

APPLICATION NO. 2024-01

BOROUGH OF BARNEGAT LIGHT PLANNING BOARD
MEETINGS – THIRD WEDNESDAY OF EACH MONTH

TIME: 5:00PM

PLACE AN (X) BEFORE APPROVALS REQUESTED BY THE APPLICANTS:

- Major Subdivision Preliminary Final
 Minor Subdivision Preliminary Final
 Major Site Plan
 Minor Site Plan
 Conditional Use
 Variance (NJSA 40:55D-70(c))
 Waiver of Engineering Design Standards

SECTION I – GENERAL INFORMATION

A. Applicant/Agents

1. Applicant:

- (a) Name: Bayview Harbor LLC
(b) Address: 1301/1501 Bayview Ave., Barnegat Light, NJ 08006
(c) Phone #: 609-494-7450

2. The Applicant is:

- (a) Corporation
(b) Partnership
(c) Individuals
(d) Other – specify Limited Liability Company - See attached Ownership Supplement

(If Partnership or Corporation attach a list of the names & addresses of persons having 10 percent interest or more in the Partnership or Corporation)

3. Engineer/Surveyor:

- (a) Name: Stuart Challoner, P.E., P.P.
(b) Firm Name: Challoner & Associates LLC
(c) Address: 201 Main Street 2nd Floor
Toms River, NJ 08753
(d) Phone #: 732-818-9980

4. Attorney:

- (a) Name: James S. Raban, Esq.
(b) Firm Name: Raban & Raban LLC
(c) Address: 11710 Long Beach Blvd.
Haven Beach, NJ 08008

(d) Phone #: 609-492-0533

B. Premises affected by this application 26.01 1 & 1.01
 28.01 1.01, 1.02, 1.03 & 1.04

1. Designation on Tax Map- BLOCK 30.01 LOT 1 & 1.01

2. Street Address- 1301/1501 Bayview Ave., Barnegat Light, NJ 08006

3. Use-

(a) Existing Mixed-Use

(b) Proposed Mixed-Use

4. Zone in which premises are located- M-C Marine Commercial
(Building Inspector's Office can help you determine this information)

5. Owner-

(a) Name: Northstar Marina Holdings, LLC

(b) Address: P.O. Box 850
Barnegat Light, NJ 08006

(c) Phone #: 609-494-7450

6. Relationship of applicant to the property in question-

(a) Owner _____

(b) Lessee _____

(c) Contract Purchaser _____ (attach copy of Sale of Agreement)

(d) Other (specify) Business operated by Bay Harbor LLC

7. Size of entire tract involved in this application: (Block 30.01 Lot 1)

(a) Dimensions 256' x 120' (Irregular)

(b) Area (in square feet) 31,740 sq. ft. (upland)

(c) Are (in square feet) which will be disturbed by development, grading, construction, etc. 196 sq. ft.

8. Is the subject property located on a County road?

Yes X No _____

9. Is the subject property located on a Municipal road?

Yes X No _____

10. Is the subject property located within 200 feet of a Municipal boundary?

Yes _____ No X

11. Are there any existing or proposed deed restrictions such as easements, rights of way or other

dedications? Yes _____ No X

If the answer to question 11 is YES, state the location and purpose of the existing or proposed deed restrictions, easements, rights of way or other dedications: _____

12. Improvements- List all on-site and off-site improvements (including structures, walkways, utilities, etc.)

(a) Existing Lot 1 in Block 30.01 is currently developed with a mixed-use building.

(a) Proposed The Applicant is proposing to construct a 12-foot by 18-foot second-story deck addition with access stairs on the south side of the building adjacent to the existing residential unit on the second story of the mixed-use building located at 1501 Bayview Ave. (Block 30.01, Lot 1).

C. Are additional approvals required? Indicate which approvals by placing an (x) before the appropriate agency N/A

	<u>Date Application Filed</u>	<u>Date Approval Received</u>
1. () Ocean County Planning Board	_____	_____
2. () Ocean County Soil Conservation District	_____	_____
3. () CAFRA	_____	_____
4. () Others (specify)		
(a)	_____	_____
(b)	_____	_____
(c)	_____	_____

SECTION II – SUBDIVISION APPLICATION (If Applicable) N/A

A. Number of Lots Proposed _____

B. Do all of the lots proposed front on an existing street?

Yes _____ No _____

C. Were the premises the subject of a prior subdivision?

Yes _____ No _____

(If YES, list the date of prior subdivision and the number of lots created on tract prior to the subdivision)

D. What is the prevailing front yard setback of other structures in the neighborhood?

E. What is the front yard setback of the structures located on either side of the proposed subdivision?

SECTION III – SITE PLAN APPLICATION (If Applicable)

A. Proposed development is:

1. New Structure _____
2. Expanded Area _____
3. Alteration of Existing Structure _____
4. Expansion of Structure X _____
5. Change Between Permitted Uses _____
6. Other – specify _____

B. Existing Structures: (Block 30.01, Lot 1)

1. Number 1
2. Size 4,538 sq. ft.
3. Height 33 feet, 5.5 inches (preexisting nonconformity)
4. Side Yards 63.5 feet
101.5 feet
5. Rear Yards 14 feet
6. Front Yards 43.3 feet (preexisting nonconformity)
7. Percentage of Lot Coverage 14.3%

C. Structures on premises after proposed construction and/or alterations

1. Number 1
2. Size 4,734 sq. ft.
3. Height 33 feet, 5.5 inches (preexisting nonconformity)
4. Side Yards 63.5 feet
94.1 feet
5. Rear Yards 14 feet
6. Front Yards 43.3 feet (preexisting nonconformity)
7. Percentage of Lot Coverage 15%

D. Date of original construction, if known _____

E. Date of last construction, alteration or addition _____

Describe same: _____

SECTION IV – ENGINEERING DESIGN WAIVERS (If Applicable) N/A

A. Describe any and all waivers requested and the sections of the Zoning Ordinance from which the waivers are sought _____

B. Give the reasons for the waivers requested _____

C. Explain why the granting of the variance will not create a substantial detriment to the public and will not substantially impair the intent and purpose of the Zoning Plan and Zoning Ordinance _____

SECTION V – VARIANCE (If Applicable)

- A. Describe any proposed Section "C" variances requested and the section of the Zoning Ordinance from which relief is sought Section 215-10(D)(1): The minimum required front yard setback is 50 feet. The existing and proposed front yard setback is 43.3 feet.
- B. Explain in detail the hardship on which this application is based The variance is being sought pursuant to N.J.S.A. 40:55D-70(c)(2). The proposed deck provides an additional means of ingress and egress to the existing second-floor residential unit.
- C. Explain in detail why a granting of this variance will not be materially detrimental to the public welfare or injurious to the property improvements in the neighborhood in which the property is located: The proposed deck does not trigger any new variances. The existing structure on the property has a preexisting nonconforming setback of 43.3 feet, which is not changing as part of this application. The proposed deck conforms to all bulk zoning requirements.

SECTION VI – CONDITIONAL USE (If Applicable) N/A

- A. Does this application conform to all the regulations governing the conditional use requested in this application?
Yes _____ No _____
- B. If the answer to "A" above is "NO", which regulations must be varied so that the application can be granted? _____

SECTION VII – VERIFICATION AND WAIVER OF TIME LIMITATIONS

STATE OF New Jersey)
COUNTY OF Ocean) ss
I/We, James S. Raban, Attorney for Applicant

The applicants, of full age, being duly sworn, upon their oaths depose and say:

1. The statements contained in this application are true to the best of my/our knowledge and belief.
2. I/We hereby waive all applicable time limits until the first public hearing of this application.

[Signature] Applicant

[Signature] Applicant

Sworn to and subscribed
before me this 28th day
of February 2024

Denise Lawlor-Hamouda

DENISE LAWLOR-HAMOUDA
Notary Public, State of New Jersey
My Commission Expires 5/18/2028

PUBLIC NOTICE

BOROUGH OF BARNEGAT LIGHT

PLEASE TAKE NOTICE that Bayview Harbor LLC (the "Applicant") is seeking minor site plan approval and a bulk variance from the Planning Board of the Borough of Barnegat Light (the "Board") relative to proposed development at the property designated as Lot 1 in Block 30.01 on the Tax Map of the Borough of Barnegat Light, located at 1501 Bayview Avenue. The subject property is part of Bayview Harbor Marina. While the only development is proposed on Lot 1 in Block 30.01, the Marina also encompasses the following lots: Lot 1.01 in Block 30.01; Lots 1.01, 1.02, 1.03, and Lot 1.04 in Block 28.01; and Lots 1 and 1.01 in Block 26.01.

Lot 1 in Block 30.01 is currently developed with a mixed-use building, which contains a residential unit on the second floor. The Applicant is proposing to construct a 12-foot by 18-foot second-story deck addition with access stairs on the south side of the building adjacent to the existing residential unit on the second story. While the new deck addition conforms to all Barnegat Light bulk zoning requirements, the building contains the following preexisting nonconformities:

1. Pursuant to Section 215-10(D)(1) of the Barnegat Light Zoning Ordinance, the minimum required front yard setback to the existing mixed-use building is 50 feet. The existing front yard setback is 43.3 feet, which is not changing.
2. Pursuant to Section 215-4(G)(1) of the Barnegat Light Zoning Ordinance, the maximum permitted building height is 30 feet. The height of the existing mixed-use building is 33 feet, 5.5 inches, which is not changing.

Although the Applicant believes that no additional 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.

A public hearing is scheduled in this matter for March 20, 2024, at 5:00 p.m. in the Barnegat Light Borough Hall, which is located at 10 East 7th Street, Barnegat Light, New Jersey 08006, at which time all interested parties may appear personally or by agent or attorney and present any comments which they have on the proposed application.

Copies of the application are on file in the Barnegat Light Borough Hall and may be reviewed by all interested parties during normal business hours.

James S. Raban

File #3630

Attorney for the Applicant

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY :
COUNTY OF Ocean : SS

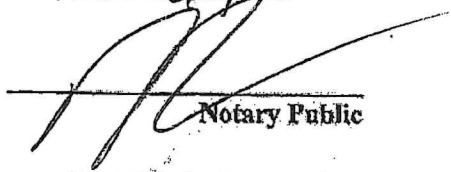
Northstar Marina Holdings, LLC, of full age, being duly sworn according to law, on his or her oath deposes and says that he or she resides at 1301 Bayview Ave. in the City of Barnegat Light in the County of Ocean and State of New Jersey, that he or she is the owner in fee of all that certain lot, tract, or piece or parcel of land situated, lying and being in the Borough of Barnegat Light aforesaid, and known and designated as Lots 1 & 1.01, & 1.01, 1.02, 1.03 & 1.04 Block 26.01 & 28.01 and that he or she hereby authorizes and appoints James S. Raban, Esq. to make the within application in his or her behalf and that the statements contained in said application are true.

Northstar Marina Holdings, LLC



Managing Member

Sworn and subscribed before
me this 27th day
of February, 2024



Notary Public

JAMES S. RABAN
ATTORNEY AT LAW
STATE OF NEW JERSEY