

APPLICATION TO THE LONG BEACH
TOWNSHIP LAND USE BOARD

Do not write below - for official use only

Project Name: Sunset Harbor Restroom

Date Received: _____

Application Fee: \$ _____

Escrow Fee: \$ _____

Docket Number: _____

Block: 6.25

Lot(s): 1 QualC0009

Property Address: 32 West South 32nd St., Unit C-9

CHECK ALL THAT APPLY:

- ☒ Bulk Variance
☐ Use Variance
☐ Interpretation
☐ Informal
☐ Conditional Use

- ☐ Minor Subdivision (Exempt)
☐ Major Subdivision/Preliminary
☐ Major Subdivision Final Major
☐ Site Plan/Preliminary Major
☒ 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: Sunset Harbor Marina, LLC (Andrew Bielecki)

Address: Street: 21 Ryerson Road City: Flemington Zip: 08022

Phone: (908) 963-1997 e-mail: abielecki_10114@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: Andrew Bielecki and Mohamed Al-Daga

Address: Street: 21 Ryerson Road City: Flemington Zip: 08022

Phone: (908) 963-1997 e-mail: abielecki_10114@comcast.net

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

3. Attorney: Robert G. Shinn, Esquire

Address: Street: 2 N. Union Street, PO Box 134 City: Manahawkin Zip: 08050

Phone: 609-597-5666 e-mail: wmsllc@woodlandmccoyandshinn.com

4. Planner/Surveyor: James Brzozowski, PE, PP

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

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

5. Architect: Ralph Finelli, Architect
Address: Street: PO Box 144 City: Sergeantsville Zip: 08557
Phone: (908) 581-0757 e-mail: rfinelliarchitect@gmail.com

Attache additional sheets if necessary.

6. Location of property:
Zone: MC Lot Area: 28,725 sqft. Lot Dimensions: _____

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

8. Current Use: Marina parking lot
No. of Dwelling Units: N/A No. of Commercial Units: 1

9. Proposed Use: CAFRA required restroom facility for marina

10. When was the property purchased? 04/01/2024

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: <u>15.80</u>	<input type="checkbox"/>
Front Yard Set Back <u>20.80</u>	<input type="checkbox"/>	Front Yard Set Back <u>20.80</u>	<input type="checkbox"/>
Side Yard Set Back <u>8.30</u>	<input type="checkbox"/>	Side Yard Set Back <u>5.10</u>	<input checked="" type="checkbox"/>
Side Yard Set Back <u>8.30</u>	<input type="checkbox"/>	Side Yard Set Back <u>8.30</u>	<input type="checkbox"/>
Rear Yard Set Back <u>49.50</u>	<input type="checkbox"/>	Rear Yard Set Back <u>4.50</u>	<input checked="" 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 <u>82%</u>	<input type="checkbox"/>	% Lot Coverage <u>82%</u>	<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 <u>155.00</u>	<input type="checkbox"/>		

14. Existing Restrictions:

(A) Deed Restrictions: None known (Attach Copies) ☐ None

(B) Easements: None known (Attach Copies) ☐ None

(C) Condominium: None known (Attach Copies) ☐ None

15. Proposed Restriction: ☐ None

16. Variances and Waivers:

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

☐ None

Rear yard setback 10 ft required, 4.5 ft proposed. (205-61B(3))

Side yard setback 10 ft required, 8.3 ft to 31st St. (205-61B(4))

Side yard setback 10 ft required, 8.3 ft to 32nd St. (205-61B(4))

Marina parking 28 spaces required, 24 existing, 21 spaces proposed. (205-61C(1))

And any other variances determined by the Board or its professionals.

A variance was granted previously by the Board. The Facility is required. The prior approved restroom was not constructed.

On a separate paper provide legal theory supporting variance relief.

(B) List of Requested Waivers:

☐ None

None disclosed but reserve to amend if a waiver(s) is deemed necessary.

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

On July 1, 2004, Long Beach LUB approved to construct a one-story restroom facility, measuring 20ft by 24ft, to be located in the northeast corner of the tract, which restroom is to be constructed at a height of 16ft 5 inches. Variance relief was granted per Resolution LUB25-04 and the Resolution approved August 5, 2004.

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

- 1) Application
- 2) Survey
- 3) Site Plan
- 4) Resolution 25-04
- 5) Deed
- 6) Architect Plans
- 7) Photos

Long Beach Township Land Use Board

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

STATE OF NEW JERSEY :

COUNTY OF Ocean : ss.

I, Andrew Bielecki 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 32 W. South 32nd St., Unit 9
(Street Address)
Long Beach Twp., Ocean County, New Jersey known as :

Block	<u>6.25</u>	Lot	<u>1 Qual. C0009</u>
Block	<u> </u>	Lot	<u> </u>
Block	<u> </u>	Lot	<u> </u>

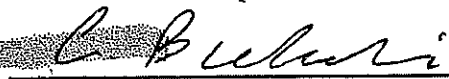
As shown on the Official Tax Maps of the Township of Long Beach.

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.

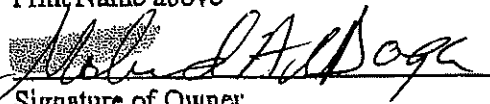
3. There has been no collusion between me/us and any member of the Township of Long Beach Land Use Board or any officials of the Township of Long Beach with respect to said application.

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

Dated: 8/28/25

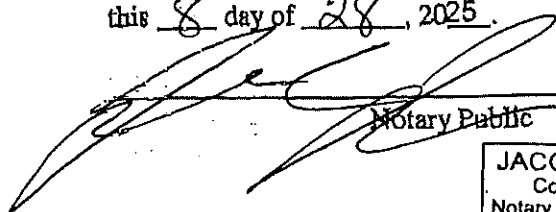

Signature of Owner

Andrew Bielecki
Print Name above


Signature of Owner

Mohamed Al-Daga
Print name above


Sworn and Subscribed to before me
this 8 day of 28, 2025.


Notary Public


JACQUELYN C WILSON
Commission # 50203543
Notary Public, State of New Jersey
My Commission Expires
October 07, 2027

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

Dates: 8/28/25


Andrew Bielecki, Owner
(Print name under signature)

Dates: 8/28/25


Mohamed Al-Daga, Owner
(Print name under signature)

Applicant Signature (if different from owner):

Dates: _____

_____, Applicant
(Print name under signature)

Dates: _____

_____, Applicant
(Print name under signature)

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

TOWNSHIP OF LONG BEACH
LAND USE BOARD
TECHNICAL CHECKLIST

Owner: Sunset Harbor Marina, LLC Phone # 908-963-1997 Email: ableleckl_10114@comcast.net

Applicant: Andrew Bleleckl Phone #: 908-963-1997 Email: _____

Address: 21 Ryerson Road, Flemington, NJ 08022

Block: 6.25 Lot(s): 1 Qual C0009 Date: _____

****This checklist MUST be completed and submitted as part of any application. All of the following items must be shown on the submitted plans or attached for the application to be considered for completeness review.****

****Waivers may be requested from some of the following items should be checked where provided and an explanation of the reason for the waiver or non-applicable items explained in a separate letter to be attached to this checklist. See Initial Submission Checklist for number of copies and how to distribute.****

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
PLAN SPECIFICATIONS									
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	(P) (W) (N/R)
Signature, seal, address, license number of professional preparing plat.	(X)	X	(X)	X	X	X	X	X	(P) (W) (N/R)
All Plans MUST provide current information and be dated within one (1) year of the hearing date. (ADDED 7.10.24)	(X)	X	(X)	X	X	X	X	X	(P) (W) (N/R)
Plat based on land survey less than 12 months old	X	X	X	X	X	X	X	X	(P) (W) (N/R)
Sheet size up to 30" x 42"	(X)	X	(X)	X	X	X	X	X	(P) (W) (N/R)
Each sheet numbered and titled	X	X	X	X	X	X	X	X	(P) (W) (N/R)
LEGEND INFORMATION									
Existing and proposed lot lines with dimensions, bearing and curve data.	X	X	X	X	X	X	X	X	(P) (W) (N/R)

TOWNSHIP OF LONG BEACH
LAND USE BOARD
TECHNICAL CHECKLIST

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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 MUST BE COMPLETED
	BULK	USE	SITE PLAN	SUBDIVISION	PRELIMINARY	FINAL	PRELIMINARY	FINAL	
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	(P) (W) (N/R)
Tax map sheet, lot and block numbers	(X)	X	(X)	X	X	X	X	X	(P) (W) (N/R)
Zone boundaries, tax map sheet, lot and block number and names and addresses of all owners within 200 Ft.	X	X	X	X	X	X	X	X	(P) (W) (N/R)
Date of original and all revisions.	X	X	X	X	X	X	X	X	(P) (W) (N/R)
Written and graphic map scale.	X	X	X	X	X	X	X	X	(P) (W) (N/R)
North arrow with reference meridian.	(X)	X	(X)	X	X	X	X	X	(P) (W) (N/R)
Data and signature as per the "Map Filing Law"	(X)	X	(X)	X	X	X	X	X	(P) (W) (N/R)
Table of zoning requirements, showing existing nonconformities and proposed variances.	(X)	X	(X)	X	X	X	X	X	(P) (W) (N/R)
Area of the tract and of each lot.	X	X	X	X	X	X	X	X	(P) (W) (N/R)
Approval signature lines for Chairman, Secretary and Board Engineer			(X)	X	X	X	X	X	(P) (W) (N/R)
NATURAL FEATURES									
Existing and proposed contours at one-foot intervals indicating surface drainage and topography within 50 Ft			X	X					(P) (W) (N/R)
Existing and proposed contours at one-foot intervals indicating surface drainage and topography within 200 Ft					X	X	X	X	(P) (W) (N/R)
All existing water courses and related areas that are subject to 100 Year floods under FEMA standards.			X	X	X	X	X	X	(P) (W) (N/R)
The boundaries of wetlands and wetland transition areas.	X	X	X	X	X	X	X	X	(P) (W) (N/R)

REVISED JULY 10, 2024
SPECIAL RESOLUTION #10-2024

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
MAIN MAJOR 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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DESCRIPTION	VARIANCE APPLICATION		MINOR APPLICATION		MAJOR SITE PLAN		MAJOR SUBDIVISION		CIRCLE ONE
	BULK	USE	SITE PLAN	SUBDIVISION	PRELIMINARY	FINAL	PRELIMINARY	FINAL	MUST BE COMPLETED
Off street 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)
STREETS									
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)
MINOR SUBDIVISIONS									
Exterior Lighting Plan, including the location, direction of illumination, amount of illumination expressed in horizontal foot candles, wattage and crown 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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KEY: X= REQUIRED P= PROVIDED W= WAIVER N/R= NOT REQUIRED or APPLICABLE

	VARIANCE APPLICATION		MINOR APPLICATION		MAJOR SITE PLAN		MAJOR SUBDIVISION		CIRCLE ONE
DESCRIPTION	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)
Dimensioned Interior Layout Plan for Commercial Space; including counters, seating, equipment, etc. (ADDED 7.10.24)			X		X	X			(P) (W) (N/R)
Dimensioned Interior Layout Plan for Residential Units showing all floors, room dimensions and proposed use of each area. (ADDED 7.10.24)	X	X		X	X	X	X	X	(P) (W) (N/R)

REVISED JULY 10, 2024
SPECIAL RESOLUTION #10-2024

R.H.
FOUNDATION TITLE, LLC
3840 Quakerbridge Rd, Ste 128
Hamilton, NJ 08619
(609) 586-7077

COUNTY OF OCEAN	
CONSIDERATION	1,400,000
REALTY TRANSFER FEE	28415.00
DATE	4/26/24 BY DG

Prepared by:

DEED

Harry J. Drexler, Jr.
Harry J. Drexler, Jr., Esq.

This Deed is made on March 26, 2024.

Delivered April 1, 2024

BETWEEN

TIMOTHY L. HOWARD and ROBIN C. HOWARD, Trustees of the Timothy L.
Howard and Robin C. Howard Revocable Living Trust dated January 24, 2013

whose address is 1244 Eagles Flight Way, North Port, Florida 34287

referred to as the Grantor,

AND

SUNSET HARBOR MARINA L.L.C., a New Jersey Limited Liability Company

whose address is

2 Ryerson Road, Flemington, NJ 08822

referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and Grantees listed above.

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of One Million Four Hundred Thousand (\$1,400,000.00) 00/100 Dollars.

The Grantor acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 46:15-1.1)

Municipality: Township of Long Beach

Block No. 6.25 Lot No. 1 C0009 Account No.

() No property tax identification number is available on the date of this Deed. (Check box if applicable)

Property. The property consist of the land and all the buildings and structures on the land in the Township of Long Beach, County of Ocean and State of New Jersey. The Legal description is:

See Attached "Schedule A"

Subject to all rights, covenants, restriction and easements of record, if any.

Being the same premises conveyed to Timothy L. Howard and Robin C. Howard, Trustees of the Timothy L. Howard and Robin C. Howard Revocable Living Trust dated January 24, 2013 from Timothy L. Howard, a married man, joined by his spouse, Robin C. Howard, under Deed dated August 23, 2021 and recorded November 1, 2021 in the Ocean County Clerk's Office in Official Record Book 18752 Page 1857.

Title previously vested in Timothy L. Howard under Deed from Edward G. Nees, dated October 28, 1985 and recorded November 25, 1985 in the Ocean County Clerk's Office in Deed Book 4369 Page 204.

LEGAL DESCRIPTION

Foundation Title, LLC - Hamilton

a Policy Issuing Agent for **First American Title Insurance Company**
File No. 818-227288

Schedule A

All that certain tract or parcel of land, situated, lying and being in Long Beach Township, County of Ocean, and State of New Jersey, more particularly described as follows:

And other appurtenances thereto, in fee simple, subject to the provisions of the New Jersey Condominium Act (R.S. 46:88-1 et seq.) as amended and to the provisions of that certain Master Deed of The Escape, a Condominium, recorded in the Office of the Register of Deeds of Ocean County, dated August 14, 1985 and recorded on August 16, 1985 in Deed Book 4334, Page 653, which real property is more particularly described as Unit No. 9 of said condominium, together with other appurtenances to said Unit, which Unit and appurtenances have been more specifically defined in the Master Deed, which is comprised of premises known as Block 6.25, Lot 1 on the Tax Map of Township of Long Beach, New Jersey, and including an undivided 11.2% fee interest in the general common elements of said condominium appurtenant to said Unit, which Unit and appurtenant general common elements have been more specifically defined in the Master Deed and depicted on certain exhibits thereto as the same may now or hereafter be lawfully amended.

NOTE FOR INFORMATION:

BEING known as 32 West South 32nd Street, Unit C9, Long Beach Township, Ocean County, State of New Jersey, Block 6.25, Lot 1, Qualifier C0009 on the tax map of Long Beach Township.

NOTE FOR INFORMATION: The mailing address of the premises is 32 West South 32nd Street, Unit C9, Long Beach, NJ 08008.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance [issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

NEW JERSEY LAND TITLE
INSURANCE RATING BUREAUNJRB 3-09
Last Revised: 05/23/17

**State of New Jersey
Nonresident Seller's Tax Declaration**

GIT/REP-1
(10-21)

(Print or type)

Seller's Information

Name(s)

Timothy L. Howard and Robin C. Howard Revocable Trust, Timothy L. Howard and Robin C. Howard, Trustees

Current Street Address

1244 Eagles Flight Way

dated January 24, 2013

City, Town, Post Office

North Port

State

FL

ZIP Code

34287

Property Information

Block(s)

6.25

Lot(s)

1

Qualifier

C0009

Street Address

32 W. South 32nd Street, Unit ^{C9} 8

City, Town, Post Office

(Long Beach Twp.) Mailing: Long Beach

State

NJ

ZIP Code

08008

Seller's Percentage of Ownership

100%

Total Consideration

1,400,000.00

Seller's Share of Consideration

1,400,000.00

Closing Date

4-1-24

Seller's Declaration

The undersigned understands that this declaration and its contents may be disclosed as provided to the New Jersey Division of Taxation and that any false statement contained herein may be punished by fine, imprisonment or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct, and complete. By checking this box ☐ I certify that the Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

22 MAR 2024

Date

Signature (Seller)

Indicate if Power of Attorney or Attorney in Fact

22 MAR 2024

Date

Signature (Seller)

Indicate if Power of Attorney or Attorney in Fact

Cut Along Dotted Line

STATE OF NEW JERSEY
AFFIDAVIT OF CONSIDERATION FOR USE BY BUYER

(Chapter 49, P.L. 1988, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 46:15-5 et seq.)

PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM BEFORE COMPLETING THIS AFFIDAVIT

STATE OF NEW JERSEY

COUNTY Mercer } SS. County Municipal Code 1518
MUNICIPALITY OF PROPERTY LOCATION Long Beach Twp.

(1) **PARTY OR LEGAL REPRESENTATIVE** (See Instructions #3 and #4 on reverse side)
Deponent, Barbara A. Hunter being duly sworn according to the oath,
deposes and says that he/she is the title officer in a deed dated 3-26-24 transferring real property
(Grantee, Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.)
real property identified as Block number 6125 Lot number 1-C 0009 located at
32 W. South 32nd St. - Unit 9, Long Beach and annexed thereto.
(Street Address, Town)

FOR RECORDER'S USE ONLY
Consideration \$ 1,400,000
RTF paid by buyer \$ 14,000
Date 4/26/24 By DD
Last three digits in grantee's Social Security Number 4 8 2

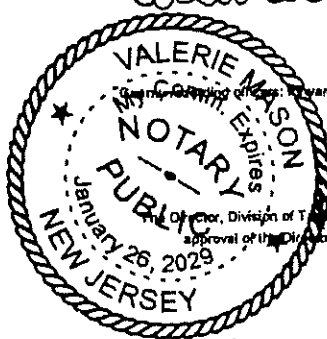
(2) **CONSIDERATION** \$ 1,400,000.00 (See Instructions #1, #5, and #11 on reverse side)
Entire consideration is in excess of \$1,000,000:
PROPERTY CLASSIFICATION CHECKED OR CIRCLED BELOW IS TAKEN FROM OFFICIAL ASSESSMENT LIST (A PUBLIC RECORD)
OF MUNICIPALITY WHERE THE REAL PROPERTY IS LOCATED IN THE YEAR OF TRANSFER. REFER TO N.J.A.C. 18:12-2.2 ET SEQ.
(A) Grantee required to pay the 1% fee, complete (A) by checking off appropriate box or boxes below.
☒ Class 3A - Residential property (Regular) and any other real property transferred to same grantee in conjunction with transfer of Class 3A property
☐ Class 4A - Commercial properties (If checked, calculation in (E) required below)
☐ Cooperative unit (four families or less) (See C. 46:BD-3.)
Cooperative units are Class 4C.
(B) Grantee is not required to pay the 1% fee (one or more of following classes being conveyed), complete (B) by checking off appropriate box or boxes below.
☐ Property class. Circle applicable class or classes: 1 3B 4B 4C 15
Property class: 1-Vacant Land; 3B-Farm property (unimproved); 4B-Industrial property; 4C-Apartment; 15-Public Property, etc. (N.J.A.C. 18:12-2.2 et seq.)
☐ Exempt organization determined by Internal Revenue Service/Internal Revenue Code of 1986, 26 U.S.C. s. 501.
☐ Incidental to corporate merger or acquisition; equalized assessed valuation less than 20% of total value of all assets exchanged in merger or acquisition. (If checked, calculation in (E) required and MUST ATTACH COMPLETED RTF-4.
☐ Intercompany transfer between combined group members as part of the unitary business (See Instruction #13 on reverse side)
List the Combined group NU ID number (Range 1-9999)
(C) When grantee transfers properties involving block(s) or lot(s) of two or more classes in one deed, one or more subject to the 1% fee (A), with one or more than one not subject to the 1% fee (B), pursuant to N.J.S.A. 46:15-7.2, complete (C) by checking off appropriate box or boxes and (D).
☐ Property class. Circle applicable class or classes: 1 3B 4A 4B 4C 15

(D) **EQUALIZED VALUE CALCULATION FOR ALL PROPERTIES CONVEYED. WHETHER THE 1% FEE APPLIES OR DOES NOT APPLY**
Total Assessed Valuation + Director's Ratio = Equalized Valuation
Property Class 1 \$ 1,900,000.00 * 74.56% = \$ 1,416,640.00
Property Class _____ \$ _____ * _____ % = \$ _____
Property Class _____ \$ _____ * _____ % = \$ _____
Property Class _____ \$ _____ * _____ % = \$ _____
(E) **REQUIRED EQUALIZED VALUE CALCULATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS:** (See Instructions #6 and #7 on reverse side)
Total Assessed Valuation + Director's Ratio = Equalized Value
\$ _____ + _____ % = \$ _____
If Director's Ratio is less than 100%, the equalized valuation will be an amount greater than the assessed valuation. If Director's Ratio is equal to or exceeds 100%, the assessed valuation will be equal to the equalized value.

(3) **TOTAL EXEMPTION FROM FEE** (See Instruction #8 on reverse side)
Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1988, as amended through Chapter 33, P.L. 2006, for the following reason(s). Mere reference to exemption symbol is insufficient. Explain in detail.

(4) Deponent makes Affidavit of Consideration for Use by Buyer to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith pursuant to the provisions of Chapter 49, P.L. 1988, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me this 15th day of April, 2024
Valerie M. Mason
Notary Public
Signature of Deponent Barbara A. Hunter Grantee Name Sunset Harbor Marina L.L.C.
3840 Quakerbridge Rd. 21 Ryerson Ave
Hamilton, NJ Flemington, NJ 08822
Dependent Address 08649 Grantee Address at Time of Sale
Name/Company of Settlement Officer Foundation Title, LLC



STATE OF NJ - DIVISION OF TAXATION
PO BOX 251
TRENTON, NJ 08646-0251
ATTENTION: REALTY TRANSFER FEE UNIT

FOR OFFICIAL USE ONLY
Instrument Number _____ County _____
Deed Number _____ Book _____ Page _____
Deed Dated 4/26/24 Date Recorded 4/26/24

Director, Division of Taxation, Department of the Treasury has prescribed this form, as required by law. It may not be altered or amended without prior approval of the Director. For further information on the Realty Transfer Fee or to print a copy of this Affidavit or any other relevant forms, visit: www.state.nj.us/treasury/taxation/tflocaltax.shtml

Promises by Grantor. The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

Signature. The Grantor signs this Deed as of the date at the top of the first page.

Witnessed by:

[Signature]

[Signature] +/tee (Seal)

TIMOTHY L. HOWARD, Trustee of the
Timothy L. Howard and Robin C. Howard
Revocable Living Trust dated Jan. 24, 2013

[Signature] +/tee (Seal)

ROBIN C. HOWARD, Trustee of the
Timothy L. Howard and Robin C. Howard
Revocable Living Trust dated Jan. 24, 2013

STATE OF FLORIDA COUNTY OF *Sarasota*

ss:

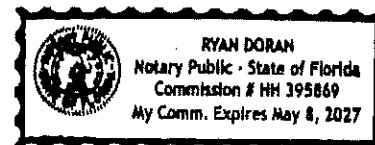
I CERTIFY that on March 26, 2024

TIMOTHY L. HOWARD and ROBIN C. HOWARD, Trustees of the Timothy L. Howard and Robin C. Howard Revocable Living Trust dated Jan. 24, 2013

Personally came before me and stated to my satisfaction that this person, or if more than one, each person):

- (a) was the maker of the attached Deed;
- (b) executed this Deed as his or her own act; and,
- (c) made this Deed for \$1,400,000.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)

[Signature]
Notary



APPROVED
LAND USE BOARD

APPLICATION NO: LUB 25-04

Date August 5, 2004

LONG BEACH TOWNSHIP LAND USE BOARD
RESOLUTION OF MEMORIALIZATION

WHEREAS, application has been made to the Long Beach Township Land Use Board by TIMOTHY HOWARD and ROBIN C. HOWARD, the owners of the lands and premises known and designated as Lot 1.C009 in Block 6.25 on the Official Tax Map of Long Beach Township, which lands and premises are located on 32 W. South 32nd Street, Beach Haven Gardens, New Jersey, for minor site plan approval amending the existing site plan to utilize three (3) parking spaces so as to permit the construction of restroom with a shower facility in a marina condominium; and

WHEREAS, the jurisdictional requirements of N.J.S.A. 40:55D-12 have been satisfied in that notice of this application has been given to all property owners within two hundred (200') feet of the property in question and notice of this application has been duly published in the Beach Haven Times, the official newspaper of the Township, all as required by law; and

WHEREAS, the Long Beach Township Land Use Board, after carefully considering the application, plans, exhibits and testimony presented by the applicants, as well as the representations of members of the public, and the applicants' attorney, Richard P. Visotcky, Esquire, at the hearings conducted on May 6, 2004 and on July 1, 2004, has made the following findings of fact:

- (1) The applicants are the owners of the above described premises, a condominium unit consisting of 56 boat slips and parking area;
- (2) The premises are located in the Marine Commercial Zone.
- (3) The premises are part of a bayfront condominium complex containing 8 residential units, and one commercial unit, which commercial unit consists of an off street parking lot and 56 boat slips;
- (4) The applicants incorporate herein by reference the site plan map prepared by Horn, Tyson & Yoder, Inc. entitled "Minor Site Plan, Lot 1.C009, Block 6.25, Tax Map Sheet #10, Long Beach Township, Ocean County, New Jersey" dated 11/19/03 and revised 6/21/04.

(5) The applicants further incorporate herein by reference the plans prepared by Oram H. Tonge, AIA, entitled, "Escape Harbor Marina New Restroom Facility Lot 4 Bl'k 6.3 twp. Of Long Beach, NJ" dated 6/3 /04 and the plans prepared by T. Howard, entitled, "New Restroom Facility Escape Harbor Marina Beach Haven Gardens, NJ" dated June 17, 2004.

(6) The Board has received and reviewed the reports of its engineer, Frank J. Little, Jr., dated April 30, 2004 and June 23, 2004 and incorporates both reports herein by reference.

(8) The applicants are proposing to construct a one story restroom facility, measuring 20 feet by 24 feet, to be located in the northeast corner of the tract, which restroom is to be constructed at a height of 16 feet 5 inches;

(9) The applicants require the following bulk variances to construct the restroom at the northeast location proposed:

(i) A variance as the proposed height of 16 feet 5 inches as a height of 15 feet is the maximum height permitted;

(ii) A variance from the 10 foot required side yard as a side yard of 3.1 feet is proposed;

(iii) A variance from the 10 foot required rear yard setback as a setback of 3.1 feet is proposed;

(iv) A variance from the parking requirement as 28 spaces are required; 24 spaces are existing and after the construction as proposed only 21 spaces are proposed.

(11) The Board notes that the applicants reduced the size of the proposed restroom facility, making the same 40 square feet smaller than originally proposed, containing only 2 toilets and 1 shower for Men and for Women, which meets the minimum CAFRA requirements for a restroom facility at a marina;

(12) The applicants testified that the premises would be locked with a combination key-pad entry so that the facility would only be utilized by the marina slip users who would be given the combination of the lock;

(13) The Board notes that many of the condominium owners and surrounding homeowners were opposed to the construction of any restroom facility on the premises insisting that the boat owners who utilize the boat slips could use the restroom facilities of the surrounding local businesses;

(14) The Board rejects the objections of the members of the public and specifically finds, that a restroom is of vital importance to the community, and to the preservation of the bay waters for a 56 slip marina and should be a part of the marina located on the premises in question.

(15) The Board notes that if a Marina of 56 slips was constructed today, a restroom facility of the size and dimensions proposed by the applications would be required as part of the CAFRA permitting process;

(16) The Board notes, however, that the location proposed by the applicants for this facility is not the best location for the facility and would negatively impact upon the surrounding property owners unless the same is relocated to the center of the parking area near the sidewalk as depicted on the Exhibit marked into evidence as B2A, with the entrance to the facility on the northerly side;



NOW THEREFORE, BE IT RESOLVED this 5th day of August, 2004, that the minor site plan and variance application requested by the applicants is hereby granted in accordance with the plans prepared by Horn, Tyson & Yoder, Inc. entitled "Minor Site Plan, Lot 1.C009, Block 6.25, Tax Map Sheet #10, Long Beach Township, Ocean County, New Jersey" dated 11/19/03 and revised 6/21/04 and the drawings prepared by T. Howard, entitled, "New Restroom Facility Escape Harbor Marina Beach Haven Gardens, NJ" dated June 17, 2004. The relief granted, however, shall be subject to the following conditions:

(1) That applicants comply with all requirements of the Long Beach Township Engineer as set forth in the Township Engineer reports dated April 30, 2004, June 23, 2004, and such further requirements as the Long Beach Township Engineer may require during the course of construction.

(2) That the applicants execute and record a deed imposing a restrictive covenant prohibiting the ground floor of the proposed structure from being utilized for anything other than a restroom facility as depicted on the plans submitted to the Board.

(3) Any deeds or other documents required by these conditions are to be approved in advance of recording in the Ocean County Clerk's Office by the attorney for the Long Beach Township Land Use Board and the Long Beach Township Engineer and proof of recording shall be filed with this Board.

(4) That the applicants obtain all required outside agency approvals.

(5) If any government agency grants a waiver or variance of a regulation affecting this approval or the conditions attached to it, then this Board shall have the right to review that issue as it relates to this approval and these

I don't
see this one.

conditions and may modify or amend the same but is under no obligation to do so.

(6) That the applicant post any and all required performance bonds and all statement guarantees as well as any and all inspection fees required by the Township Engineer, the Construction Code Official, the Building Officer and/or as required by the Land Use Ordinances of the Township of Long Beach. The amounts of the said bonds and inspection fees shall be determined by the Township Engineer and shall be in a form approved by the Township Attorney.

(7) That the facility remain as a one story building and never be elevated and/or raised with an entrance to same to be on the northerly side;

(8) That the restroom facility be constructed with a combination lock and self-closing doors;

(9) That revised plans consistent with this approval be submitted to the Board for approval;

(10) That all codes and ordinances be complied with other than as varied herein.

This Resolution is intended to memorialize the action taken by the Long Beach Township Land Use Board of July 1, 2004.

Moved by: **ALTMAN**

Seconded by: **WARD**


ROLL CALL VOTE:

Ayes: **ALTMAN, KONNOR, LEONETTI, SCHNELL, VANBUREN, WARD AND TERNYILA**

Nays: **NONE**

Certified to be a true copy of a Resolution adopted at a Regular Meeting of the Land Use Board held on August 5, 2004.

Dated: August 5, 2004


David G. Ward, Secretary

PUBLICATION DATE: **AUGUST 11, 2004** - 4 -