

RABAN & RABAN

— LLC —

Attorneys at Law

REGINALD J. RABAN (1945-2024)

JAMES S. RABAN*▲

**11710 Long Beach Blvd.
Haven Beach, NJ 08008**

MEMBER OF NJ BAR *

MEMBER OF PA BAR ▲

TEL (609) 492-0533

FAX (609) 492-0464

Email: jraban@regraban.com

August 24, 2026

Via Hand Delivery & Email Sdelacruz@shipbottom.org

Sara Dela Cruz, Secretary
Ship Bottom Land Use Review Board
1621 Long Beach Boulevard
Ship Bottom, NJ 08008

Re: NDS NJ Trust and NDCM NJ Trust Site Plan and Special Reasons Variance
Block 66, Lots 11, 12, 13, 14 & 15 Borough of Ship Bottom
1608 Long Beach Blvd., Ship Bottom, NJ 08008

Dear Ms. Dela Cruz:

Enclosed please find the following with regard to the above referenced matter:

- (x) 18 copies of Land Use Development Application;
- (x) 18 copies of Variance Plan for Pool prepared by Gravatt Consulting Group;
- (x) Affidavit of Ownership;
- (x) W-9;
- (x) Public Notice;
- (x) Check No.369 \$1,375.00 Administrative Fee;
- (x) Check No 370 \$4,500.00 Escrow Account Deposit;

Please consent and/or approve for public hearing on September 15, 2026 at 6:30p.m.

Thank you for your courtesies and attention to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

JAMES S. RABAN

Sara Dela Cruz, Secretary

August 24, 2026

Page 2

JSR/dm

Encl.

cc: Donna Baker (via email)
Frank Little Jr., P.E., P.P. (via email)
Joseph Coronato, Sr., Esq. (via email)
Joseph Coronato, Jr., Esq. (via email)

LAND USE DEVELOPMENT APPLICATION

BOROUGH OF SHIP BOTTOM

17TH & LONG BEACH BOULEVARD
SHIP BOTTOM, NEW JERSEY 08008
(609) 494-2171

TO BE COMPLETED BY BOROUGH STAFF ONLY

Date Filed _____ Docket No. _____
Application Fees _____ Escrow Deposit _____
Scheduled for: Review of Completeness _____ Hearing _____

1. SUBJECT PROPERTY - TO BE COMPLETED BY APPLICANT

Location : 1620 Long Beach Boulevard
Tax Map Page 9 Block 66 Lot 11, 12, 13, 14, & 15
Dimensions Frontage 100 feet Depth 240 feet Total Area 24,000 sq. ft.
Zoning District: SC – Shore Commercial Zone/R-3 Single and Two-Family Residential District

2. APPLICANT

Name Noel D.C. Minami, Trustee of the NDCM NJ Trust (50%); Donna M. Sefcik, Trustee of the DMS NJ Trust (50%)

Address 1620 Long Beach Blvd., Ship Bottom, NJ 08008

Telephone Number: 808-277-0951 Home: Local:

Work: Fax:
Applicant is a Corporation Partnership Individual
Other: Trust

Social Security Number / Federal ID Number

3. DISCLOSURE STATEMENT

Pursuant to N.J.S. 40:55D-48.1, the names and address of all persons owning 10% of the stock in a corporate application or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed (attach pages as necessary to fully comply.)

Name Interest

Address

Name Interest

Address

APPLICANT IS RESPONSIBLE FOR PAYMENT OF ALL PROFESSIONAL REVIEW FEES, INCLUDING THE ENGINEERING AND ATTORNEY. ALL ENGINEERING AND LEGAL FEES MUST BE PAID BEFORE CONSTRUCTION OR ZONING PERMITS CAN BE ISSUED.

4. If owner (s) is other than the applicant, provide the following information on the Owner (s):

Owner's Name Same as Applicant

Address

Telephone Number: Home: Work: Local:

Relationship of the applicant to the property in question:

Owner: X Lessee Purchaser Under Contract Other

5. PROPERTY INFORMATION:

Deed restrictions, covenants, easements, rights of way, association by-laws, or other dedication existing or proposed on the property:

Yes (attach copies) No X

Note: All Deed Restrictions, Covenants, Easements, Rights of Ways, Association By-Laws, or other dedications existing and proposed must be submitted for review.

Site Plan and / or conditional use applicants:

Proposed for: New Structure Expanded Area X Alteration

Expansion of Structure Change of Use Sign

Other (please specify) internal modifications

Has this property been the subject of any prior application (s) to the Planning Board or Zoning Board of Adjustment? Yes X No

Attached is a copy of Resolution #2022-03, which granted sited plan approval and variance relief to permit 40 outdoor dining seats at the Port Hole Bar/Restaurant.

Is the subject property located on:

A County Road: Yes X No ; A State Road: Yes No X
within 200 feet of a municipal boundary: Yes No X

Present use of the premises: Port Hole Bar/Restaurant & Single-Family Residential

6. Applicant's Attorney JAMES S. RABAN

Address 11710 Long Beach Blvd., Haven Beach, NJ 08008

Telephone Number (609) 492 - 0533 Fax Number (609) 492 - 0464

7. Applicant's Engineer / Surveyor Gravatt Consulting Group

Address 414 Lacey Road, Forked River, NJ 08731

Telephone Number: 609-693-6127

Fax Number 609-534-2850

8. Applicant's Planning Consultant: same as Engineer

Address

Telephone Number

Fax Number

9. Applicant's Architect: N/A

Address

Telephone Number

Fax Number

10. List any other Expert who will submit a report or who will testify for the Applicant: (Attach additional sheets as may be necessary)

Name

Field of Expertise

Address

Telephone Number

Fax Number

11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION:

Minor Subdivision Approval

Subdivision Approval (Preliminary)

Subdivision Approval (Final)

Number of Lots to be created

Number of proposed Dwelling Units

(if applicable)

Area and Dimensions of each Proposed Lot

SITE PLAN:

X Minor Site Plan Approval

Preliminary Site Plan Approval [Phases (if applicable)

]

Final Site Plan Approval [Phases (if applicable)

]

Amendment or Revision to an Approved Site Plan

Area to be disturbed (square feet): square feet

Total number of proposed dwelling units

Request for Waiver from Site Plan Review and Approval

Reason for Request:

INFORMAL REVIEW

APPEAL DECISION OF AN ADMINISTRATIVE OFFICER [N.J.S. 40:55d-70A]

MAP OR ORDINANCE INTERPRETATION OR SPECIAL QUESTION [N.J.S. 40:55D-70B]

VARIANCE RELIEF (HARDSHIP) [N.J.S. 40:55D-70C (1)]

VARIANCE RELIEF (SUBSTANTIAL BENEFIT) [N.J.S. 40:55D-70C (2)]

X VARIANCE RELIEF (USE) [N.J.S. 40:55D-70D]

CONDITIONAL USE APPROVAL [N.J.S. 40:55D-67]

DIRECT ISSUANCE OF A PERMIT FOR A STRUCTURE IN BED OF A MAPPED STREET, PUBLIC DRAINAGE WAY, OR FLOOD CONTROL BASIN [N.J.S. 40:55D-34]

DIRECT ISSUANCE OF A PERMIT FOR A LOT LACKING STREET FRONTAGE [N.J.S. 40:55D-35]

12. Section (s) of Ordinance from which a variance is requested:

The overall site is split-zoned, with the majority of the parking lot being located in the R-3 Single and Two-Family Residential District. The existing bar/restaurant, and the single-family dwelling attached thereto, are located in the SC Shore Commercial District. The Applicant is proposing to install an inground swimming pool to the rear of the existing mixed-use building, within the SC Shore Commercial Zone. Private swimming pools are not a permitted use within the SC Shore Commercial Zone. As a result, a special reasons variance is required.

13. Waivers Requested of development Standards and/or Submission Requirements: (attach additional pages as needed)

14. ATTACH A COPY OF THE PROPOSED NOTICE TO APPEAR IN THE OFFICIAL NEWSPAPER OF THE MUNICIPALITY AND TO BE MAILED TO THE OWNERS OF ALL REAL PROPERTY, AS SHOWN ON THE CURRENT TAX DUPLICATE, LOCATED WITHIN THE STATE AND WITHIN 200 FEET IN ALL DIRECTIONS OF THE PROPERTY WHICH IS THE SUBJECT OF THIS APPLICATION. THE NOTICE MUST SPECIFY THE SECTIONS OF THE ORDINANCE FROM WHICH RELIEF IS SOUGHT, IF APPLICABLE.

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing.

15. An Affidavit of Service on all property owners and a Proof of Publications must be filed before the Application will be complete and the hearing can proceed.

Explain in detail the exact nature of the Application and the changes to be made at the premises, including the proposed use of the premises: (Attach pages as needed)

The property contains the long-standing Baker's Port Hole Café, with an attached single-family dwelling. The overall site is split-zoned, with the majority of the parking lot being located in the R-3 Single and Two-Family Residential District. The existing bar/restaurant, and the single-family dwelling attached thereto, are located in the SC Shore Commercial District. The Applicant is proposing to install an inground swimming pool to the rear of the existing mixed-use building, within the SC Shore Commercial Zone. Private swimming pools are not a permitted use within the SC Shore Commercial Zone. As a result, a special reasons variance is required.

16. Is a public Water Line available? Yes

17. Is public Sanitary Sewer available? Yes

18. Does the application propose any lighting ? No new lighting proposed

19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate Lot and Block number ? N/A

20. Are any Off-Tract Improvements required or proposed ? No

21. Is the Subdivision to be filed by Deed or Plat ? N/A

22. What form of security does the applicant propose to provide as performance and maintenance guarantees ?
N/A

23. OTHER APPROVALS WHICH MAY BE REQUIRED AND DATE PLANS SUBMITTED:

	YES	NO	DATE PLANS SUBMITTED
SHIP BOTTOM FIRE PREVENTION BUREAU		x	
SHIP BOTTOM WATER & SEWER DEPT.		x	
SHIP BOTTOM PUBLIC WORKS DEPT.		x	
LONG BEACH ISLAND HEALTH DEPT.		x	
OCEAN COUNTY PLANNING BOARD		x	
OCEAN COUNTY SOIL CONSERVATION DEPT.		x	
N.J. DEPT. ENVIRONMENTAL PROTECTION		x	
SANITARY SEWER CONNECTION PERMIT		x	
SEWER EXTENSION PERMIT		x	
WATERFRONT DEVELOPMENT PERMIT		x	
WETLANDS PERMIT		x	
TIDAL WETLANDS PERMIT		x	
F.E.M.A.		x	
N.J. DEPT. OF TRANSPORTATION		x	
ATLANTIC ELECTRIC		x	
N.J. NATURAL GAS		x	

24. CERTIFICATION FROM THE TAX COLLECTOR THAT ALL TAXES DUE ON THE SUBJECT PROPERTY HAVE BEEN PAID.

25. LIST OF MAPS, REPORTS AND OTHER MATERIALS ACCOMPANYING THE APPLICATION (attach additional pages as required for complete listing)

18 copies of Minor Site Plan prepared by Gravatt Consulting Group

THE DOCUMENTATION MUST BE RECEIVED BY THE BOARD SECRETARY AT LEAST TWENTY-ONE (21) DAYS PRIOR TO THE MEETING AT WHICH THE APPLICATION IS TO BE CONSIDERED. A LIST OF THE PROFESSIONAL CONSULTANTS IS ATTACHED TO THE APPLICATION FORM.

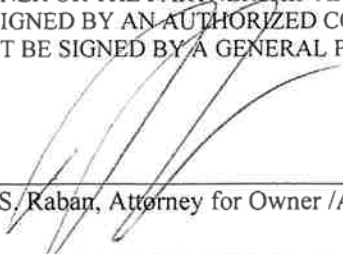
26. THE APPLICANT HEREBY REQUESTS THAT COPIES OF THE REPORTS OF THE PROFESSIONAL STAFF REVIEWING THE APPLICATION PROVIDED TO THE FOLLOWING OF THE APPLICANT'S PROFESSIONALS:

SPECIFY WHICH REPORTS ARE REQUESTED FOR EACH OF THE APPLICANT'S PROFESSIONALS OR WHETHER ALL REPORTS SHOULD BE SUBMITTED TO THE PROFESSIONAL LISTED.

	Applicant's Professional	Reports Requested
<u> x </u>	Attorney	<u>All Reports</u>
<u> x </u>	Engineer	<u>All Reports</u>
<u> </u>	Architect	<u>All Reports</u>

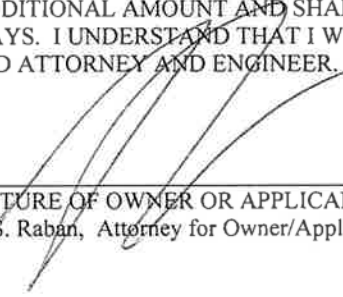
CERTIFICATIONS

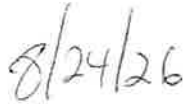
27. I CERTIFY THAT THE FOREGOING STATEMENTS AND THE MATERIALS SUBMITTED ARE TRUE, AND WAIVE ALL APPLICABLE TIME LIMITS UNTIL THE FIRST PUBLIC HEARING OF THIS APPLICATION. I FURTHER CERTIFY THAT I AM THE INDIVIDUAL APPLICANT OR THAT I AM AN OFFICER OF THE CORPORATE APPLICANT AND THAT I AM AUTHORIZED TO SIGN THE APPLICATION FOR THE CORPORATION OR THAT I AM A GENERAL PARTNER OR THE PARTNERSHIP APPLICANT. (IF THE APPLICANT IS A CORPORATION, THIS MUST BE SIGNED BY AN AUTHORIZED CORPORATE OFFICER, IF THE APPLICANT IS A PARTNERSHIP, THIS MUST BE SIGNED BY A GENERAL PARTNER)



James S. Raban, Attorney for Owner /Applicant

28. I UNDERSTAND THAT A SUM, TO BE DETERMINED, WILL BE DEPOSITED IN AN ESCROW ACCOUNT, IN ACCORDANCE WITH THE ORDINANCES OF THE BOROUGH OF BEACH HAVEN. I FURTHER UNDERSTAND THAT THE ESCROW ACCOUNT IS ESTABLISHED TO COVER THE COST OF PROFESSIONAL SERVICES INCLUDING ENGINEERING, PLANNING, LEGAL AND/OR OTHER EXPENSES ASSOCIATED WITH THE REVIEW OF SUBMITTED MATERIALS. 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 SHALL ADD THAT SUM TO THE ESCROW ACCOUNT WITHIN FIFTEEN (15) DAYS. I UNDERSTAND THAT I WILL BE RESPONSIBLE FOR PAYING FEES DUE TO THE LAND USE BOARD ATTORNEY AND ENGINEER.

Dated: 



SIGNATURE OF OWNER OR APPLICANT
James S. Raban, Attorney for Owner/Applicant

BOROUGH OF SHIP BOTTOM PROFESSIONAL CONSULTANTS

LAND USE BOARD ATTORNEY

Joseph D. Coronato, Sr.
680 Hooper Avenue,
Building C, Second Floor, Suite 304
Toms River, NJ 08754

(732) 240-4600

ENGINEER

Frank J. Little, Jr. P.E., P.P.
Owen, Little & Associates, Inc.
443 Atlantic City Boulevard
Beachwood, NJ 08072

(732) 244-1090
FAX (732) 341-3412

**RESOLUTION# 2022-03 RESOLUTION OF
APPROVAL APPLICATION OF
LEON J. & DIANE BAKER
APPLICATION #2022-03**

IN THE MATTER OF : LANDUSE BOARD
LEON J. AND DIANE BAKER : BOROUGH OF SHIP BOTTOM
: NUMBER 2022-03
: BLOCK 66; LOT 11, 12, 13, 14, 15
: 1620 LONG BEACH BLVD

WHEREAS, an application has been made to the Borough of Ship Bottom Land Use Board (the "Board") by Leon J. and Diane Baker (the "Applicant"), for Special Reason "D" and Bulk Variance relief to allow 40 seats for seasonal outdoor dining. The property commonly located at 112 E. 19th Street in the Borough of Ship Bottom, NJ, Block 66 Lot 11, 12, 13, 14, 15 as depicted on the Tax Maps of the Borough of Ship Bottom, Ocean County, New Jersey, and said premises being located in SC and R-3 Residential Zone; and

WHEREAS, the Applicant has satisfied the noticing requirements of the New Jersey Municipal Land Use Law and provided proof of same to the Borough of Ship Bottom, and

WHEREAS, the Applicant was represented by James Raban, Esquire; and

WHEREAS, the Borough of Ship Bottom Land Use Board reviewed the application, documents, plans, and exhibits as submitted, and listened to the Applicant and received information from its professional staff; and

WHEREAS, the Board heard the testimony and the evidence presented by the Applicant and received comments from the public.

NOW, THEREFORE BE IT RESOLVED, that the Land Use Board of the Borough of Ship Bottom, County of Ocean, and State of New Jersey, on the 16th day of March 2022, made the following findings:

1. The Board found the application complete.
2. According to the application, the Applicant is requesting seven bulk variances and a Special Reasons "D" variance to allow forty seats for seasonal outdoor dining in the arrangement of five moveable tables with wooden seats. The dining area will be separated from the 17th Street southside area by wooden benches and planters. Applicant is proposing a handicap parking space adjacent to outdoor dining area and

concrete wheel stops to delineate the parking area.

A. The following variances are requested:

- a) A special reason "D" variance is proposed/required as parking lots are not permitted in the R-3 Zone, this is an existing condition.
- b) Minimum front yard setback of fifteen feet is required whereas 1.5 feet exist.
- c) Minimum front side yard setback existing is zero feet whereas fifteen feet is required.
- d) Minimum side yard setback existing is 2.5 feet whereas five is required.
- e) Existing side yard setback to the accessory structure is 0.6 feet whereas five feet is required.
- f) The maximum setback area shall include a planted buffer of five feet in width along any common property line with a residential district or use. The existing buffer is only fencing.

B. The applicant is not requesting any design waivers.

C. The Applicant has not requested any submission waivers.

3. In support of the application, the Applicant submitted the following documents:

A. Minor site plan, one (1) Sheet, prepared by Gravatt Consulting Group, signed by Bruce A. Jacobs, PE and John Augustine, PLS. The plan is dated 2.16/22 with no revisions.

4. During the public hearing held on March 16, 2022; the Land Use Board discussed the following review letters prepared by the Board's professionals, the contents of which are hereby adopted and incorporated in full:

A. Review letter dated March 3, 2022, by the Land Use Board Engineer, Frank J. Little, Jr., P.E., P.P., C.M.E.

5. The Land Use Board has received no review letters/memos from the Borough of Ship Bottom Officials.

6. During the public hearing, the following exhibits were marked into evidence and the application and accompanying plans were referenced:

A. Exhibit A1 four colors photos of the subject property

including the seating area, parking area with stops, partition of fencing with parking, dirt parking lot.

7. The Applicant is requesting seven bulk variances and a Special Reasons “D” variance to allow forty seats for seasonal outdoor dining in the arrangement of five moveable tables with wooden seats. The dining area will be separated from the 17th Street southside area by wooden benches and planters. Applicant is proposing a handicap parking space adjacent to outdoor dining area and concrete wheel stops to delineate the parking area. The sitting area is currently existing as the result of the COVID-19 Executive Orders. Applicant is looking to include as a permanent feature.
8. On March 16, 2022, Bruce Jacobs, P.E., and P.P. of Gravatt Consulting, testified to the layout of the proposed property.
 - A. The property is an existing restaurant.
 - B. Applicant is looking to formalize and make permanent the outdoor sitting area allowed during COVID-19 from the executive orders.
 - C. Mr. Jacobs entered exhibit A-1, four color photos of the property with four separate angles of the parking area.
 - D. Mr. Jacobs described the proposed plan.
 - E. The parking lot is located in the R-3 Residential Zone.
 - F. The Applicant is proposing five tables with eight seats on each table.
 - G. The maximum seating is forty people.
 - H. The parking requirement is met and there is no proposed increase in parking.
 - I. Applicant is proposing a concrete pad for the handicap parking space proposed.
 - J. Applicant currently has a vinyl fence being utilized as a buffer and a small concrete wall.
 - K. There is a residential dwelling above the restaurant and sufficient parking is supplied for that unit.
 - L. Applicant agreed to not play music at all for the outdoor dining area.
 - M. Applicant will stop serving the outdoor area at 10pm daily.
 - N. Mr. Jacobs testified the positive criteria outweigh the negative criteria and there will be no detriment to the public or the zoning plan for the Borough of Ship Bottom master plan.
 - O. The utilization of the parking area is good for the public as it

removes on-street parking.

9. On March 16, 2022, Donna Sefcik, formerly Baker (daughter), testified to the layout of the proposed site plan.
 - A. Ms. Sefcik described the current conditions of the property.
 - B. Ms. Sefcik proposed the hours of 11:30 a.m. until 10 p.m.
 - C. Restaurant opens at 11 a.m.
 - D. There is a juke box inside the restaurant but there will be no music outside.
 - E. There are no extra spaces available, the restaurant is a full capacity.
 - F. Applicant cannot rent out any spaces for the public at large without making an application to this Board for approval first.
10. The Board heard testimony from a number of neighbors including John Bonan, who questioned the lighting and noise impact; three other neighbors concurred. The neighbors did not object to the outdoor dining. No lighting is currently proposed being changed on the property. Pamela Bonan testified that signage be posted that the outdoor area is not to be served after 10 p.m. and no music is allowed.
11. The Board finds that in all other respects the application is in substantial compliance with the ordinances of the Borough, and the same may be approved subject to the applicant complying with all terms and provisions of the Board Engineer's review letter dated March 3, 2022; paying all taxes, application and escrow fees associated with the property and with the project; the house shall be structured with two floors of living space over the garage, and Applicant will obtain such outside agency approvals as shall be required by law.

CONCLUSIONS OF LAW

WHEREAS, the Board determined that the Applicant's Variance Approval pursuant to *N.J.S.A. 40:55D-70C (1)*, *N.J.S.A. 40:55D-70C (2)* and *N.J.S.A. 40:55D-70 (d) (1)* were found to be sufficient as to style and design, and the Board approved the Applicant's request; and

WHEREAS, the front yard setback of fifteen feet is required whereas 1.5 feet exists which constitutes a hardship and substantial benefit in accordance with *N.J.S.A. 40:55D-70 (c)(1)* and *N.J.S.A. 40:55D-70C (2)*; and

WHEREAS, Minimum front side yard setback existing is zero feet whereas fifteen feet is required and constitutes a hardship and substantial benefit in accordance with *N.J.S.A. 40:55D-70 (c)(1)* and *N.J.S.A. 40:55D-70C (2)*; and

WHEREAS, the existing minimum side yard setback existing is 2.5 feet whereas five is required which constitutes a hardship and substantial benefit in accordance with *N.J.S.A. 40:55D-70 (c)(1)* and *N.J.S.A. 40:55D-70C (2)*; and

WHEREAS, the existing side yard setback to the accessory structure is 0.6 feet whereas five feet is required which constitutes a hardship and substantial benefit in accordance with *N.J.S.A. 40:55D-70 (c)(1)* and *N.J.S.A. 40:55D-70C (2)*; and

WHEREAS, the maximum setback area shall include a planted buffer of five feet in width along any common property line with a residential district or use. The existing buffer is only fencing which constitutes a hardship and substantial benefit in accordance with *N.J.S.A. 40:55D-70 (c)(1)* and *N.J.S.A. 40:55D-70C (2)*; and

WHEREAS, the need for the special reasons “D” variance for the continued use of three detached dwelling on single piece of property where a parking lot is not permitted in the R3 Residential Zone in the Borough Code is due to conditions of the lot which the property is particularly suitable for the proposed use suiting the general welfare and substantial benefit in accordance with *N.J.S.A. 40:55D-70 (d)(1)*; and

WHEREAS, there Applicant has satisfied the positive criteria; and

WHEREAS, there will be no substantial negative impact, the variance can be granted without substantial detriment to the public good; and

WHEREAS, the Board has determined that the relief sought does not impair the intent and purpose of the Master Plan or Zoning Ordinance of the Borough of Ship Bottom.

NOW, THEREFORE, BE IT RESOLVED, by the Ship Bottom Borough Land Use Board, in the County of Ocean and State of New Jersey, on the 16th day of March 2022, upon a motion made by Mr. Hay and seconded by Mr. Basile, that the application of Leon J. and Diane Baker be granted, subject to the following terms and conditions:

1. The Applicant shall be bound by all exhibits introduced, all representations made and all testimony given before the Board at its meeting of March 16, 2022.
2. The Applicant shall comply with the requirements of the Board Engineer’s March 3, 2022 Review Letter.
3. The Applicant shall provide all required Site Performance Bond and Inspection Fees in accordance with the Municipal Ordinance, if required.

4. The Applicant shall be responsible for obtaining any other approvals or permits from other governmental agencies, as may be required by law, including but not limited to the Municipality's and State's affordable housing regulations; and the Applicant shall comply with any requirements or conditions of such approvals or permits.
5. The Applicant must comply with the Development Fee Ordinance of the Borough of Ship Bottom, if applicable, which Ordinance is intended to generate revenue to facilitate the provision of affordable housing.
6. Publication of a notice of this decision will be published in the official newspaper of the Ship Bottom Borough Land Use Board at the cost of the Applicant.

ADOPTED this 20th day of April 2022.

VOTE ON ROLL CALL:

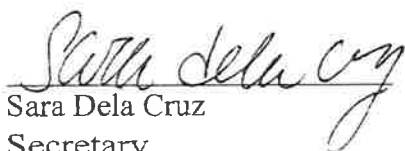
IN FAVOR: Mr. Bishop, Mr. Fenimore, Mr. Hay, Ms. Schmidt, Vice
Chairman Tallon, Chairman Cooper

OPPOSED: None

NOT- PRESENT: Mr. Basile, Mr. Dixon

CERTIFICATION

It is hereby certified that the attached is a true copy of the Resolution for Application #P22-02, approved on March 16, 2022, and duly adopted as to form by the Land use Board of Ship Bottom Borough and memorialized at its regular meeting held on April 20, 2022.



Sara Dela Cruz
Secretary
Borough of Ship Bottom
Land Use Board

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY :
: SS
COUNTY OF Ocean

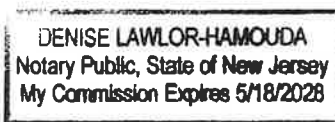
DMS NJ Trust, of full age, being duly sworn according to law, on oath deposes and says that it owns 1608 Long Beach Blvd. in the City of Ship Bottom in the County of Ocean and State of New Jersey, that she is the owner in fee of all that certain lot, tract, or piece or parcel of land situated, lying and being in the Borough of Ship Bottom aforesaid, and known and designated as Lot 11, 12, 13, 14 & 15, Block 66 and that 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.

DMS NJ Trust

Sworn and subscribed before
me this 1st day
of July 2026.

Denise Lawlor-Hamouda
Notary Public

Donna M. Sefcik
Donna M. Sefcik, Trustee of the
DMS NJ Trust



AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY :
COUNTY OF Ocean : SS

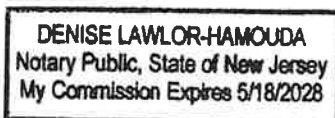
NDCM NJ Trust, of full age, being duly sworn according to law, on oath deposes and says that it owns 1608 Long Beach Blvd. in the City of Ship Bottom in the County of Ocean and State of New Jersey, that she is the owner in fee of all that certain lot, tract, or piece or parcel of land situated, lying and being in the Borough of Ship Bottom aforesaid, and known and designated as Lot 11, 12, 13, 14 & 15, Block 66 and that 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.

NDCM NJ Trust

Sworn and subscribed before
me this 1st day
of July 2026.

Denise Lawlor-Hamouda
Notary Public

Noel D.C. Minami
Noel D.C. Minami, Trustee of the
NDCM NJ Trust



PUBLIC NOTICE

BOROUGH OF SHIP BOTTOM

Public notice is hereby given that Noel D.C. Minami, Trustee of the NDCM NJ Trust (50%); Donna M. Sefcik, Trustee of the DMS NJ Trust (50%) (collectively, the “Applicant”) have applied to the Land Use Review Board of the Borough of Ship Bottom (the “Board”), Ocean County, New Jersey for minor site plan approval and a special reasons variance relative to proposed development on the property designated as Lots 11, 12, 13, 14, and 15, in Block 66 on the Tax Map of the Borough of Ship Bottom, located at 1620 Long Beach Blvd. The property contains the long-standing Baker’s Port Hole Café, with an attached single-family dwelling. The overall site is split-zoned, with the majority of the parking lot being located in the R-3 Single and Two-Family Residential District. The existing bar/restaurant, and the single-family dwelling attached thereto, are located in the SC Shore Commercial District. The Applicant is proposing to install an inground swimming pool to the rear of the existing mixed-use building, within the SC Shore Commercial Zone. Private swimming pools are not a permitted use within the SC Shore Commercial Zone. As a result, a special reasons variance is required.

A public hearing has been scheduled for September 15, 2026 at 6:30 p.m. in the Court Room of the Municipal Building, located 1621 Long Beach Boulevard, Ship Bottom, New Jersey. The Court Room will be set up following all social distancing guidelines, in adherence with the Governor’s adopted Executive Order.

The meeting format will be posted on the Borough’s website and may change the day of the meeting. Interested parties are encouraged to check the website to confirm the meeting format, which shall be subject to change at any time prior to the actual meeting date. If a meeting is in-person there will not be a virtual means to attend; anyone wanting to participate will have to attend the meeting in person.

Should government-imposed restrictions change prior to the meeting that would prevent

an in-person meeting, this meeting will proceed virtually under the following circumstances:

Join Zoom Meeting

<https://zoom.us/j/97260536124?pwd=dmJ6MTVlKzhrc0pBcVJXcitpaWFKdz09>

Meeting ID: 972 6053 6124, **Passcode:** 087822

One tap mobile: +13017158592,,97260536124#,,,,*087822# US (Washington D.C)

+13126266799,,97260536124#,,,,*087822# US (Chicago) **Dial by your location:**

+1 301 715 8592 US (Washington D.C) +1 312 626 6799 US (Chicago) +1 646 558 8656 US (New York) +1 253 215 8782 US (Tacoma) +1 346 248 7799 US (Houston) +1 669 900 9128 US (San Jose)

Meeting ID: 972 6053 6124 **Passcode:** 087822 Find your local number:

<https://zoom.us/j/97260536124?pwd=dmJ6MTVlKzhrc0pBcVJXcitpaWFKdz09>

The Meeting Agenda and all documents pertaining to the applications and all other matters to be considered are available for public inspection on the Borough of Ship Bottom Land Use Review Board website or during business hours of the Borough Hall at 1621 Long Beach Boulevard. If there are any questions, comments or concerns, please call the Land Use Review Board Secretary, Sara Gresko at (609)-494-2171 Ext. 122.

File # 3762

James S. Raban,
Attorney for Applicant