

WILLIAM J. SHIPERS  
DAVID P. LONSKI

THOMAS J. SHAMY  
(1966-1992)  
PHILIP H. SHORE  
(1968-2007)  
ROBERT J. MacNIVEN  
(1972-2020)

FAX: (732) 210-4443

# SHAMY, SHIPERS & LONSKI, P.C.

ATTORNEYS AT LAW  
A PROFESSIONAL CORPORATION

334 MILLTOWN ROAD  
EAST BRUNSWICK, NJ 08816

(732) 210-4404  
www.SSandL.com

DARREN M. PFEIL\*  
MARC P. CASWELL

OF COUNSEL:  
RONALD G. KERCADO  
GEORGE W. PRESSLER

\*Admitted Attorney NJ, NY, & PA

REPLY TO EAST BRUNSWICK

September 29, 2021

VIA HAND DELIVERY

Borough of Belmar  
601 Main Street  
Belmar, NJ 07719  
ATTN.: APRIL CLAUDIO, Zoning Board Secretary

RE: JOSEPH AND NANCY SHAIMAN  
300 11<sup>th</sup> Avenue, Belmar NJ 07719  
Zoning Board of Adjustment Application

Dear Mrs. Claudio:

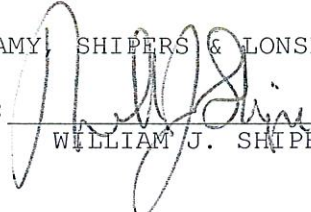
Relative to the above-referenced property, enclosed please find the following.

1. Sixteen (16) copies of the Zoning Board Application;
2. Sixteen (16) sets of the architect plans of Paul Lawrence, AIA of I House Architecture;
3. Sixteen (16) copies of the survey of Paul K. Lynch, dated November 1, 2019;
4. Minor Land Use Certificate;

Thank you in advance for your assistance with this matter.

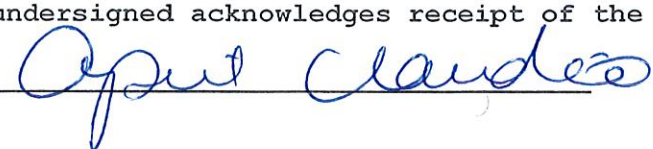
Very truly yours,

SHAMY, SHIPERS & LONSKI, P.C.

By:   
WILLIAM J. SHIPERS

WJS|nic  
enclosures  
cc: client

The undersigned acknowledges receipt of the enclosures.

BY: 

DATED: 9-29-21

SHORE AREA OFFICE: 1007 A MAIN STREET, BELMAR, NEW JERSEY 07719  
PHONE (732) 974-3132



# BOROUGH OF BELMAR

DEPARTMENT OF CONSTRUCTION, PLANNING & ZONING

601 Main Street

Post Office Box A

Belmar, NJ 07719

Phone: (732) 681-3700 x225

Fax: (732) 681-3434

Web: [www.belmar.com](http://www.belmar.com)

## DEVELOPMENT APPLICATION

DATE RECEIVED: \_\_\_\_\_ APPLICATION NO: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_ FEE AMOUNT PAID: \_\_\_\_\_

(Items above to be filled out by the Borough)

(Please Print)

Date Prepared: 7/20/2021 Zone: R-75

Block(s): 102 Lot(s): 18

Site Address: 300 11<sup>th</sup> Avenue

Name of Owner(s): Joseph & Nancy Shaiman

Owner Address: 300 11<sup>th</sup> Avenue Belmar NJ 07719

Phone #: 732-859-3715 Email: jshaiman@ecc.net

Name of Applicant (if different than owner): \_\_\_\_\_

Applicant Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Name of Professional Preparing Plan: Paul Lawrence, AIA License #: 12441

Name of Firm: I House Architecture

Firm Address: 1600 Highway 71 Suite 3 Belmar NJ 07719

Phone #: 732-749-3525 Email: PL@ihousearchitecture.com

Name of Attorney Representing Applicant: William J. Shippers Esq

Name of Firm: Shamy Shippers & Lonski, P.C.

Firm Address: 334 Milltown Road, East Brunswick NJ 08816

Phone #: 732-210-4404 Email: wshippers@ssandl.com

**1. Application Request**

a. The applicant is hereby requesting an application for the following:

- |                                                                          |                                                                              |
|--------------------------------------------------------------------------|------------------------------------------------------------------------------|
| <input type="checkbox"/> Minor Subdivision                               | <input type="checkbox"/> Final Major Site Plan                               |
| <input type="checkbox"/> Preliminary Major Subdivision                   | <input type="checkbox"/> Appeal of Zoning Officer's Decision ("A")           |
| <input type="checkbox"/> Final Major Subdivision                         | <input type="checkbox"/> Interpretation of Zoning Ordinance ("B")            |
| <input type="checkbox"/> Conditionally Exempt Site Plan                  | <input checked="" type="checkbox"/> Hardship or Flexible Bulk Variance ("C") |
| <input type="checkbox"/> Minor Site Plan                                 | <input type="checkbox"/> Use Variance ("D")                                  |
| <input type="checkbox"/> Preliminary Major Site Plan                     |                                                                              |
| <input type="checkbox"/> Amended Preliminary, Final or Minor Subdivision |                                                                              |
| <input type="checkbox"/> Amended Preliminary, Final or Minor Site Plan   |                                                                              |

Is a variance or conditional use approval required? Yes If so, please specify the section of the Ordinance: See attached. and provide a detailed explanation of the variances needed and attach explanation hereto.

**2. Items of Proposed Development**

- a. Address: 300 11<sup>th</sup> Avenue
- b. Zoning District: R-75
- c. Number of Existing Lots: 1 Number of Proposed Lots: 1
- d. For the construction of: (check all that apply and provide # of each type)
- |                                                       |                                                        |
|-------------------------------------------------------|--------------------------------------------------------|
| <input type="checkbox"/> Single Family Dwelling _____ | <input type="checkbox"/> Accessory Use _____           |
| <input type="checkbox"/> Two Family Dwelling _____    | <input type="checkbox"/> Addition _____                |
| <input type="checkbox"/> Other Residential _____      | <input type="checkbox"/> Commercial Structure(s) _____ |
| <input type="checkbox"/> Other (Describe) _____       |                                                        |

Number of units that will qualify as Affordable Units \_\_\_\_\_ for sale and \_\_\_\_\_ for rent.

e. Provide brief description of proposed development: Applicant intends to add a 99 sq ft two story addition to the 'B' Street side of the main structure. This will allow modernization of the first floor kitchen and second floor bedroom. Additionally, the home during it's glory had a prior 20 foot, 1 1/2 story garage. The applicant intends to rebuild a similar three bay garage.

**Shaiman**  
**Zoning Board of Adjustments Application**  
**Property Location: 300 11<sup>th</sup> Avenue**

**VARIANCE REQUESTS**

|                                         | REQUIRED     | EXISITING     | PROPOSED                        |
|-----------------------------------------|--------------|---------------|---------------------------------|
| Lot Area                                | 9,000 Sq. Ft | 7,500 Sq. Ft. | 7,500 Sq. Ft.<br>(pre-existing) |
| Min. Lot Frontage                       | 60 ft        | 50 ft         | 50 ft<br>(pre-existing)         |
| Min Lot Diameter                        | 30 ft        | 25 ft         | 25 ft<br>(pre-existing)         |
| Front Yard Setback- Porch               | 12 ft        | 11.32 ft      | 11. 32 ft<br>(pre-existing)     |
| Second Front Yard Setback<br>(B Street) | 20 ft        | 16.72 ft      | 16.72 ft                        |
| (Overlay Structure)                     | 20 ft        | 19 ft         | 19 ft                           |
| Side Yard Setback                       | 5 ft         | 1.95 ft       | 1.95 ft<br>(pre-existing)       |
| Max. Building Coverage                  | 25%          | 21.76 %       | 34.5 %                          |
| Detached Garage                         | 18ft/1 story | 0             | 20 ft /1.5 stories              |

Any other variances the Zoning Board of Adjustment deem necessary.

**3. Consent for Site Review**

- a. The applicant and owner realize that as part of the Planning Board / Zoning Board of Adjustment review of its application, that the Board may determine it necessary or advisable to visit the subject premises for the purposes of performing a site inspection and review. The applicant and owner do hereby give permission to any member of the Borough of Belmar's Planning Board and Zoning Board of Adjustment as well as any other Borough employee or officer to enter the subject premises for the purpose of performing a site inspection and review.

  
Owner Initials

7/20/2001  
Date

\_\_\_\_\_  
Applicant Initials

\_\_\_\_\_  
Date

**5. Certificate of Concurrence & Statement of the Landowner**

- a. I hereby certify that I am the Owner of Record of the site depicted and that I concur with the plans presented to the Planning Board / Zoning Board of Adjustment.
- b. Application is made with my complete understanding and permission in accordance with the agreement of purchase or other option entered into between me and the applicant.
- c. Permission is hereby granted to: \_\_\_\_\_, otherwise known as the Applicant, to submit the proposed development plans on my behalf as the: (Tenant or Contract Purchaser if applicable): \_\_\_\_\_.

  
Owner Initials

7/20/2001  
Date

\_\_\_\_\_  
Applicant Initials

\_\_\_\_\_  
Date

**6. Escrow Agreement**

- a. The ordinances of the Borough of Belmar require the Applicant to pay certain sums into an escrow account for review of said application for development and for the Owner of said property to agree to the charges against same or become a lien on its property.
- b. The Applicant shall submit an escrow payment to the Borough of Belmar in the amount of to be held by the Borough in an interest bearing account pursuant to N.J.S.A. 40:55D-53.1.
- c. The Borough has the right to withdraw funds from said escrow account for payment of all invoices submitted by the professionals reviewing the application on behalf of the Borough pursuant to N.J.S.A. 40:55D-53.2.
- d. If the escrow account is reduced to 25% of its original amount or if additional payments are deemed necessary by the Planning Board / Zoning Board of Adjustment / Borough, the Applicant shall be notified of such and agrees to make an additional payment within twenty-one (21) days of receipt of request pursuant to Borough Code.

  
Owner Initials

7/20/2001  
Date

\_\_\_\_\_  
Applicant Initials

\_\_\_\_\_  
Date

7. **Final Certification**

Owner

Applicant (if other than owner)

Name: Joseph Shalman

Address: \_\_\_\_\_

Signature: Joseph Shalman

Notary Public

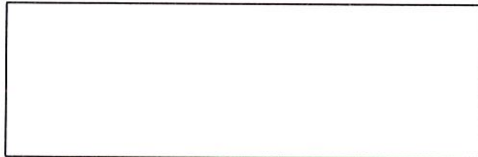
Attorney on behalf of Applicant/Owner

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

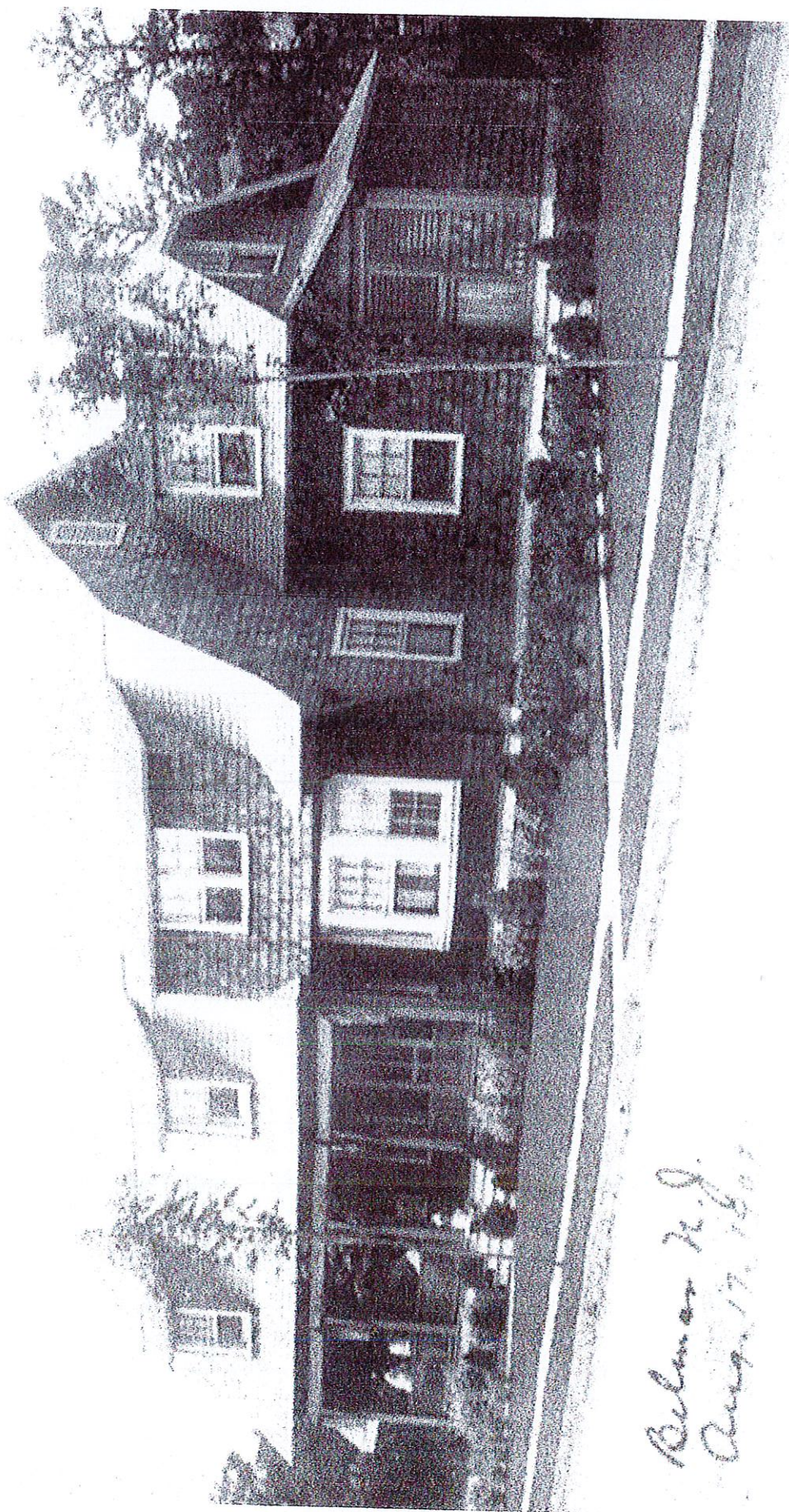
Stamp:



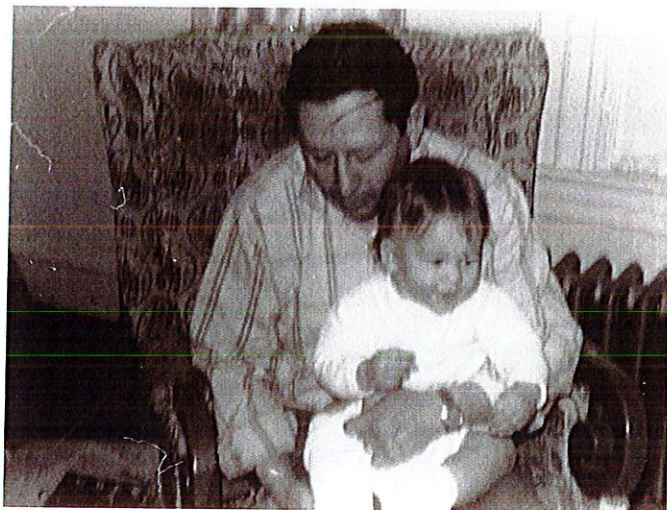
Seal:

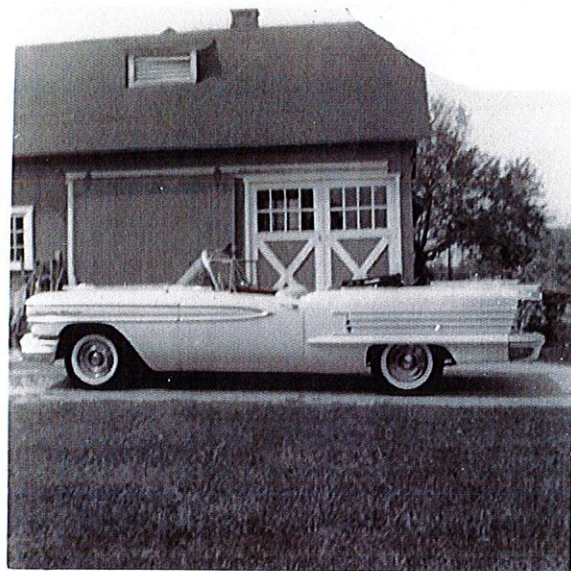


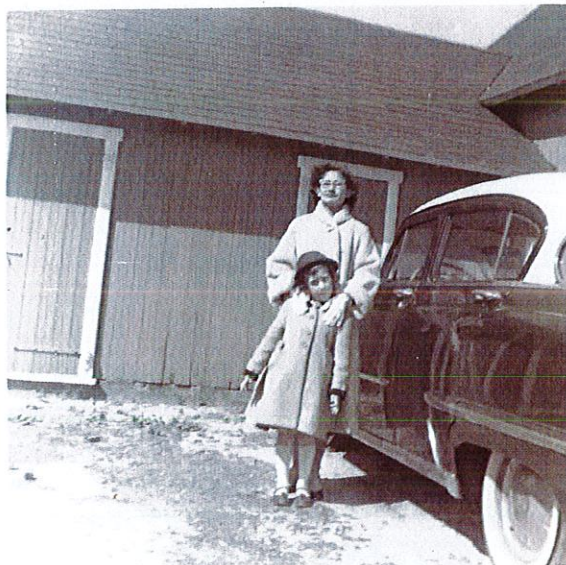
William J. Shippers, Esq.  
334 Milltown Rd  
East Brunswick NJ 08816  
William J. Shippers, Esq



Belmar N.J.  
August 17, 1907









Name of Applicant:

Joseph & Nancy Sheenman

Block:

102

Lot:

18BOROUGH OF BELMAR  
APPLICATION CHECKLIST

## SUBDIVISIONS, SITE PLANS AND VARIANCE APPLICATIONS

Application No.:

(Filled in by Borough)

Street Address of Property:

300 11th Avenue

Date Filed:

|                                |
|--------------------------------|
| Minor Subdivision              |
| Preliminary Major Subdivision  |
| Final Major Subdivision        |
| Conditionally Exempt Site Plan |
| Minor Site Plan                |
| Preliminary Major Site Plan    |

|                                                                                       |
|---------------------------------------------------------------------------------------|
| Final Major Site Plan                                                                 |
| Appeal of Zoning Officer's Decision ("A" Variance)                                    |
| Interpretation of Zoning Ordinance ("B" Variance)                                     |
| <input checked="" type="checkbox"/> Hardship or Flexible Bulk Variance ("C" Variance) |
| Use Variance ("D" Variance)                                                           |

|                                                 |
|-------------------------------------------------|
| Amended Preliminary, Final or Minor Subdivision |
| Amended Preliminary, Final or Minor Site Plan   |
| Extension of Time                               |

Notes:

- 1) An application shall not be considered complete until all applicable materials and information specified below have either been submitted, or a WRITTEN "Waiver Request" is made by the applicant for the non-submitted applicable item. Failure to submit a properly completed application checklist is reason for application incompleteness. Items denoted with an "X" are applicable for the type of application being submitted.
- 2) Applications for amended site plans and subdivisions shall comply with all checklist items below for site plans and subdivisions. Applications for extensions of time shall not be subject to the application checklist requirements below.

| Item # | Site Plan | Item Description                                                                                                            | Subdivision |                   |             | Site Plan |                   |             |              | Variances    |              |              |          | Applicant Mark |     |          | Township Mark   |     |  |
|--------|-----------|-----------------------------------------------------------------------------------------------------------------------------|-------------|-------------------|-------------|-----------|-------------------|-------------|--------------|--------------|--------------|--------------|----------|----------------|-----|----------|-----------------|-----|--|
|        |           |                                                                                                                             | Minor       | Preliminary Major | Final Major | Minor     | Preliminary Major | Final Major | "A" Variance | "B" Variance | "C" Variance | "D" Variance | Complies | Waiver         | N/A | Complies | Does Not Comply | N/A |  |
| 1      |           | Fourteen (14) copies of the completed Borough of Belmar "Development Application" forms.                                    | X           | X                 | X           |           | X                 | X           | X            | X            | X            | X            | X        | X              | X   |          |                 |     |  |
| 2      |           | Fourteen (14) copies of the completed Borough of Belmar "Application Checklist" forms.                                      | X           | X                 | X           |           | X                 | X           | X            | X            | X            | X            | X        | X              | X   |          |                 |     |  |
| 3      |           | Properly calculated escrow review fee with payment submitted via cash or individual check made out to the Borough of Belmar | X           | X                 | X           |           | X                 | X           | X            | X            | X            | X            | X        | X              | X   |          |                 |     |  |
| 4      |           | Application fee as required by Board Secretary or Borough Engineer.                                                         | X           | X                 | X           |           | X                 | X           | X            | X            | X            | X            | X        | X              | X   |          |                 |     |  |
| 5      |           | Statement of Corporate or other Ownership on the form provided. (if applicable)                                             | X           | X                 | X           |           | X                 | X           | X            | X            | X            | X            | X        | X              | X   |          |                 |     |  |

## Section 1 - Administrative Completeness Requirements

Name of Applicant: \_\_\_\_\_

Application No.: \_\_\_\_\_  
(Filled in by Borough)

| Item # | Item Description                                                                                                                                                                                                            | Subdivision |                   |             | Site Plan |                   |             | Variances    |              |              |              | Applicant Mark |        |     | Borough Mark |                 |     |  |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------|-------------|-----------|-------------------|-------------|--------------|--------------|--------------|--------------|----------------|--------|-----|--------------|-----------------|-----|--|
|        |                                                                                                                                                                                                                             | Minor       | Preliminary Major | Final Major | Minor     | Preliminary Major | Final Major | "A" Variance | "B" Variance | "C" Variance | "D" Variance | Complies       | Waiver | N/A | Complies     | Does Not Comply | N/A |  |
| 7      | Certified list of property owners within 200 feet of the property as prepared by the Borough Clerk.                                                                                                                         | X           | X                 | X           | X         | X                 | X           | X            | X            | X            | X            | X              |        |     |              |                 |     |  |
| 8      | Municipal Tax Status Request form filled out and submitted as part of the package.                                                                                                                                          | X           | X                 | X           | X         | X                 | X           | X            | X            | X            | X            | X              |        |     |              |                 |     |  |
| 9      | Fourteen (14) copies of the plans, signed and sealed by an architect or engineer licensed in the State of New Jersey                                                                                                        | X           | X                 | X           | X         | X                 | X           | X            | X            | X            | X            | X              |        |     |              |                 |     |  |
| 10     | Eighteen (18) copies of the full Environmental Impact Report. If applicant is requesting a waiver provide a letter stating such.                                                                                            | X           | X                 | X           | X         | X                 | X           |              |              |              |              |                |        |     |              |                 |     |  |
| 11     | Eighteen (18) copies of the Stormwater Management Report                                                                                                                                                                    | X           | X                 | X           | X         | X                 | X           |              |              |              |              |                |        |     |              |                 |     |  |
| 12     | Eighteen (18) copies of the Traffic Report.                                                                                                                                                                                 | X           | X                 | X           | X         | X                 | X           |              |              |              |              |                |        |     |              |                 |     |  |
| 13     | Eighteen (18) copies of all proposed written descriptions including metes and bounds for all easements, covenants and deed restrictions affecting the property in question.                                                 | X           | X                 | X           | X         | X                 | X           |              |              | X            | X            |                |        |     |              |                 |     |  |
| 14     | Eighteen (18) copies of all written explanations for waiver requests documenting the section and paragraph of the Borough code the applicant is requesting a waiver for and the corresponding item number on the checklist. | X           | X                 | X           | X         | X                 | X           | X            | X            | X            | X            |                |        |     |              |                 |     |  |
| 15     | An affirmative statement in writing indicating how all applicable conditional use standards are met.                                                                                                                        |             |                   |             | X         | X                 | X           |              |              |              |              |                |        |     |              |                 |     |  |

Name of Applicant: \_\_\_\_\_

Application No.: \_\_\_\_\_

(Filled in by Borough)

## Section 2 – Plat Requirements

| Item # | Item Description | Subdivision |                   |             | Site Plan |                   |             | Variances    |              |              |              | Applicant Mark |        |     | Borough Mark |                 |     |
|--------|------------------|-------------|-------------------|-------------|-----------|-------------------|-------------|--------------|--------------|--------------|--------------|----------------|--------|-----|--------------|-----------------|-----|
|        |                  | Minor       | Preliminary Major | Final Major | Minor     | Preliminary Major | Final Major | "A" Variance | "B" Variance | "C" Variance | "D" Variance | Complies       | Waiver | N/A | Complies     | Does Not Comply | N/A |

|    |                                                                                                                                                                                                                  |   |   |   |  |   |   |   |   |   |   |   |  |  |  |  |  |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|--|---|---|---|---|---|---|---|--|--|--|--|--|
| 16 | Plat drawn to scale not smaller than 1 inch = 100 feet or larger than 1 inch = 20 feet.                                                                                                                          | X | X | X |  | X | X | X | X | X | X | X |  |  |  |  |  |
| 17 | Name and address of property owner/applicant. Name signature, license number, seal of architect/engineer/surveyor.                                                                                               | X | X | X |  | X | X | X | X | X | X | X |  |  |  |  |  |
| 18 | Scale, north arrow and reference meridian both written and graphic. The reference source (i.e. deed, Filed Map, etc.) of the meridian shall be identified.                                                       | X | X | X |  | X | X | X | X | X | X | X |  |  |  |  |  |
| 19 | Key map depicting the entire site plus 500 feet in all directions shall be provided on the plat.                                                                                                                 | X | X | X |  | X | X | X | X | X | X | X |  |  |  |  |  |
| 20 | Title block containing contact information of professional, lot and block number, site or subdivision name, date prepared and date of last revision by revision block.                                           | X | X | X |  | X | X | X | X | X | X | X |  |  |  |  |  |
| 21 | Provide Zoning Schedule Tables for parcel indicating all setbacks, lot coverage, height, floor area ratio and density both required and proposed.                                                                | X | X | X |  | X | X | X | X | X | X | X |  |  |  |  |  |
| 22 | Property lines shown, length in feet and hundredths, bearings in degrees, minutes and seconds.                                                                                                                   | X | X | X |  | X | X | X | X | X | X | X |  |  |  |  |  |
| 23 | Area of parcel in square feet and acres, both to the nearest hundredth.                                                                                                                                          | X | X | X |  | X | X | X | X | X | X | X |  |  |  |  |  |
| 24 | Location and description of monuments whether set or to be set (if applicable) in accordance with Map Filing Law.                                                                                                | X | X | X |  | X | X | X | X | X | X | X |  |  |  |  |  |
| 25 | Approval signature blocks for the Board Chairman & Secretary, Borough Engineer, Borough Clerk and certification of the Professional Land Surveyor and any other signature blocks required by the Map Filing Law. | X | X | X |  | X | X | X | X | X | X | X |  |  |  |  |  |
| 26 | Overall preparation of plat has been completed in full accordance with the Map Filing Law and Borough Code.                                                                                                      | X | X | X |  | X | X | X | X | X | X | X |  |  |  |  |  |

Application No.: \_\_\_\_\_  
(Filled in by Borough)

[illegible][illegible]

Name of Applicant: \_\_\_\_\_

Application No.: \_\_\_\_\_  
(Filled in by Borough)

**Section 5 - Miscellaneous Items Required on the Plans or in the Submission Package**

| Item # | Item Description                                                                                                                                                               | Subdivision |                   |             | Site Plan |                   |             | Variances    |              |              |              | Applicant Mark |        |     | Borough Mark |                 |     |
|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------|-------------|-----------|-------------------|-------------|--------------|--------------|--------------|--------------|----------------|--------|-----|--------------|-----------------|-----|
|        |                                                                                                                                                                                | Minor       | Preliminary Major | Final Major | Minor     | Preliminary Major | Final Major | "A" Variance | "B" Variance | "C" Variance | "D" Variance | Complies       | Waiver | N/A | Complies     | Does Not Comply | N/A |
| 35     | Soil borings documenting the permeability and seasonal high water table sufficiently enough to design the stormwater system, any septic systems and basement floor elevations. |             | X                 | X           |           |                   | X           | X            |              |              |              |                |        |     |              |                 |     |
| 36     | Locations of any solid waste and recyclable storage facilities.                                                                                                                |             |                   |             | X         | X                 | X           |              |              |              |              |                |        |     | X            |                 |     |
| 37     | Details for the construction of any on-site improvements (i.e. curb, pavement, fences, sidewalk, lighting, etc.).                                                              | X           | X                 | X           | X         | X                 | X           | X            |              |              |              |                |        |     | X            |                 |     |

**Section 6 - Miscellaneous Items Required on the Plans or in the Submission Package**

|    |                                                                                                                                                                                                                                                                |  |   |   |   |   |   |   |  |  |  |  |  |  |   |  |  |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|---|---|---|---|---|--|--|--|--|--|--|---|--|--|
| 38 | Drainage Plan                                                                                                                                                                                                                                                  |  | X | X | X | X | X | X |  |  |  |  |  |  | X |  |  |
| 39 | Utility Plan.                                                                                                                                                                                                                                                  |  | X | X | X | X | X | X |  |  |  |  |  |  | X |  |  |
| 40 | Lighting Plan including luminaire calculations, specifications and details                                                                                                                                                                                     |  | X | X | X | X | X | X |  |  |  |  |  |  | X |  |  |
| 41 | Signing and Striping Plan including location and dimensions of all off street loading areas, parking requirement calculations and actual number of spaces provided pre- vs. post construction. Graphically depict all and dimension (Section 188 - 106 & 107). |  | X | X | X | X | X | X |  |  |  |  |  |  | X |  |  |
| 42 | Traffic Signal Plan & Public Entrance Plan (if any).                                                                                                                                                                                                           |  | X | X |   |   | X | X |  |  |  |  |  |  | X |  |  |