

APPLICATION TO ZONING BOARD OF ADJUSTMENT
OF THE BOROUGH OF FAIR HAVEN

PART III

TO BE FILLED IN ONLY IF APPLICATION IS MADE DIRECTLY TO THE BOARD
OF ADJUSTMENT OR IF ALTERNATIVE RELIEF IS SOUGHT PURSUANT TO
N.J.S. 40:55D-70c or d. AND ARTICLE 4 OF THE LAND USE ORDINANCE AND
DEVELOPMENT REGULATIONS OF THE BOROUGH OF FAIR HAVEN

Applicant's Name Bruiser Woods, LLC Phone# 732-693-4082
Applicant's Address 611 River Road, Fair Haven, NJ 07704
Owner's Name Winston Properties II L.L.C.
Owner's Address 300 Alexander Court, Apt. 2708, Philadelphia, PA 19103
Relationship of applicant of owner (i.e. tenant, purchaser under contract, etc.)
Location of Premises 611 River Road, Fair Haven, NJ Block 25 Lot 12
(Street) (Tax Map Reference)
The premises are located in the following Zone B-1

Request is hereby made for permission to erect, ~~alter, convert, use,~~ a second floor addition to the
existing single story commercial structure contrary to the
requirements of Article _____, Exhibit _____ of the Zoning Ordinance, or
for other relief as follows:
- Habitable Floor Area Ratio of .45 proposed where .4 is permitted
- 15 parking spaces existing and proposed, where 21 spaces are required
- 12'x20' handicap parking stall proposed, where 16'x18' stall is required

1. Said property is approximately 49.03' x 193.03' 9,315.42 sf (.21 acres)
(give dimensions and area)
and has the following structures Single story commercial building with existing parking lot
(dwelling, garage, shed, pool, etc.)
2. Size of proposed building:
 - a) Total square footage of all stories (exclusive of attached garage & cellar), half stories
or any attic served by a fixed stairway 4,052 square feet
 - b) Number of stories 2
 - c) Height of principal building 30.22'
3. Setbacks of building: Front 1.5' Rear 128.21' Side 1.5' Side 10.7'

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4. Has there been any previous appeal, request, or application to this or any other Borough Board or the Construction Official involving these premises? Yes ___ No X

(not to Applicant's knowledge)

If YES, state the nature, date and the disposition of said matter: _____

5. Attach a statement to this application stating what exceptional conditions exist preventing the Applicant from complying with the Zoning Ordinance. Also include a statement of facts showing why the relief requested can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zoning plan and Zoning ordinance. See attached.

6. All applicants must attach to this application a schedule showing the following information (if applicable):

Type of construction (frame, stone, brick, etc.) _____
Present use of existing building(s) & premises Dance Studio

Describe any deed restrictions affecting the property. _____

Total proposed dwelling units None

Total proposed professional offices None

Total proposed parking spaces 15

A photograph or photographs of land & buildings involved in the application. To be provided.

Name & addresses of all expert witnesses proposed to be used. See attached.

Proof of payment of all property taxes due & owing on the premises. See attached.

7. A SEALED SURVEY made by a licensed Land Surveyor to scale (not less than 1" = 100' of the property). Scale drawings (of not less than .25" = 1' of the proposed building(s) of the existing structure(s) indicating the changes, alterations or additions contemplated, if relevant.

8. A copy of any conditional contract or agreement related to this application must be filed with the application or presented to the Board at the times of the hearing.

9. A signed copy of the attached checklist indicating the documents to be submitted with the application to conform to the requirements of the Fair Haven Land Use Ordinance with respect to applications for variances and as set forth in Article 12 of the Fair Haven Land Use Ordinance.

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10. If the applicant is a corporation or partnership, the names and addresses of all stockholders or partners owning a 10% or greater interest in said corporation or partnership shall be set forth in accordance with P.L. 977 Ch. 336.

Vanessa Berry 100%
35 Rumson Road
Rumson, NJ 07760

State of New Jersey, County of Monmouth ss

_____ being duly sworn according to law hereby certify that the information presented in this application to be true and accurate. If applicant is not the owner of the property, have the owner sign below, consent, or file with the application a letter signed by the owner consenting to the application.

The foregoing application is hereby consented to this _____ day of _____, 20_____.

(Owner(s) of property referred to)
ANSELL GRIMM & AARON, Attorneys for Applicant

By: Rick Brodsky, Esq. 

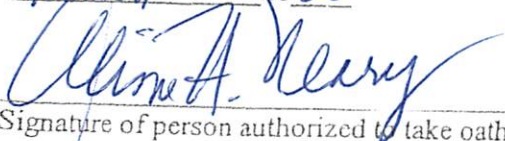
(Applicant(s) other than owners)

611 River Road, Fair Haven, New Jersey

(Address of property referred to)

Sworn and subscribed to
before me this 19th day of

MARCH 2020



Signature of person authorized to take oaths

ALISON H NEARY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES SEPT. 13, 2020

Application of Bruiser Woods, LLC

611 River Road

Block 25, Lot 12, B-1 Zone

#5. STATEMENT OF LEGAL BASIS FOR GRANTING VARIANCES SOUGHT

Special reasons exist, including the promotion of the general welfare, the provision of sufficient space in the appropriate locations for a variety of recreational and commercial uses, and the promotion of a desirable visual environment, in support of the requested FAR “d” variance. With respect to the bulk “c” variances, the benefits of granting same substantially outweigh any detriment, especially where, as here, the proposed dance studio already exists and operates at the subject site, and the nature of the Applicant’s business is such that the students, all of whom are children, are dropped off by their adult parents. The deficiency in the number of parking spaces proposed, as well as the exceedance in the permitted FAR ratio, and the pre-existing non-conformities, will not result in substantial detriment to the public good, and will not substantially impair the intent and purpose of the Zoning Plan and Zoning Ordinance.

Application of Bruiser Woods, LLC

611 River Road

Block 25, Lot 12

LIST OF EXPERT WITNESSES

Jason L. Fichter, PE, PP, CFM, CME
InSite Engineering, LLC
1955 Route 34, Suite 1A
Wall, NJ 07719

Anthony M. Condouris, Architect
20 Bingham Avenue
Rumson, NJ 07760

BLQ: 25. 12.
Owner Name: WINSTON PROPERTIES II LLC

Tax Year: 2020 to 2020
Property Location: 611 RIVER ROAD

Tax Year: 2020	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
Original billed:	2,299.05	2,299.04	0.00	0.00	4,598.09
Payments:	2,299.05	0.00	0.00	0.00	2,299.05
Balance:	0.00	2,299.04	0.00	0.00	2,299.04

Date	Qtr	Type	Code	Check No	Mthd	Reference	Batch Id	Principal	Interest	2020 Prin Balance
								4,598.09		4,598.09
01/16/20	1	Payment	001	200	CK	6748	22 DEBBIE	2,299.05	0.00	2,299.04

Total Principal Balance for Tax Years in Range: 2,299.04

*Taxes are current.
DOzut*



Debbie Ozut
Tax and Finance

Borough of Fair Haven
748 River Road
Fair Haven, New Jersey 07704
732.747.0241 ext. 214
732.747.6962 fax
dozut@fhboro.net

Fair Haven Zoning Board of Adjustment

Escrow Agreement

I understand that the sum of \$_____ has been deposited in an escrow account (Builder's Trust Account). In accordance with the Ordinances of the Borough of Fair Haven. I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and add that sum to the escrow account within fifteen (15) days.

ANSELL GRIMM, & AARON, Attorneys for Applicant

By:



~~Signature of Owner~~ RICK BRODSKY, ESQ.

Date

Borough of Fair Haven
Land Development Application Checklist

Name of Application: Bruiser Woods, LLC Date: 3/13/2020

Block: 25 Lot(s): 12 Address: 611 River Road

Individual Completing Checklist: Jason L. Fichter Title: PE, PP, CFM, CME
InSite Engineering, LLC

An application shall not be considered complete until all the materials and information specified below has been submitted, unless upon receipt of a written waiver request from the applicant, a specified requirement is waived by the municipal agency. The waiver request shall be granted or denied within 45 days of receipt of said request. If an item is considered by the applicant to be "Not Applicable", a waiver request should be made.

Item Number	Minor		Major		Variance			Item Description	Applicant Mark	Status	Borough Mark	Comments		
	Subdivision	Site Plan	Subdivision	Site Plan	Subdivision	Site Plan	(a) & (b)						(c)	(d)
1	•	•	•	•	•	•	•	•	Completed Application Form	Complies				
										Waiver				
2	•	•	•	•	•	•	•	•	Calculation of the application fee and review escrow	Complies				
										Waiver				
3	•	•	•	•	•	•	•	•	Individual checks made out to the Borough of Fair Haven in the amount calculated for the application fee and review escrow	Complies				
										Waiver				
4	•	•	•	•	•	•	•	•	A completed Checklist (latest revision) with written explanations for all requested completeness waivers.	Complies				
										Waiver				

Item Number	Minor		Major		Variance			Item Description	Applicant Mark	Status	Borough Mark	Comments
	Subdivision	Site Plan	Prelim		Final		40:55D-70					
			Subdivision	Site Plan	Subdivision	Site Plan	(a) & (b)					
5	•	•	•	•	•	•	•	•	Completed Escrow Agreement signed by owner and applicant.	Complies		
										Waiver		
6	•	•	•	•	•	•	•	•	Completed Ownership Disclosure Statement.	Complies		
										Waiver		
7	•	•	•	•	•	•	•	•	Tax Collector Certification from the Borough Tax Collector that all current taxes and assessments on the property are paid to date.	Complies		
										Waiver		
8	•	•	•	•	•	•	•	•	Certified list of property owners within 200' of the property as prepared by the Borough Tax Assessor.	Complies		
										Waiver		
9	•	•	•	•	•	•	•	•	Completed Monmouth County Planning Board application. Copy of a check made payable to "Monmouth County."	Complies		temp waiver requested. will submit immed. following boro app.
										Waiver		
10	•	•	•	•	•	•	•	•	Completed Freehold Soil Conservation District (FSCD) application. Copy of a check made payable to "FSCD."	Complies		we disturb less than 5,000 sf, therefore N/A
										Waiver		

Item Number	Minor						Major			Variance	Item Description	Applicant Mark	Status	Borough Mark	Comments
	Prelim						Final			40:55D-70					
	Subdivision	Site Plan	Subdivision	Site Plan	Subdivision	Site Plan	(a) & (b)	(c)	(d)						
11	•	•	•	•	•	•	•	•	•	Completed Monmouth County Health Department application. Copy of a check made payable to "Monmouth County."	Complies	Waiver		n/a	
12	•	•	•	•	•	•				Public utility "will serve" letters.	Complies	Waiver		n/a - no new util's req'd	
13			•	•	•	•				Environmental Impact Assessment	Complies	Waiver		n/a, no impact.	
14	•	•	•	•	•	•				Freshwater wetlands Letter of Interpretation.	Complies	Waiver		n/a	
15	•	•	•	•	•	•				List of all Federal, State, regional, and/or municipal approvals or permits required.	Complies	Waiver		n/a, de minimis scope of work	
16	•	•	•	•	•	•	•	•	•	Copies of all easements, covenants and deed restrictions including metes and bounds descriptions, on or affecting the property in question.	Complies	Waiver			

Item Number	Major				Variance	Item Description	Applicant Mark	Status	Borough Mark	Comments
	Minor		Final							
	Subdivision	Site Plan	Subdivision	Site Plan						
17	•	•	•	•	•	Twenty (20) prints prepared by a New Jersey licensed Professional Engineer or Land Surveyor. Each sheet must be signed and sealed by the appropriate professional. (8 copies 24x36, 12 copies 11x17).		Complies		Will provide once approved.
18	•	•	•	•	•	A digital copy of the plan in .dwg format (ACAD 2007 or later) and .pdf format (Adobe).		Waiver		Will provide once approved.
19	•	•	•	•		Certification from the Borough Tax Assessor approving the block and lot designations.		Complies		
20		•				Certification from the Borough approving the road names and subdivision name.		Complies		
21	•	•				An affirmative statement in writing indicating how all applicable conditional use standards are met.		Complies		n/a
22			•	•		An engineer's estimate of all the improvements identified on the approved preliminary plan, which remain to be completed at the time of final plat.		Complies		Will provide at appropriate time, as required.

Item Number	Minor		Major		Variance			Item Description	Applicant Mark	Status	Borough Mark	Comments	
	Subdivision	Site Plan	Prelim	Final	40:55D-70	(a) & (b)	(c)						(d)
			Subdivision	Site Plan									
23								An engineer's estimate of all the improvements identified on the approved preliminary plan, whether completed or remaining to be completed.	Complies	will provide at appropriate time, as required.			
									Waiver				
24								Deed descriptions including metes and bounds for all easements and right-of-way dedications, as identified on the approved preliminary plan.	Complies	n/a			
									Waiver				
25								Six (6) copies of the Stormwater Management Plans and Reports in accordance with N.J.A.C. 7:8, including pre- and post-development calculations and drainage area maps.	Complies	n/a, de minimis scope.			
									Waiver				
26								As-built drawing/survey depicting all proposed site improvements approved during the preliminary site plan application and any deviations noted in the actual constructed improvements. Include a .dwg format (ACAD 2007 or later) and .pdf format (Adobe).	Complies	n/a			
									Waiver				

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	Subdivision	Site Plan	Prelim		Final		40:55D-70					
			Subdivision	Site Plan	Subdivision	Site Plan						
27	•	•	•	•	•	•	•	•	•	Complies		To be provided
										Waiver		
28	•	•	•	•	•	•	•	•	•	Complies		
										Waiver		
29	•	•	•	•	•	•	•	•	•	Complies		
										Waiver		
Plans shall show or include the following:												
30	•	•	•	•	•	•	•	•	•	Complies		
										Waiver		
31	•	•	•	•	•	•	•	•	•	Complies		
										Waiver		
32	•	•	•	•	•	•	•	•	•	Complies		
										Waiver		
33	•	•	•	•	•	•	•	•	•	Complies		
										Waiver		

Item Number	Major		Variance			Item Description	Applicant Mark	Status	Borough Mark	Comments		
	Minor		40:55D-70	(a) & (b)	(c)						(d)	
	Prelim	Final										
Subdivision	Site Plan	Subdivision	Site Plan	Subdivision	Site Plan							
34	•	•	•	•	•	•	•	•	•	Title block denoting type of application, tax map sheet, County, name of municipality, block and lot, and street location	Complies Waiver	
35	•	•	•	•	•	•	•	•	•	Name, address, and phone number of property owner and applicant.	Complies Waiver	
36	•	•	•	•	•	•	•	•	•	North arrow and scale	Complies Waiver	
37	•	•	•	•	•	•	•	•	•	Schedule of required zone district requirements. Include basis for building and lot coverage, building height, FAR, and habitable floor area.	Complies Waiver	
38	•	•	•	•	•	•	•	•	•	Approval signature block for Board Chairman, Secretary, and Borough Engineer.	Complies Waiver	
39	•	•	•	•	•	•	•	•	•	Certification blocks required by map filing law.	Complies Waiver	n/a, no subdivision
40	•	•	•	•	•	•	•	•	•	Monumentation as specified by map filing law.	Complies Waiver	n/a, no subdivision
41	•	•	•	•	•	•	•	•	•	Date of current property survey.	Complies Waiver	

Item Number	Major					Variance			Item Description	Applicant Mark	Status	Borough Mark	Comments
	Minor		Prelim	Final	40:55D-70	(a) & (b)	(c)	(d)					
	Subdivision	Site Plan											
42	•	•	•						Metes and bounds description showing dimensions, bearings of original and proposed lots.	Complies	Waiver		
43	•	•	•	•					Metes and bounds description showing dimensions, bearings, curve data, length of tangents, radii, arcs, chords, and central angles for all centerlines and rights-of-way and centerline curves on streets.	Complies	Waiver		
44	•	•	•	•	•				Acreage of tract to the nearest tenth of an acre.	Complies	Waiver		
45	•	•	•	•	•	•	•		Date of original preparation and of each subsequent revision.	Complies	Waiver		
46	•	•	•	•	•	•	•		Size and location of any existing and proposed structures with all setbacks dimensioned.	Complies	Waiver	partial waiver, everything but structures shown. will bring exhibit to hearing.	
47	•	•	•	•	•				Size and location of all existing structures within 200' of the site boundaries.	Complies	Waiver		
48	•	•	•						Tax lot and block numbers of existing and proposed lots.	Complies	Waiver		

LAND USE AND DEVELOPMENT REGULATIONS

30-12

Item Number	Minor		Major		Variance			Item Description	Applicant Mark	Status	Borough Mark	Comments
	Subdivision	Site Plan	Subdivision	Site Plan	Subdivision	Site Plan	40:55D-70					
49	•		•		•			Area of proposed lots in square feet.	Complies			n/a, no new lots
									Waiver			
50	•	•	•	•	•	•		Any existing or proposed easement or land reserved for or dedicated to public use.	Complies			n/a
									Waiver			
51	•	•	•	•	•	•		Property owners within 200 feet of subject property.	Complies			
									Waiver			
52	•	•	•	•	•	•		Location of streams, floodplains, wetlands or other environmentally sensitive areas on or within 200' of the project site (Note: variance applications need only show these features on site)	Complies			
									Waiver			
53	•	•	•	•	•	•		Preliminary architectural plans and elevations.	Complies			
									Waiver			
54			•	•	•	•		Site identification signs, traffic control signs, and identification signs.	Complies			none provided to me
									Waiver			
55	•		•		•			Existing and proposed sight triangles.	Complies			
									Waiver			
56			•					Proposed street names when new road is proposed.	Complies			n/a
									Waiver			
57	•		•					Parking plan.	Complies			
									Waiver			

Item Number	Minor		Major		Variance	Item Description	Applicant Mark	Status	Borough Mark	Comments
	Prelim		Final							
	Subdivision	Site Plan	Subdivision	Site Plan						
58					(d)	Phasing plan as applicable.	Complies			n/a
					(a) & (b)					
59					(c)	Solid waste management and recycling plan showing holding location and provisions for waste and recyclables.	Complies			n/a
					(d)					
60						Site layout showing all roadways, circulation patterns, curb, sidewalk, buffers, structures, open space, recreation, etc., as applicable.	Complies			
61						Grading and utility plan.	Complies			n/a
62						Profiles of existing and proposed roadways and including all utilities and stormwater facilities. Roadway cross section at 50' intervals.	Complies			n/a
63						Landscaping plan.	Complies			n/a
64						Soil erosion and sediment control plan prepared in accordance with the standards for soil erosion and sediment control standards in New Jersey.	Complies			n/a, less than 5,000 sf disturbance

LAND USE AND DEVELOPMENT REGULATIONS

30-12

Item Number	Minor		Major		Variance			Item Description	Applicant Mark	Status	Borough Mark	Comments
	Subdivision	Site Plan	Prelim		Final		40:55D-70					
			Subdivision	Site Plan	Subdivision	Site Plan						
65	•	•	•	•	•	•		Lighting plan.	Complies			n/a
									Waiver			
66	•	•	•	•	•	•		Construction details for any on-site and off-site improvement.	Complies			n/a, no improvements proposed
									Waiver			

(2002 Code § 16.48.020; Ord. No. 2014-18)