

RABAN & RABAN

LLC

Attorneys at Law

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

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

MEMBER OF NJ BAR *
MEMBER OF PA BAR ▲

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March 12, 2024

Via Hand Delivery and Jfife@longbeachtownship.com

Jackie Fife

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

Re: McKinley Ave. Properties, LLC Subdivision
Block 1.10, Lot 22, Long Beach Township
11 W. McKinley Ave.

Dear Jackie:

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

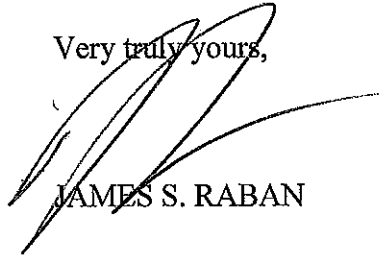
- (x) Original and 14 copies of Land Use Development Application;
- (x) 15 copies of Minor Subdivision Plan prepared by James Brzozowski of Horn, Tyson & Yoder, Inc.;
- (x) 15 copies of Tax Map with Property Lot and Block highlighted;
- (x) 15 color copies of four Property Photos;
- (x) 1 copy of Affidavit of Ownership;
- (x) 1 copy of Signed Checklist;
- (x) 1 copy of Technical Checklist;
- (x) 1 Proposed Public Notice;
- (x) Application Fee check 3310 Amount \$1,125.00
- (x) Attorney Escrow check 3311 Amount \$2,500.00
- (x) Please consent and/or approve for public hearing on April 10, 2024 at 6:30 p.m.

If you have any questions, please do not hesitate to contact me. Thank you for your courtesies and attention to this matter.

Jackie Fife
March 12, 2024
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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,

A handwritten signature in black ink, appearing to read 'JAMES S. RABAN', written over a horizontal line.

JAMES S. RABAN

JSR/dh
Encl.

Cc: McKinley Ave. Properties, LLC (via email)
James Brzozowski, P.E., P.P. (via email)
Frank Little, P.E., P.P. (via email) (w/encl.)
Kevin Quinlan, Esq. (via email) (w/encl.)

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

Do not write below - for official use only

Project Name: McKinley Ave Properties LLC Subdivision

Date Received: _____

Block: 1.10 Lot(s): 22

Application Fee: \$ _____

Property Address: 11 W. McKinley Ave.

Escrow Fee: \$ _____

Docket Number: _____

CHECK ALL THAT APPLY:

Bulk Variance

Minor Subdivision (Exempt)

Use Variance

Major Subdivision/Preliminary

Interpretation

Major Subdivision Final Major

Informal

Site Plan/Preliminary Major

Conditional Use

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: McKinley Ave Properties LLC

Address: Street: 342 W. 9th St. City: Ship Bottom Zip: 08008

Phone: (609) 361-0011 e-mail: mpagnotta@comcast.net

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: Same as Applicant

Address: Street: _____ City: _____ Zip: _____

Phone: _____ e-mail: _____

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: Horn, Tyson & Yoder, Inc.

Address: Street: 8510 Long Beach Blvd. City: Long Beach Twp Zip: 08008

Phone: (609) 492-5050 e-mail: jimb.hty@gmail.com

5. Architect: N/A
 Address: Street: _____ City: _____ Zip: _____
 Phone: _____ e-mail: _____

Attache additional sheets if necessary.

6. Location of property:
 Zone: R-50 Lot Area: 8,000 sq. ft. Lot Dimensions: 80' x 100'

7. Is the property located on a county road? No

8. Current Use: single-family
 No. of Dwelling Units: 1 No. of Commercial Units: _____

9. Proposed Use: 2 single-family building lots

10. When was the property purchased? 3/7/2024

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: _____	<input type="checkbox"/>	Building Height: _____	<input type="checkbox"/>
Front Yard Set Back _____	<input type="checkbox"/>	Front Yard Set Back _____	<input type="checkbox"/>
Side Yard Set Back _____	<input type="checkbox"/>	Side Yard Set Back _____	<input type="checkbox"/>
Side Yard Set Back _____	<input type="checkbox"/>	Side Yard Set Back _____	<input type="checkbox"/>
Rear Yard Set Back _____	<input type="checkbox"/>	Rear Yard Set Back _____	<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.) _____	<input type="checkbox"/>
% Lot Coverage _____	<input type="checkbox"/>	% Lot Coverage _____	<input type="checkbox"/>
% Impervious Coverage _____	<input type="checkbox"/>	% Impervious Coverage _____	<input type="checkbox"/>
No. Principal Structures _____	<input type="checkbox"/>	No. Principal Structures _____	<input type="checkbox"/>
No. Accessory Structures _____	<input type="checkbox"/>	No. Accessory Structures _____	<input type="checkbox"/>
Lot Width _____	<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

* See attached Application Supplement, The existing home will be demolished, and all new construction will conform to Long Beach Township bulk zoning requirements.

16. Variances and Waivers:

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

None

See attached Application Supplement.

On a separate paper provide legal theory supporting variance relief.

(B) List of Requested Waivers:

None

The Applicant is requesting a waiver from any requirement to submit architectural drawings based upon the fact that no variances are required under Section 176-27(A)(1) of the Long Beach Township Municipal Code.

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.

- Minor Subdivision Plan prepared by Horn, Tyson & Yoder, Inc.
- 4 photographs of the subject 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): McKinley Ave Properties LLC

Dates: 3/11/24 By: Michael Pachotta, Applicant

(Print name under signature)

Sole Member of Nautilus Custom
Construction, LLC, _____, Applicant

(Print name under signature)
which is Sole Member of McKinley
Ave Properties LLC

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

APPLICATION SUPPLEMENT

McKinley Ave Properties LLC (the "Applicant") has made application to the Long Beach Township Land Use Board for minor subdivision approval relative to proposed development at the property designated as Lot 22 in Block 1.10 on the Tax Map of the Township of Long Beach, located at 11 W. McKinley Avenue in the Holgate Section of Long Beach Township. Currently, the property is developed with a single-family dwelling. The Applicant is seeking approval to subdivide the property into two lots with the following dimensions:

1. Proposed lot 22.01: 40 feet by 100 feet (4,000 square feet)
2. Proposed lot 22.02: 40 feet by 100 feet (4,000 square feet)

The Applicant is seeking to demolish the existing single-family dwelling at the property and to create two (2) conforming single-family building lots. Under Section 176-27(A)(1) of the Long Beach Township Municipal Code, no variances are required based upon the fact that the lots created conform in lot frontage, depth, and square footage to the majority of the lots located on both sides of the street on which the new lots front located within 200 feet of the exterior boundary line of the land to be subdivided.

The new homes to be constructed on new lots 22.01 and 22.02 will conform to all bulk zoning requirements set forth in the Long Beach Township Zoning Ordinance.

Long Beach Township Land Use Board

AFFIDAVIT OF OWNERSHIP, CONSENT, AUTHORIZATION,
and NON-COLLUSION

STATE OF:

COUNTY OF Ocean ss.

I, Michael Pagnotta being duly sworn according to law,
(Print owner(s) name(s))
upon my/our oath depose and say:

1. I/we am/are the only owner(s) of property known as 11 West McKinley Ave.
(Street Address)
Long Beach Township, Ocean County, New Jersey known as :

Block 1.10 Lot 22
Block _____ Lot _____
Block _____ Lot _____

As shown on the Official Tax Maps of the Township of Long Beach.

2. I/we consent to the making of this application and the approval of the plans submitted herewith. I/we further agree to be bound by all representations and commitments made by myself/ourselves or my/our authorized agent. I/we further consent to the inspection of this property in connection with this application as deemed necessary by the members of the Land Use Board and/or other designated officials or representatives.

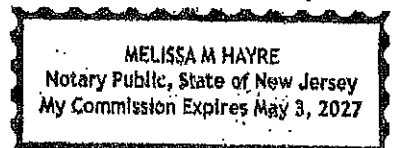
3. There has been no collusion between me/us and any member of the Township of Long Beach Land Use Board or any officials of the Township of Long Beach with respect to said application.

4. I/we hereby authorize James Raban, Esq. (Agent), to make application on my/our behalf. I further agree to be bound by all representations, promises and commitments made by my agent.
(Print agent name)

Dated: 3/12/2024

McKinley Ave. Properties, LLC, Owner
Signature of Owner
Michael Pagnotta, Sole Member of
Print Name above
Nautilus Custom Construction, LLC,
which is Sole Member of McKinley Ave. Properties, LLC
Signature of Owner
Print name above

Sworn and Subscribed to before me
this 12th day of March 2024.
M. Hayre
Notary Public



OWNERSHIP INFORMATION SUPPLEMENT

McKinley Ave Properties LLC (Applicant) Membership Interests:

Nautilus Custom Construction, LLC – Sole Member (100% Ownership Interest)

342 W. 9th St.

Ship Bottom, NJ 08008

Michael Pagnotta: Sole Member of Nautilus Custom Construction LLC

342 W. 9th St.

Ship Bottom, NJ 08008

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
MAN-MADE FEATURES									
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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	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)
STREET									
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)
MISCELLANEOUS									
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

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	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)

* See # 16(B) on Application.

PUBLIC NOTICE

LONG BEACH TOWNSHIP

PLEASE TAKE NOTICE that McKinley Ave Properties LLC (the "Applicant") has made application to the Long Beach Township Land Use Board (the "Board") for minor subdivision approval relative to proposed development at the property designated as Lot 22 in Block 1.10 on the Tax Map of the Township of Long Beach, located at 11 W. McKinley Avenue in the Holgate Section of Long Beach Township. Currently, the property is developed with a single-family dwelling. The Applicant is seeking approval to subdivide the property into two lots with the following dimensions:

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Although the Applicant believes that no variances, waivers or exceptions are required, any additional variances, waivers or exceptions deemed necessary or appropriate by the Board will be requested at the public hearing.

This matter is on the Clerk's Docket and a hearing has been ordered for April 10, 2024 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 Thursday 9:00 a.m. to 3:00 p.m.

File #3623

James S. Raban
Attorney for the Applicant