#### **Keansburg Planning Board of Adjustment**

#### Borough of Keansburg, Monmouth County, New Jersey

IN THE MATTER OF APPEAL: Hava Realty, LLC

**PROOF OF SERVICE** 

82-84 Raritan Avenue, Keansburg, New Jersey 07734

County of Monmouth State of New Jersey

- 1. I, the undersigned, am Ciara M. Arena, Paralegal for the Law Offices of Lawrence W. Luttrell, attorneys for Applicant, Michael Felixson, manager of Hava Realty, LLC, in the above-entitled action.
- 2. On August 27, 2024, this office caused the Notice to Property Owners, a true copy of which is attached hereto as **Exhibit A**, to be served *via regular mail and certified mail return receipt requested* upon the following interested parties:

Grandview Apts Affordable Housing 104 Carr Avenue Keansburg, NJ 07734 (9589 0710 5270 0436 7011 34)

Boro of Keansburg-Firemans Memorial 29 Church Street Keansburg, NJ 07734 (9589 0710 5270 0436 7011 41)

Sandy Beaches LLC 15 Constitution Drive Leonardo, NJ 07737 (9589 0710 5270 0436 7011 58)

Borough of Keansburg 29 Church Street Keansburg, NJ 07734 (9589 0710 5270 0436 7011 65) Janpre LLC 8 Douglas Drive Holmdel, NJ 07733 (9589 0710 5270 0436 7011 72)

Kristin Bossert 7 Fox Avenue Keansburg, NJ 07734 (7021 0350 0001 9792 8341)

Robert & Veronica Schiappa 23 Stoneybrook Holmdel, NJ 07733 (7022 3330 0001 4380 6156)

CKN CO-OP LLC PO Box 815 Keyport, NJ 07735 (7022 3330 0001 4380 6170) Russell Carhart PO Box 815 Keyport, NJ 07735 (7021 0350 0001 9792 8051)

103 Center LLC 177 E Blackjack Branch Wy St. Johns, FL 32259 (7022 3330 0001 4380 6163)

105 Center LLC177 E Blackjack Branch WySt. Johns, FL 32259(9589 0710 5270 0866 0256 26)

Brian Korenstein 37 Oceanview Ave. Keansburg, NJ 07734 (7021 0350 0001 9792 8358)

Ben & Joyce Amoako Wamley 39 Oceanview Avenue Keansburg, NJ 07734 (9589 0710 5270 0866 0256 02)

Mercedes Rhina Reyes 100 Center Ave Keansburg, NJ 07734 (9589 0710 5270 1249 3006 68)

Vincent & Mary Lou Cantrella 1 Aberdeen Terrace Middletown, NJ 07748 (7021 0350 0001 9792 8020)

Michael D. Bonney Eugene Jr. and Barbara Schwartz 1594 Crimson Rd Toms River, NJ 08755 (9589 071052700866025787)

Allison & Brian O'Neill 11 Fox Avenue Keansburg, NJ 07734 (7021 0350 0001 9792 8365) Michael D. Bonney 92 Raritan Avenue Keansburg, NJ 07734 (7021 0350 0001 9792 8044)

NJ Natural Gas Company 1415 Wyckoff Road Wall, NJ 07719 (9589 0710 5270 0436 7010 59)

Keansburg Board of Fire Commission 29 Church Street Keansburg, NJ 07734 (9589 0710 5270 0436 7010 97)

Cablevision Raritan Valley 275 Centennial Avenue CN 6805 Piscataway, NJ 08855 Attn: Construction Department (9589 0710 5270 0436 7010 66)

Keansburg Water & Sewer 29 Church Street Keansburg, NJ 07734 (9589 0710 5270 0436 7010 80)

Verizon 540 Broad Street Newark, NJ 07102 (9589 0710 5270 0436 7011 03)

Monmouth County Planning Board Hall of Records Annex Freehold, NJ 07728 (9589 0710 5270 0436 7011 10)

James Jr. & Megan Cocuzza 98 Ketcham Road Farmingdale, NJ 07727 (9589 0710 5270 0866 0258 00)

Jennifer Jeleniewski 221 Shore Blvd Keansburg, NJ 07734 (7021 0350 0001 9792 8372) Quest MGMT LLC 206 Wynatt St Lakewood, NJ 08701 (7021 0350 0001 9792 8037)

Peter James Casbar & No Robichaux 30 Portland Road Ste 22C Highlands, NJ 07734 (9589 0710 5270 0866 0258 24)

Craig & Bonnie Forston 3 Fox Avenue Keansburg, NJ 07734 (7021 0350 001 9792 8334)

Jersey Central Power & Light One River Centre 331 Newman Springs Road, Bldg 3 Red Bank, NJ 07701 (9589 0710 5270 0436 7010 73) (9589 0710 5270 0436 7012 19) (9589 0710 5270 0436 7012 02) Anthony L Viera & Marco A. Herrera 5 Fox Ave. Keansburg, NJ 07734 (9589 0710 5270 1249 3006 20)

Yvonne Delgado-Linder 15 Oak Street Keansburg, NJ 07734 (9589 0710 5270 0866 0256 19)

Antonietta Carbone 101 Center Ave Keansburg, NJ 07734 (9589 0710 5270 0866 0258 17)

- 3. To date, the regular mail envelopes have not been returned undeliverable with the exception of Jersey Central Power and Light. Please see paragraphs 7 and 8 below regarding service upon Jersey Central Power and Light.
- 4. To date, the certified mail return receipt requested envelopes have successfully been delivered to the below listed property owners and additional companies. The original green card receipts for these property owners and additional companies are attached hereto as **Exhibit B**.
  - Grandview Apts Affordable Housing (9589 0710 5270 0436 7011 34)
  - Boro of Keansburg-Firemans Memorial (9589 0710 5270 0436 7011 41)
  - Sandy Beaches LLC (9589 0710 5270 0436 7011 58)

- Borough of Keansburg (9589 0710 5270 0436 7011 65)
- Janpre LLC (9589 0710 5270 0436 7011 72)
- Kristin Bossert (7021 0350 0001 9792 8341)
- Robert & Veronica Schiappa (7022 3330 0001 4380 6156)

- CKN CO-OP LLC (7022 3330 0001 4380 6170)
- Russell Carhart (7021 0350 0001 9792 8051)
- 103 Center LLC (7022 3330 0001 4380 6163)
- 105 Center LLC (9589 0710 5270 0866 0256 26)
- Brian Korenstein
   (7021 0350 0001 9792 8358)
- Ben & Joyce Amoako Wamley (9589 0710 5270 0866 0256 02)
- Mercedes Rhina Reyes (9589 0710 5270 1249 3006 68)
- Vincent & Mary Lou Cantrella (7021 0350 0001 9792 8020)

- Michael D. Bonney (7021 0350 0001 9792 8044)
- NJ Natural Gas Company (9589 0710 5270 0436 7010 59)
- Keansburg Board of Fire Commission (9589 0710 5270 0436 7010 97)
- Cablevision Raritan Valley Attn: Construction Department (9589 0710 5270 0436 7010 66)
- Keansburg Water & Sewer (9589 0710 5270 0436 7010 80)
- Verizon (9589 0710 5270 0436 7011 03)
- Monmouth County Planning Board (9589 0710 5270 0436 7011 10)
- 5. To date, the certified mail return receipt requested envelopes have successfully been delivered to the below listed property owners and additional companies. The original green card receipts for these property owners and additional companies have not been received, however, the USPS tracking information with delivery confirmation are attached hereto as **Exhibit C**.
  - Eugene Jr. and Barbara Schwartz (9589 071052700866025787)
- James Jr. & Megan Cocuzza (9589 0710 5270 0866 0258 00)
- 6. The certified mail return receipt requested envelope addressed to the below listed property owners were returned "Unclaimed". The original certified envelopes a for each are attached hereto as **Exhibit D**.
  - Allison & Brian O'Neill (7021 0350 0001 9792 8365)
  - Jennifer Jeleniewski(7021 0350 0001 9792 8372)

- Quest MGMT LLC (7021 0350 0001 9792 8037)
- Peter James Casbar & No Robichaux (9589 0710 5270 0866 0258 24)

- Craig & Bonnie Forston
   (7021 0350 001 9792 8334)
- Anthony L Viera & Marco A.
   Herrera
   (9589 0710 5270 1249 3006 20)
- Yvonne Delgado-Linder (9589 0710 5270 0866 0256 19)
- Antonietta Carbone (9589 0710 5270 0866 0258 17)
- 7. The regular mail and certified mail envelopes addressed to Jersey Central Power & Light at the address of One River Centre, 331 Newman Springs Road, Bldg 3, Red Bank, New Jersey 07701(9589 0710 5270 0436 7010 73), provided by the Office of the Tax Assessor for the Borough of Keansburg were returned as "not deliverable as addressed". The original envelopes are attached hereto as **Exhibit E**.
- 8. On September 17, 2024, this office caused the Notice to be re-served upon Jersey Central Power & Light via regular mail and certified mail return receipt requested to One River Centre, 331 Newman Springs Road, Bldg 3, Red Bank, New Jersey 07701 (9589 0710 5270 0436 7012 19), the address of provided by the Office of the Tax Assessor for the Borough of Keansburg and One River Centre, 331 Newman Springs Road, Bldg 3, Suite 325, Red Bank, New Jersey 07701 (9589 0710 5270 0436 7012 02). The regular mail and certified mail envelopes to each address were returned as "not deliverable as addressed". The original envelopes are attached hereto as part of Exhibit E.
- 9. Accordingly, on October 22, 2024, this office caused the Notice to be re-served upon Jersey Central Power & Light c/o CT Corporation System, Registered Agent, 820 Bear Tavern Road, West Trenton, New Jersey 08628 via regular mail and certified mail return receipt requested (9589 0710 5270 0436 7069 86).
- 10. To date, the above-referenced regular mail envelope to Jersey Central Power & Light has not been returned undeliverable and the certified mail return receipt requested envelope (9589).

0710 5270 0436 7069 86) has been delivered per USPS tracking. A copy of the USPS tracking is

attached hereto as Exhibit F.

11. Additionally, on October 24, 2024, this office caused the Notice to be re-served upon Jersey

Central Power & Light by serving its registered agent, CT Corporation System at 820 Bear Tayern

Road, West Trenton, New Jersey 08628 via Federal Express Overnight Mail (779497224558). A

copy of the delivery confirmation is attached hereto as Exhibit G.

12. One legal notice has been placed in one of the approved papers of the Borough, more

specifically, The Asbury Park Press on September 19, 2024. The Affidavit of Publication together

with an actual copy of the publication are being filed with the Planning Board Secretary herewith.

A copy of the Affidavit of Publication and Notice of Hearing are attached hereto as Exhibit H.

13. I certify that the foregoing statements made by me are true. I am aware that if any of the

foregoing statements made by me are willfully false, I am subject to punishment.

Ciara M. Arena, Paralegal

Law Offices of Lawrence W. Luttrell

Attorneys for Applicant

Sworn to and subscribed before me on this 25th day of Ottober, 2024,

Notary Signature:

PAIGE M. ELKOVICS **NOTARY PUBLIC** 

TE OF NEW JERSEY MY COMMISSION EXPIRES APRIL 15, 2029 **COMMISSION: #50220958** 

EXHIBIT A





#### Via regular mail and certified mail rrr

August 26, 2024

To: Property Owner within 200ft

RE: IN THE MATTER OF APPEAL: Hava Realty, LLC, owner of property located at 82-84 Raritan Avenue, Keansburg, New Jersey 07734

Dear Sir or Madam:

You are hereby notified that Michael Felixson, manager of Hava Realty, LLC, owner of the property located at 82-84 Raritan Avenue, Keansburg, New Jersey 07734, has appealed from the action of the Zoning Officer of the Borough of Keansburg for a variance, interpretation, site plan, use variance, from Sections 22-7.3e, 22-5.2c, 22-7.3c. 22-5.5e, 2.11a, 2.11b, and 22-9.3a(5) of the Developmental Regulations of the Borough of Keansburg, Chapter 22 of the Revised General Ordinances of the Borough of Keansburg so as to permit:

- 1) Front yard setback: 25 feet required, and 9.4 feet is proposed;
- 2) Side yard setback: 7.5 feet is required, and 1.2 feet and 3.6 feet are proposed;
- 3) Minimum total side yard setback: 15 feet is required, and 4.8 feet is proposed;
- 4) Maximum lot coverage of principal building: 25% is required and 33% is proposed;
- 5) Maximum building height: 2.5 stories, and 3 stories are proposed;
- 6) Expansion of a pre-existing non-conforming structure and use: 1 single family required, and 2 single family proposed; and
- 7) Applicant further seeks any and all other variances as may be required for the application here at issue,

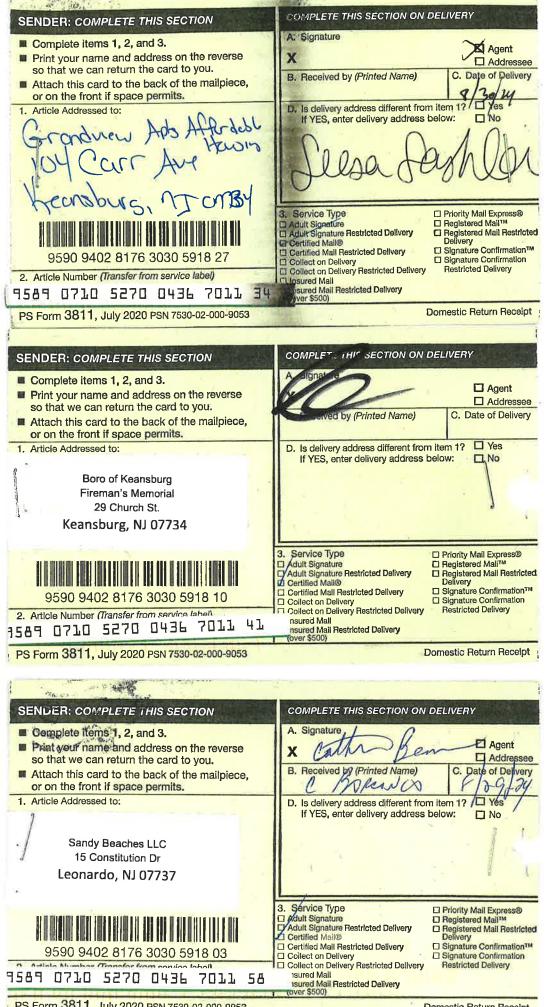
On the premises located at 82-84 Raritan Avenue, Keansburg, New Jersey 07734, Block 54, Lot 15.

The Keansburg Planning Board of Adjustment has scheduled a hearing to be held on the 4<sup>th</sup> day of **November**, 2024 at 6:00 p.m. in the Council Chambers of the Municipal Building, 29 Church Street, Keansburg, New Jersey 07734 as the time and place for said appeal.

You or your agent or attorney are privileged to attend said hearing and may present any and all objections which you may have to the granting of the relief sought in the petition. The application and related documents are on file in the Office of the Municipal Clerk and are available for review and inspection.

Yours truly, s/ Lawrence W. Luttrell Lawrence W. Luttrell

LWL/cma



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EXHIBIT C

#### ALERT: HURRICANES HELENE AND MILTON, FLOODING, AND SEVERE WEATHER IN NORTH C...

# **USPS Tracking®**

FAQs >

Product Information	~
USPS Tracking Plus®	~
Text & Email Updates	~
What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-p	oackage)
See All Tracking History	
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See Less ∧

Track Another Package

LAWRENCE WILLIAM
LUTTRELL
A Professional Corporation

Holmdel Corporate Plaza 2137 State Highway 35, 3rd Floor Holmdel, NJ 07733 **CERTIFIED MAIL®** 



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ALERT: HURRICANES HELENE AND MILTON, FLOODING, AND SEVERE WEATHER IN NORTH C...

# **USPS Tracking®**

FAQs >

COCUZZA, JAMES, JE & MEGAN

Remove X

**Tracking Number:** 

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Add to Informed Delivery (https://informeddelivery.usps.com/)

#### **Latest Update**

Your item was delivered to an individual at the address at 1:03 pm on August 30, 2024 in FARMINGDALE, NJ 07727.

Get More Out of USPS Tracking:

**USPS Tracking Plus®** 

-eedback

#### **Delivered**

Delivered, Left with Individual

FARMINGDALE, NJ 07727 August 30, 2024, 1:03 pm

See All Tracking History

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates

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**USPS Tracking Plus®** 

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**Product Information** 

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See Less ∧

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# **USPS Tracking®**

Remove X

FAQs >

#### **Tracking Number:**

#### 9589071052700436706986

Copy

Add to Informed Delivery (https://informeddelivery.usps.com/)

#### **Latest Update**

Your item was delivered to an individual at the address at 6:27 pm on October 24, 2024 in TRENTON, NJ 08628.

#### **Get More Out of USPS Tracking:**

**USPS Tracking Plus®** 

#### **Delivered**

#### **Delivered, Left with Individual**

TRENTON, NJ 08628 October 24, 2024, 6:27 pm

#### **No Access to Delivery Location**

TRENTON, NJ 08628 October 24, 2024, 12:32 pm

#### **No Access to Delivery Location**

TRENTON, NJ 08628 October 24, 2024, 12:31 pm

#### **Out for Delivery**

TRENTON, NJ 08628 October 24, 2024, 11:59 am

#### **Arrived at Post Office**

TRENTON, NJ 08628 October 24, 2024, 11:48 am

#### **Departed USPS Regional Facility**

TRENTON NJ DISTRIBUTION CENTER October 23, 2024, 1:55 pm

#### **Arrived at USPS Regional Origin Facility**

TRENTON NJ DISTRIBUTION CENTER October 22, 2024, 10:21 pm

#### USPS picked up item

HOLMDEL, NJ 07733 October 22, 2024, 11:38 am

**Hide Tracking History** 

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates	~
USPS Tracking Plus®	~
Product Information	~
See Less ^	
Track Another Package	
Enter tracking or barcode numbers	

## **Need More Help?**

Contact USPS Tracking support for further assistance.

**FAQs** 

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON I	
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2. Article Number (Transfer from service label)	☐ Collect on Delivery Restricted Delivery	Restricted Delivery
9589 0710 5270 0436 7069	Mail Restricted Delivery	
PS Form 3811 July 2020 PSN 7530-02-000-9053		Domestic Return Receipt

10/25/24, 10:11 AM **Detailed Tracking** 





FedEx<sup>a</sup> Tracking



SHOPRUNNER by Fed bx.

Shake up your holiday shopping. Get gifts and exclusive benefits at your favorite stores.





DELIVERED

# Friday

10/25/24 at 9:59 AM

Signed for by: D.MIMS



**DELIVERY STATUS** 





Report missing package

ADD YOUR EMAIL TO STAY UPDATED ON THIS SHIPMENT

X Your email is a required field.

**GET UPDATES** 

#### **MORE OPTIONS**

#### TRACKING ID

779497224558 🧷 🏠

#### **FROM**

Holmdel, NJ US

Label Created 10/24/24 1:17 PM

#### **WE HAVE YOUR PACKAGE**

EATONTOWN, NJ 10/24/24 6:40 PM

#### ON THE WAY

HAMILTON, NJ 10/25/24 7:54 AM

#### **OUT FOR DELIVERY**

HAMILTON, NJ 10/25/24 8:52 AM

#### DELIVERED

WEST TRENTON, NJ US



View travel history

Alerts (1)





We'll add a delivery date as soon as your package starts moving.

#### Shipment facts





Shipment overview

**TRACKING NUMBER** 779497224558

**DELIVERED TO** Receptionist/Front Desk

SHIP DATE ? 10/24/24

STANDARD TRANSIT ? 10/25/24 before 10:30 AM

**DELIVERED** 10/25/24 at 9:59 AM

Services

SERVICE FedEx Priority Overnight

TERMS Shipper

SPECIAL HANDLING SECTION Deliver Weekday, Adult Signature Required

SIGNATURE SERVICES ? Adult Signature Required



Package details

**WEIGHT** 0.5 lbs / 0.23 kgs

TOTAL PIECES 1

TOTAL SHIPMENT WEIGHT 0.5 lbs / 0.23 kgs

PACKAGING FedEx Envelope

↑ Back to to



Thursday, 10/24/24

- 1:17 PM
  Shipment information sent to FedEx
- 6:40 PM
   Picked up
   EATONTOWN, NJ
- 6:41 PM
   Shipment arriving On-Time
   EATONTOWN, NJ
- 8:09 PM
   Left FedEx origin facility
   EATONTOWN, NJ
- 9:36 PM
   Arrived at FedEx hub
   NEWARK, NJ
- 9:47 PM
   Departed FedEx hub
   NEWARK, NJ

Friday, 10/25/24

- 3:21 AM
   Departed FedEx hub
   NEWARK, NJ
- 7:54 AM
   At local FedEx facility
   HAMILTON, NJ
- 8:52 AM
   On FedEx vehicle for delivery
   HAMILTON, NJ
- 9:59 AM

  Delivered

  WEST TRENTON, NJ

↑ Back to to

#### **OUR COMPANY**

About FedEx
Our Portfolio

Investor Relations

#### AFFIDAVIT OF PUBLICATION

Order Number: 10581083

### STATE OF WISCONSIN Brown County

Of the **Asbury Park Press**, a newspaper printed in Freehold, New Jersey and published in Neptune, in State of New Jersey and Monmouth/Ocean Counties, and of general circulation in Monmouth/Ocean Counties, who being duly sworn, deposeth and saith that the advertisement of which the annexed is a true copy, has been published in said newspaper in the issue:

09/19/2024

Legal Gillin

Notary Public State of Wisconsin County of Brown

4-6-27

My commission expires

DENISE ROBERTS Notary Public State of Wisconsin

#### NOTICE OF PUBLIC HEARING

IN THE MATTER OF THE APPLICA-TION OF: HAVA REALTY, LLC, FOR PREMISES KNOWN AS BLOCK 54 LOT If ON THE OFFICIAL TAX MAP OF THE BOROUGH OF KEANSBURG,

PLEASE TAKE NOTICE that the KEANSBURG PLANNING BOARD OF ADJUSTMENT will hold a public hearing on November 4, 2024, at 6:00 p.m., in the Council Chambers of the Municipal Building located at 29 Church Street, Keansburg, N.J. to consider the application of the referenced applicant for premises designated as Block 54 Lot 15 on the official tox map of the BOROUGH OF KEANSBURG, which said premises are located althrance commonly known as 82-84 Rariftan Avenue, Keansburg, New Jersey 07734. Said premises are located in the R-5 zone.

TAKE FURTHER NOTICE that the Applicant seeks the following variance relief:

- Front yard setback: 25 feet required, and 9.4 feet is proposed;
   Side yard setback: 7.5 feet is required,
- Side yard selback: 7.5 feet is required, and 1.2 feet and 3.6 feet are proposed;
- Minimum total side yard setback: 15 feet is required, and 4.8 feet is proposed;
- 4) Maximum lat coverage of principal building: 25% is required and 33% is proposed;
- 5) Maximum building height: 2.5 stories, and 3 stories are proposed; and
- 6) Expansion of a pre-existing nonconforming structure and use; 1 single family required, and 2 single family proposed.

Applicant further seeks any and all other variances as may be required for the application here at issue,

THIS NOTICE is sent to owners of property who may be affected by this application, and is also published, as required by law, Any interested persons may have an opportunity to be heard at the hearing on this matter. You may oppear either in person, or by your attorney or representative to ask questions, make comments or present any objections with regard to the granting of this application. The application and supporting documents are an file and available for inspection af the office of the Secretary of the Planning Board of Adiushment at the George E. Kauffmann Municipal Building located at 29 Church Street, Keansburg, NJ during regular business hours (9:00 a.m. to 4:30 p.m.)

Lawrence W. Luttrell, Esq. Attorneys for Applicant (732) 872-6900

9/19/24 (\$37.40)