u>20.00</u>	<input type="checkbox"/>
Side Yard Set Back <u>50.80</u>	<input type="checkbox"/>	Side Yard Set Back <u>20.00</u>	<input type="checkbox"/>
Rear Yard Set Back <u>46.70</u>	<input type="checkbox"/>	Rear Yard Set Back <u>32.59</u>	<input type="checkbox"/>
Dist. to Adj. Struct. _____	<input type="checkbox"/>	Dist. to Adj. Struct. _____	<input type="checkbox"/>
Lot Coverage (sq.ft.) _____	<input type="checkbox"/>	Lot Coverage (sq.ft.) <u>7,360.00</u>	<input type="checkbox"/>
% Lot Coverage _____	<input type="checkbox"/>	% Lot Coverage <u>49.06</u>	<input type="checkbox"/>
% Impervious Coverage <u>100.00</u>	<input checked="" type="checkbox"/>	% Impervious Coverage <u>98.50</u>	<input checked="" type="checkbox"/>
No. Principal Structures <u>1.00</u>	<input type="checkbox"/>	No. Principal Structures <u>1.00</u>	<input type="checkbox"/>
No. Accessory Structures <u>1.00</u>	<input type="checkbox"/>	No. Accessory Structures <u>0.00</u>	<input type="checkbox"/>
Lot Width <u>150.00</u>	<input type="checkbox"/>		

14. Existing Restrictions:  
 (A) Deed Restrictions: \_\_\_\_\_ (Attach Copies)  None  
 (B) Easements: \_\_\_\_\_ (Attach Copies)  None  
 (C) Condominium: \_\_\_\_\_ (Attach Copies)  None

15. Proposed Restriction:  None

**16. Variances and Waivers:**

**(A) List Required Variances: (Include Ordinance Number)**

**None**

Section 205-33(B)(a)(3): The maximum permitted impervious coverage is 75%. 100% is existing; 98.5% is proposed.

The Zoning Ordinance does not specify the permitted density of residential units in a mixed-use building. In the event the proposed number of residential units exceeds the permitted density, a special reasons variance is requested.

**On a separate paper provide legal theory supporting variance relief.**

**(B) List of Requested Waivers:**

**None**

**17. Briefly describe any prior or currently pending proceedings before the Land Use Board or any other Federal, State, County or local Board or Agency involving this property which is the subject of this application and attach copies of any application, supporting documentation, pleadings, decisions and/or orders from the relevant entity including any denials.  None**

**18. List all material submitted with this application i.e. plans, surveys, drawings, photos, reports etc.**


- Land Use Development Application
- Site Plan prepared by Donohue Engineering, LLC
- Floor Plans and Elevations prepared by Charles A. Maillet, Architect
- 4 color photographs of the property

ALL OWNERS OF RECORD AND APPLICANT MUST SIGN APPLICATION. (ATTACH ADDITIONAL PAGES IF NECESSARY.)

Dates: \_\_\_\_\_  
\_\_\_\_\_, Owner  
(Print name under signature)

Dates: \_\_\_\_\_  
\_\_\_\_\_, Owner  
(Print name under signature)

Applicant Signature (if different from owner):

Dates: 1/9/23  
  
\_\_\_\_\_, Applicant  
(Print name under signature)

Dates: \_\_\_\_\_  
\_\_\_\_\_, Applicant  
(Print name under signature)

MUST BE SIGNED BY OWNER(S) AND/OR APPLICANT NOT ATTORNEY

## APPLICATION SUPPLEMENT

Mark Rex Thomas (the "Applicant") has made application to the Long Beach Township Land Use Board for preliminary and final major site plan approval and variances relative to proposed development at the property designated as Lot 2 in Block 15.147 on the Tax Map of the Township of Long Beach, located at 3200 Long Beach Boulevard in the Brant Beach Section of Long Beach Township. The property is currently developed with a mixed-use building, with the La Bamba Restaurant on the first floor. The Applicant is seeking to demolish the existing building at the site and construct a new mixed-use building with two commercial retail units on the first floor and four single-family residential apartments on the second floor. Based upon the proposed development, there are 14 parking spaces required at the site. 19 parking spaces are proposed.

The following variances are requested:

1. Section 205-33(B)(a)(3): The maximum permitted impervious coverage is 75%. The existing impervious coverage is 100%; 98.5% is proposed.
2. The Zoning Ordinance does not specify the permitted density of residential units in a mixed-use building. In the event the proposed number of residential units exceeds the permitted density, a special reasons variance is requested.

This site is essentially covered entirely by impervious surface. While the Applicant is reducing the impervious coverage slightly, a variance is requested for the impervious coverage to accommodate the 19 parking spaces that the Applicant is proposing, in an area where parking is difficult to find. The property is unusually large, and is therefore able to accommodate the proposed uses, with parking in excess of what is required, which is very rare.







TOWNSHIP OF LONG BEACH  
LAND USE BOARD  
TECHNICAL CHECKLIST

**KEY: X= REQUIRED P= PROVIDED W= WAIVER N/R= NOT REQUIRED or APPLICABLE**

DESCRIPTION	VARIANCE APPLICATION		MINOR APPLICATION		MAJOR SITE PLAN		MAJOR SUBDIVISION		CIRCLE ONE
	BULK	USE	SITE PLAN	SUBDIVISION	PRELIMINARY	FINAL	PRELIMINARY	FINAL	MUST BE COMPLETED
<b>MAN-MADE FEATURES</b>									
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	(P) (W) (N/R)
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	(P) (W) (N/R)
Building coverage and lot coverage calculations.	X	X	X		X	X			(P) (W) (N/R)
Existing and proposed easements, rights-of-way and their purposes.	X	X	X	X	X	X	X	X	(P) (W) (N/R)
Existing and proposed manholes, sewer lines, stormwater management facilities, waterlines, fire hydrants and utility poles within 200 FT.			X	X	X	X	X	X	(P) (W) (N/R)
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	X	X	(P) (W) (N/R)
All monumentation as required as per the "Map Filing Law" including all monuments found, set or to be set.				X			X	X	(P) (W) (N/R)

TOWNSHIP OF LONG BEACH  
LAND USE BOARD  
TECHNICAL CHECKLIST

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DESCRIPTION	VARIANCE APPLICATION		MINOR APPLICATION		MAJOR SITE PLAN		MAJOR SUBDIVISION		CIRCLE ONE
	BULK	USE	SITE PLAN	SUBDIVISION	PRELIMINARY	FINAL	PRELIMINARY	FINAL	MUST BE COMPLETED
Offstreet parking and loading spaces required and proposed, and location and dimensions of access drives, aisles and parking stalls		X	X		X	X			(P)(W)(N/R)
<b>STREET</b>									
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	(P)(W)(N/R)
Plans, profiles and cross-sections of paved areas, curbs and sidewalks.			X	X	X	X	X	X	(P)(W)(N/R)
<b>MISCELLANEOUS</b>									
Exterior Lighting Plan, including the location, 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	(P)(W)(N/R)
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	(P)(W)(N/R)
Storm drainage calculations.					X		X		(P)(W)(N/R)
Stormwater management facilities shown on the grading plan showing all aspects of the stormwater system.			X		X	X	X	X	(P)(W)(N/R)

TOWNSHIP OF LONG BEACH  
 LAND USE BOARD  
 TECHNICAL CHECKLIST

**KEY: X= REQUIRED P= PROVIDED W= WAIVER N/R= NOT REQUIRED or APPLICABLE**

DESCRIPTION	VARIANCE APPLICATION		MINOR APPLICATION		MAJOR SITE PLAN		MAJOR SUBDIVISION		CIRCLE ONE
	BULK	USE	SITE PLAN	SUBDIVISION	PRELIMINARY	FINAL	PRELIMINARY	FINAL	MUST BE COMPLETED
Applications for new construction or additions to buildings: See Initial Checklist for number of copies to distribute of building plans showing elevations and floor areas (including dimensions) for all floors. "Multi-family units and commercial uses require sealed Architectural Plans;" 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							(P) (W) (N/R)
Location of all signs and drawn details showing the size, construction type, height and content of all signs.			X		X	X			(P) (W) (N/R)
Drawn details of the type of screening to be used for the refuse storage areas, outdoor equipment and bulk storage.			X		X	X			(P) (W) (N/R)

**PUBLIC NOTICE**

**LONG BEACH TOWNSHIP**

PLEASE TAKE NOTICE that Mark Rex Thomas LLC (the "Applicant") has made application to the Long Beach Township Land Use Board for preliminary and final major site plan approval and variances relative to proposed development at the property designated as Lot 2 in Block 15.147 on the Tax Map of the Township of Long Beach, located at 3200 Long Beach Boulevard in the Brant Beach Section of Long Beach Township. The property is currently developed with a mixed-use building, with the La Bamba Restaurant on the first floor. The Applicant is seeking to demolish the existing building at the site and construct a new mixed-use building with two commercial retail units on the first floor and four single-family residential apartments on the second floor. Based upon the proposed development, there are 14 parking spaces required at the site. 19 parking spaces are proposed.

The following variances are requested:

1. Section 205-33(B)(a)(3): The maximum permitted impervious coverage is 75%. The existing impervious coverage is 100%; 98.5% is proposed.
2. The Zoning Ordinance does not specify the permitted density of residential units in a mixed-use building. In the event the proposed number of residential units exceeds the permitted density, a special reasons variance is requested.

While the Applicant does not believe that any additional variances are required, any variances and/or waivers deemed necessary or appropriate by the Board will be requested at the hearing.

This matter is on the Clerk's Docket and a hearing has been ordered for February 8, 2023 at 6:30 PM in the Administration Building, First Floor Court Room, 6805 Long Beach

Boulevard, Brant Beach, NJ, at which time persons interested may appear personally or by agent or attorney with a properly authorized power of attorney. Please note that this is an in-person meeting only. There will be no virtual component.

Should the meeting format change, the Township website will be updated with necessary information up to and including the date of the meeting. You will not receive notice of a meeting format change. It is up to you to check the Township website or call the Township (609-361-6653) during normal business hours on the day of the hearing for any change from in person to virtual meeting.

Documents are available for inspection at the Land Use Board Office, 6805 Long Beach Boulevard, Brant Beach, New Jersey during normal business hours Monday through Friday 9:00 a.m. to 3:00 p.m.

File #3547

James S. Raban  
Attorney for the Applicant