

TOWNSHIP OF LONG HILL

COUNTY OF MORRIS
GILLETTE, HOMESTEAD PARK, MEYERSVILLE, MILLINGTON, STIRLING

APPLICATION FOR DEVELOPMENT

PROPERTY ADDRESS 95 E. Rayburn Road

BLOCK(S) 12702 **LOT(S)** 38 **ZONE** R-3

APPLICANT Marco Cavallari **TELEPHONE** 973-573-8276

ADDRESS (if different from above) **EMAIL** cavallari@aol.com

PROPERTY OWNER (if different from above) **TELEPHONE**

ADDRESS **EMAIL**

ATTORNEY* Michael S. Selvaggi, Esq.
Lavery, Selvaggi, Abromitis & Cohen, P.C. **TELEPHONE** 908-852-2600

**REQUIRED for Corporations, LLC or Limited Partnerships*
ADDRESS 1001 Route 517, Hackettstown, New Jersey 07840 **EMAIL** mselvaggi@lsaclaw.com

ENGINEER or SURVEYOR Lantelme, Kurens & Associates, P.C. **TELEPHONE** 201-666-2450

ADDRESS 101 West Street, Hillsdale, NJ 07642 **EMAIL** C1L1@verizon.net

ARCHITECT **TELEPHONE**

ADDRESS **EMAIL**

OTHER **TELEPHONE**

ADDRESS **EMAIL**

APPLICANT MUST PROVIDE AN ADDENDUM / STATEMENT OF FACTS IN SUPPORT OF THE APPLICATION.
Provide written statement on a separate sheet or on the form provided stating what the Applicant is proposing to do, what variances are requested and the reasons why variances are needed.

Has there been a previous variance appeal or approval of any development application (i.e. site plan, subdivision or conditional use) involving the property? YES NO *If YES, attach copies of the decisions and/or resolutions.*

Is the property in a density modification subdivision? YES NO

THIS BOX FOR OFFICE USE ONLY			
DATE OF SUBMISSION:		APPLICATION NUMBER:	
SITE PLAN ____	SUBDIVISION ____	BULK VARIANCES ____	USE VARIANCE ____ OTHER ____
PLANNING BOARD ____	ZONING BOARD ____	MEETING DATE:	



TOWNSHIP OF LONG HILL

COUNTY OF MORRIS
GILLETTE, HOMESTEAD PARK, MEYERSVILLE, MILLINGTON, STIRLING

PROPERTY ADDRESS 95 E. Rayburn Road, Millington, NJ 07946

BLOCK(S) 12702 **LOT(S)** 38

APPLICANT Marco Cavallari

I affirm that all statements in this submitted application are true.

Signature of Applicant

Print Name

MICHAEL S. SELVAGGI
An Attorney At Law of
The State of New Jersey

3/10/21

Date

SUBMISSION REQUIREMENT

For all applications, **FIVE (5) COLLATED sets of all COMPLETED and SIGNED application forms** are required for submission to the Planning & Zoning Coordinator for completeness review. For any/all subsequent changes or updates to a pending application, five (5) copies are also required for resubmissions. All required documents are listed in the Application Checklists.

Once an application is deemed complete and scheduled for a hearing, fifteen (15) collated sets of the application forms must be submitted to the Planning & Zoning Coordinator for distribution to the appropriate Board.

ESCROW DEPOSITS

In accordance with the Ordinances of the Township of Long Hill, escrow accounts are established to cover the cost of professional services including but not limited to planning, engineering, legal and other expenses associated with the review of submitted materials. If additional sums are deemed necessary, the Planning & Zoning Coordinator will notify the Applicant of the required additional amount. **Please note: without sufficient funds in an Applicant's escrow account, the review and subsequent scheduling of the application for a meeting will cease until such time that the Applicant has replenished the escrow account as per the Planning & Zoning Coordinator's request.**

Sums not utilized in the application process shall be returned upon written request by the Applicant and after verification that all Board expenses have been satisfied. A W-9 Form (Request for Taxpayer Identification Number and Certification) must be completed and submitted with any escrow deposits.



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ADDENDUM Statement of Facts in Support of an Application

Applicant: Marco Cavallari

Property Address: 95 E. Rayburn Road, Millington, NJ 07946

Block: 12702

Lot(s): 38

Date:

Statement of Facts to include the following:

- Present and/or previous use of the building(s) and premises.
- Detailed description of the proposed use.
- Detailed description of the proposed improvements to the building(s) and premises.
- What conditions are preventing the Applicant from complying with the Zoning Ordinance?
- Any other detailed information to further explain what the Applicant proposes for the building(s) and premises.

The Applicant is proposing to construct a pool in the property and is seeking bulk variance relief as per Township Ordinance Section LU-124.5, whereas the proposed lot coverage is 27.1% and only 20% is required. The Applicant will also construct pool fencing and gates to conform with the Township codes.

The proposal requires bulk variance relief because the proposed lot coverage exceeds the maximum allowed.

In fact, the property already exceeds the 20% maximum coverage permitted. Unfortunately, the orientation of the home on the property requires a longer and wider driveway that results in considerable impervious coverage.

Moreover, the owner is limited in where he can locate the pool, given the fact that he owns a corner lot. He ultimately choose a location on the property that offered privacy for his family and would not negatively impact his neighbors.

This helps promote a desirable visual impact while also promoting safety. It also does not result in a substantial detriment to the public good and will not impair the intent of the applicable zoning ordinance.



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COUNTY OF MORRIS
 GILLETTE, HOMESTEAD PARK, MEYERSVILLE, MILLINGTON, STIRLING

ZONING TABLE

FILL IN ALL APPLICABLE BOXES

Property Address: 95 E. Rayburn Road, Millington, NJ 07946				
Block: 12702	Lot: 38	Zone: R-3	Total Square Feet: 30,000	
Is this property in a density modification subdivision? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>				
BULK REQUIREMENTS	REQUIRED / ALLOWED	EXISTING	PROPOSED	VARIANCE
Lot Area	30,000	30,000	30,000	No
Lot Width (Feet)	150	150	150	No
Floor Area (Square Feet)				
Building Width (Feet)				
Front Yard Setback (Feet)	50	75.8	75.8	No
Side Yard Setback (Feet)	25	24.1	24.1	No
Rear Yard Setback (Feet)	40	84.3	84.3	No
Building Height (Stories & Feet)	35			
Building Coverage (Percent)		8.2%	8.3%	
Lot Coverage (Percent)	20%	20.3%	27.1%	Yes
Floor Area Ratio (FAR – Percent)				
Buffer (Feet)				



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APPLICATION FOR DEVELOPMENT CHECKLIST B LIMITED TO BULK VARIANCES

ITEM #	Applicant: Marco Cavallari	Project Name: Marco Cavallari			
	Property Address: 95 E. Rayburn Road	Block: 12702	Lot(s): 38	Zone: R-3	
	ITEM DESCRIPTION	HOW TO DO IT		COMPLY	NA
1	Place the following information on any plan or other submission to the Board: Name of Applicant; Property Address, Block and Lot.			<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	For each item that is listed as "N/A", on a separate sheet of paper, list the items and explain why you believe each item does not apply to your application.	FORM INCLUDED. Complete the "Checklist Waiver Request" form.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	Copy of Letter of Denial by the Zoning Officer of intended use, occupancy, or construction.	You will receive this letter from the Zoning Officer.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	Certification from the Township Tax Collector that all taxes and assessments are paid to date.	FORM INCLUDED. Complete top portion only. The Planning & Zoning Coordinator will submit the request to the Tax Office at the appropriate time.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
5	Color photograph(s) no smaller than 4" X 6" showing the property as it currently exists from the front, back, both sides and the area of proposed development.	You will need to take a minimum of five 4" X 6" color photos. Label each photo (e.g. "Front," "Left Side," etc.).		<input checked="" type="checkbox"/>	<input type="checkbox"/>
6	Copy of completed application form to the Morris County Planning Board. Upon Completeness Review , other applications to other agencies may be required.	FORM INCLUDED. Complete Sections I, II, and III. The Planning & Zoning Coordinator will complete the remainder.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
7	Copy of completed Soil Erosion and Sediment Control Certification form. Upon Completeness Review , other applications to other agencies may be required.	FORM INCLUDED. Please check off one of the options at the bottom of the form and sign.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
8	A plan with the location of all proposed improvements drawn to scale and dimensioned to the front, rear, and side yards.	Generally, your builder or architect will need to complete this requirement.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
9	An aerial view or map showing the entire tract and its relation to the surrounding area, including at least one roadway intersection, and including all zone district boundaries within 200 feet of property, at a scale of 1 inch equals not more than 800 feet (such as a Google map).	TAX MAPS: http://www.longhillnj.gov/maps/Tax-Map-2017.pdf Google: https://www.google.com/maps https://www.google.com/earth/		<input checked="" type="checkbox"/>	<input type="checkbox"/>
10	A Boundary and Existing Conditions survey showing the existing structures on the property with North arrow, scale, date of survey and the name, signature and embossed seal of the preparer of the survey.	You should have received a sealed copy when you purchased your home. Your mortgage company might also have a copy.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
11	A Zoning Table including zone district with all area and bulk requirements, comparing existing and proposed conditions.	FORM INCLUDED. The Zoning Application you filled out prior to this application will have that information.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
12	Obtain Certified Tax List from Tax Assessor listing names of all property owners within 200 feet for notification prior to hearing date. Fee as per MLUL statute 40:55D-12c	FORM INCLUDED. Complete the top portion. The Planning & Zoning Coordinator will submit the request to the Tax Office at the appropriate time.		<input checked="" type="checkbox"/>	<input type="checkbox"/>

13	Completed "Owner's Letter of Consent" form if the Applicant is not the Owner.	FORM INCLUDED.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14	A copy of any protective covenants, deed restrictions, or easements applying to the land being developed.	These can be found in your deed or on a survey.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15	Any information necessary to fully describe the proposed development, such as floor plans, architectural elevation, lighting, construction details, building and lot cover dimensions, product/promotional pamphlets and similar information.	Generally, your builder or architect will need to complete this requirement.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16	All existing and proposed wooded and landscaped areas and proposed buffering and screening to be shown (such as a Google map).	Generally, your builder or engineer will need to complete this requirement.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17	A plan of any proposed landscaping including details as to the size, number, location and type of vegetation and method of planting to be used.	Generally, your builder or engineer will need to complete this requirement.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18	A site grading plan if any changes in grading are proposed.	Generally, your builder or engineer will need to complete this requirement.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19	For applications that disturb more than 5% or 1,000 sq. ft. of lot area (whichever is less), or create a net increase of more than 400 sq. ft. of impervious surface, stormwater calculations consistent with Sec. 146 must be provided.	Generally, your builder or engineer will need to complete this requirement.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20	The location and size of all existing and proposed utilities for both undeveloped and developed lots that are part of the application.	Generally, your builder or engineer will need to complete this requirement.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21	For sites with no critical areas, a plan note, signed by the preparer of the plan, indicating the site contains no critical areas. For sites with critical areas, provide a map noting the location of all critical areas, as defined in the Land Use Ordinance (Section 110), with the <i>source</i> of critical area delineation noted. The map shall also note: 1. The square footage of critical areas 2. The square footage of non critical areas 3. The square footage of impervious lot coverage of non critical areas 4. Setback dimensions from all principal buildings to any critical area.	Generally, your builder or engineer will need to complete this requirement.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
22	For properties that contain a special flood hazard area, any information required by Chapter 143, Flood Damage Prevention.	Generally, your builder or engineer will need to complete this requirement, if necessary.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DEFINITIONS

COMPLETENESS REVIEW - a review of the application and accompanying checklist documents by the Board Planner, Board Engineer and Planning and Zoning Coordinator to ensure that all the necessary information has been provided for the appropriate board to make a qualified decision.	FLOOD HAZARD AREA — the areas of any project as identified by the map referred to in Section 143.3b. of the Land Use Ordinance. The term "flood hazard area" includes the terms "area of special flood hazard" and "floodplain."
CRITICAL AREA - The combined area of any portion of a site having an average slope of fifteen percent (15%) or greater measured across ten vertical feet of contour; and/or an area of special flood hazard; and/or any wetlands areas.	IMPERVIOUS LOT COVERAGE - anything such as a building, pavement, walkways, patios, pools, gravel (with the exception of decorative gravel), decks, etc. which prevents or limits infiltration of water into the soil. (See Land Use Ordinance Section 110 "Definitions" - <i>Lot Coverage</i>)



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CHECKLIST WAIVER REQUEST FORM

Use for Checklists A, B & SPW

Applicant: Marco Cavallari

Property Address: 95 E. Rayburn Road, Millington, NJ 07946

Block: 12702

Lot(s): 38

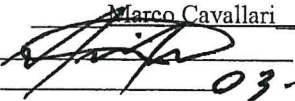
Date:

ITEM #	EXPLANATION FOR WAIVER REQUEST
6 & 7	Waiver requested as the Applicant is only seeking bulk variance relief.

If additional waivers are requested, please use another form to continue.

SITE INSPECTION AUTHORIZATION

I, Marco Cavallari, the undersigned property owner or lessee, do hereby authorize Long Hill Township officials to enter upon and inspect the property owned/leased by me at 95 E. Rayburn Road, Millington, NJ 07976, in conjunction with my application to the Long Hill Township Board of Adjustment.

Name: Marco Cavallari
Signature: 
Date: 03-02-21
{00696942-1}

CERTIFIED TRUE COPY

Deed

This Deed is made on

BETWEEN: ESTI INVESTORS LLC

whose post office address is: 76 Shunpike Springfield, New Jersey 07081

referred to as the Grantor;

AND: MARCO CAVALLARI and MARILEIDE OLSEN CAVALLARI

whose post office address is about to be: 95 East Rayburn Road, Millington, New Jersey 07946

referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

1. **Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property (called the "Property") described below to the Grantee. This transfer is made for the sum of ONE MILLION SEVENTY-NINE THOUSAND AND NO/100-----
DOLLARS (\$1,079,000.00).

The Grantor acknowledges receipt of this money.

2. **Tax Map Reference.** (N.J.S.A. 46:15-1.1) Township of Long Hill
Block No. 12702 Lot No. 38 Account Number:

3. **Property.** The Property consists of the land and all the buildings and structures on the land in the Township of Long Hill, County of Morris and State of New Jersey.
The legal description is:

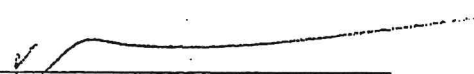
X Please see attached Legal Description annexed hereto and made a part hereof.

Being the same premises conveyed to the Grantor herein , by Deed from Reverse Mortgage Solutions, Inc., dated March 21, 2018 and recorded March 27, 2018 in the Morris County Clerk/Register's Office in Deed Book 23317, Page 383.

SUBJECT to municipal zoning code, ordinances, easements and restrictions of record, if any, and such state of facts as an accurate survey may disclose

Prepared by:

(For Recorder's Use Only)



RONNI E. LEIBOWITZ, Attorney at Law
of the State of New Jersey

6. **Liens or Encumbrances.** It has not allowed any interests (legal rights) to be created which affect its ownership or use of this property. No other persons have legal rights in this property, except the rights of utility companies to use this property along the road or for the purpose of serving this property. The Company does not have any pending lawsuits or judgments against it or other legal obligations, which may be enforced against this property. No bankruptcy or insolvency proceedings have been stated by or against it, nor has it ever been declared bankrupt.

No one has any security interest in any personal property or fixtures on this property. All liens (legal claims, such as judgments) listed on any attached judgment or lien search are not against the Company, but against others with similar name.

7. **Exceptions and Additions.** The following is a complete list of exceptions and additions to the above statements. This includes all liens or mortgages which are not being paid off as a result of this sale.

There are no open mortgages.


There is not an operating agreement.

The LLC does not classify itself as a corporation.


8. **Reliance.** The Company makes this Affidavit in order to induce the Buyers to accept its Deed. It is aware that the Buyer and its Mortgage Lender will rely on the statements made in this Affidavit and on its truthfulness.

ESTI INVESTORS, LLC

By:



SION SUFFIR, Managing Member

By:


DAVID OHAYAN, Managing Member

3-31-2020

Signed and Sworn to before me
this 31 day of, MARCH 2020.



Notary

MARIA Y. PITETTA
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50061485
My Commission Expires 5/30/2022

From: Debra Coonce pzcoord@longhillnj.us
Subject: 95 E Rayburn Rd - Pool Zoning Denial
Date: Feb 22, 2021 at 10:08:29 AM
To: wg@sjpoolsandlandscaping.com, cavallari@aol.com

Good Morning;

Attached please find the zoning denial for the above referenced property.

I've also attached the necessary paperwork should you wish to move forward with a variance application to the Zoning Board of Adjustment.

Should you have any questions, please do not hesitate to contact me.

Thank you

DEBRA COONCE

Zoning Officer
Planning & Zoning Coordinator
TOWNSHIP OF LONG HILL
915 Valley Road, Gillette, NJ 07933
908-647-8000 Ext. 218
pzcoord@longhillnj.gov



Long Hill Township
915 Valley Road
Gillette, NJ 07933
908 647-8000 Ext218

Date Issued:	_____
Application Number:	<u>ZA-21-021</u>
Application Date:	<u>2/4/2021</u>
Project Number:	_____
Permit Number:	_____
Fee:	<u>\$100.00</u>

Zoning Permit

Worksite **95 E RAYBURN RD**
Location: **Long Hill Township, NJ**

Owner: **CAVALLARI, MARCO/MARILEIDE OLSEN**
Address: **95 E RAYBURN RD
MILLINGTON, NJ 07946**

Applicant: **SJ POOLS & LANDSCAPING LLC**
Address: **484 RT 17 N STE3
PARAMUS, NJ 07652**

Block: 12702 Lot: 38 Qualifier: _____ Zone: R-3

This Certifies that an application for the issuance of a Zoning Permit has been examined.

Present Use: Single-Family Residential

Non Conforming Use
Proposed Use: Single-Family Residential

Non Conforming Structure

Work Description:

Inground Pool - DENIED

Proposed lot coverage is over allowed 20% for the zone. A variance from the Zoning Board of Adjustment would be required in order to proceed.

Application Approved Date: _____

Upon review it was determined that the Zoning Permit:

- Permitted by Ordinance
- Permitted by Variance approved on: _____
- Approved with Conditions
- Valid Nonconforming Use/Structure is established by
 - Zoning Board of Adjustment
 - Zoning Officer



Debra Coonce, Zoning Officer

2/22/2021

Date

Zoning Permit Additional

pdf

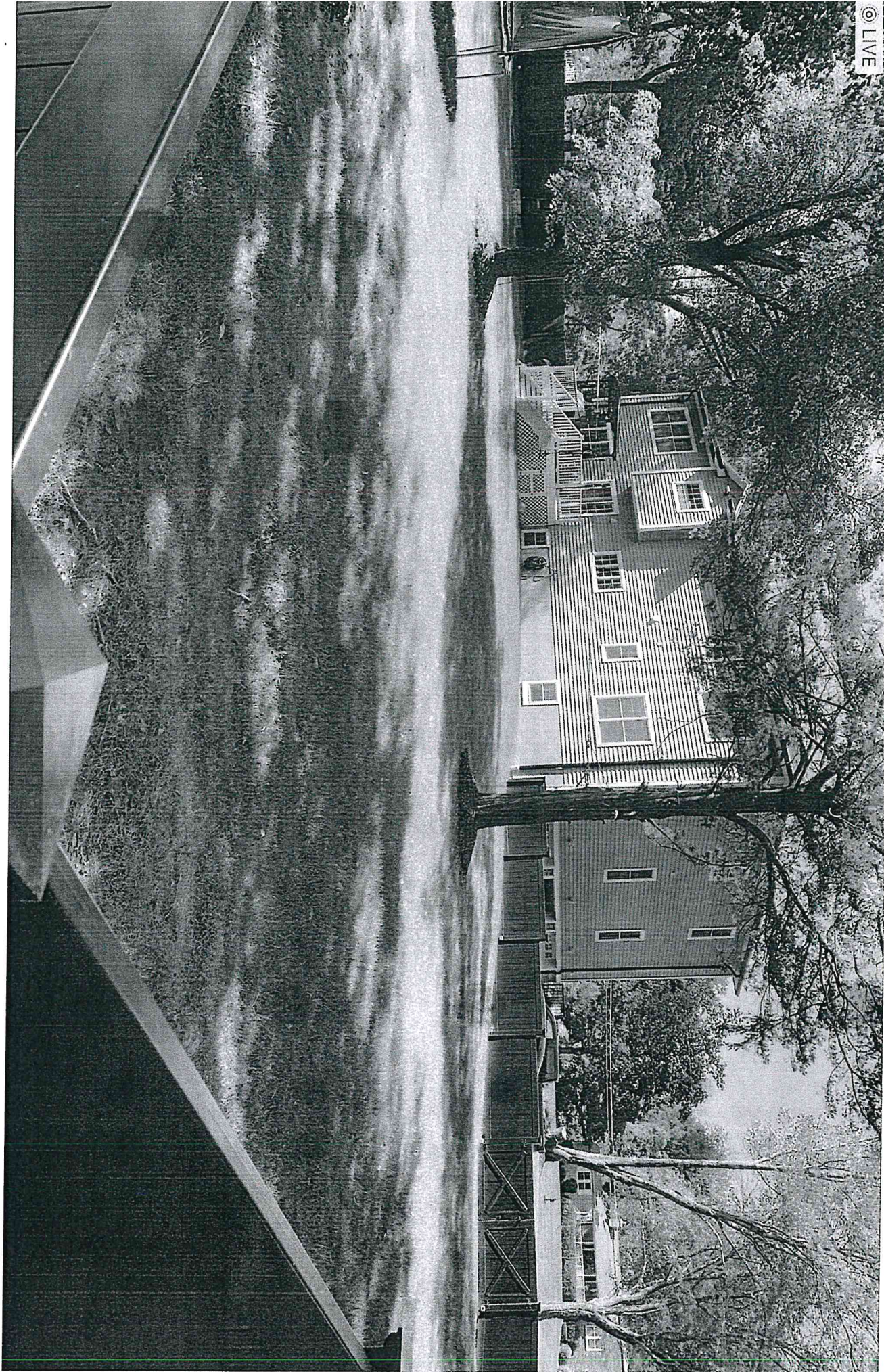
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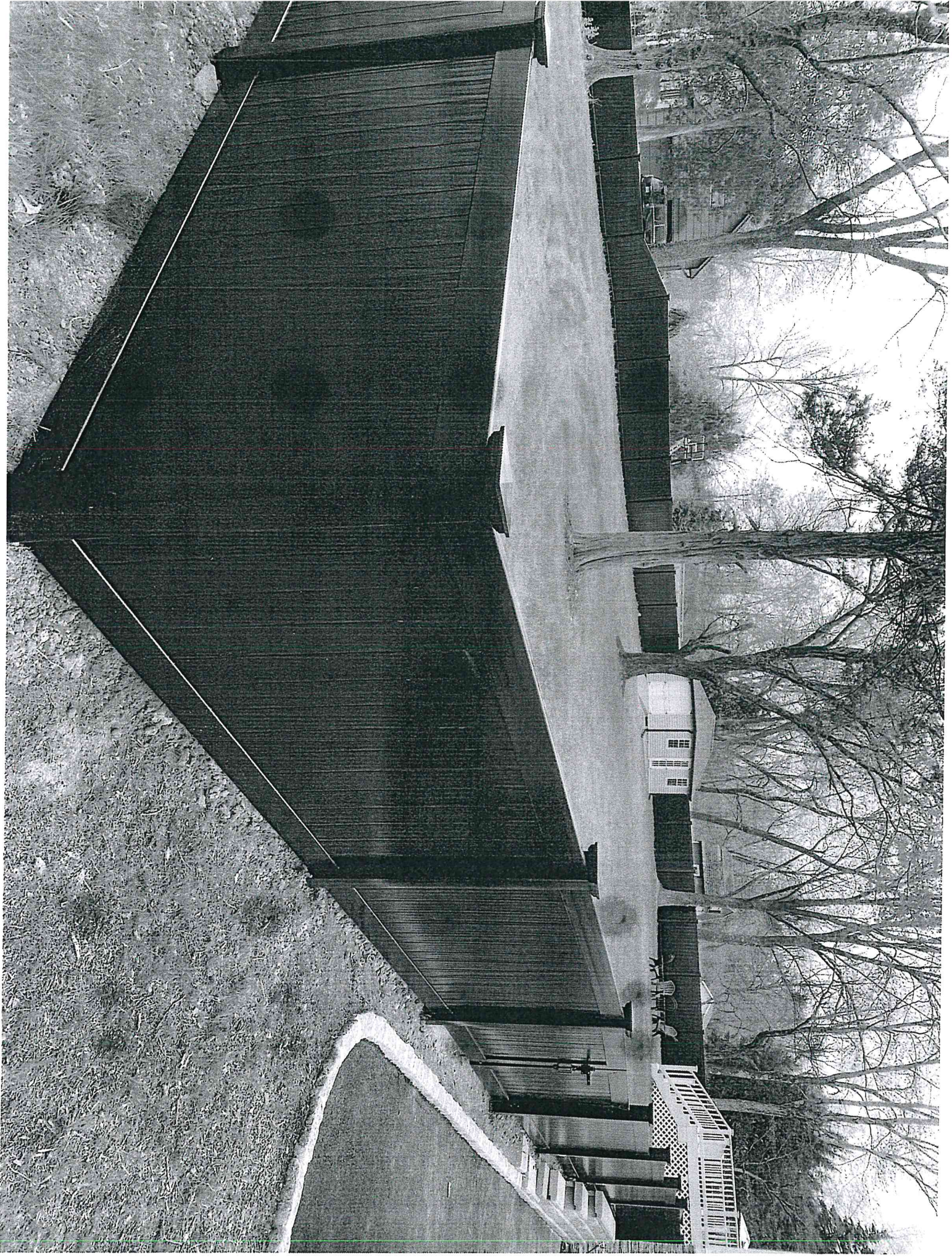
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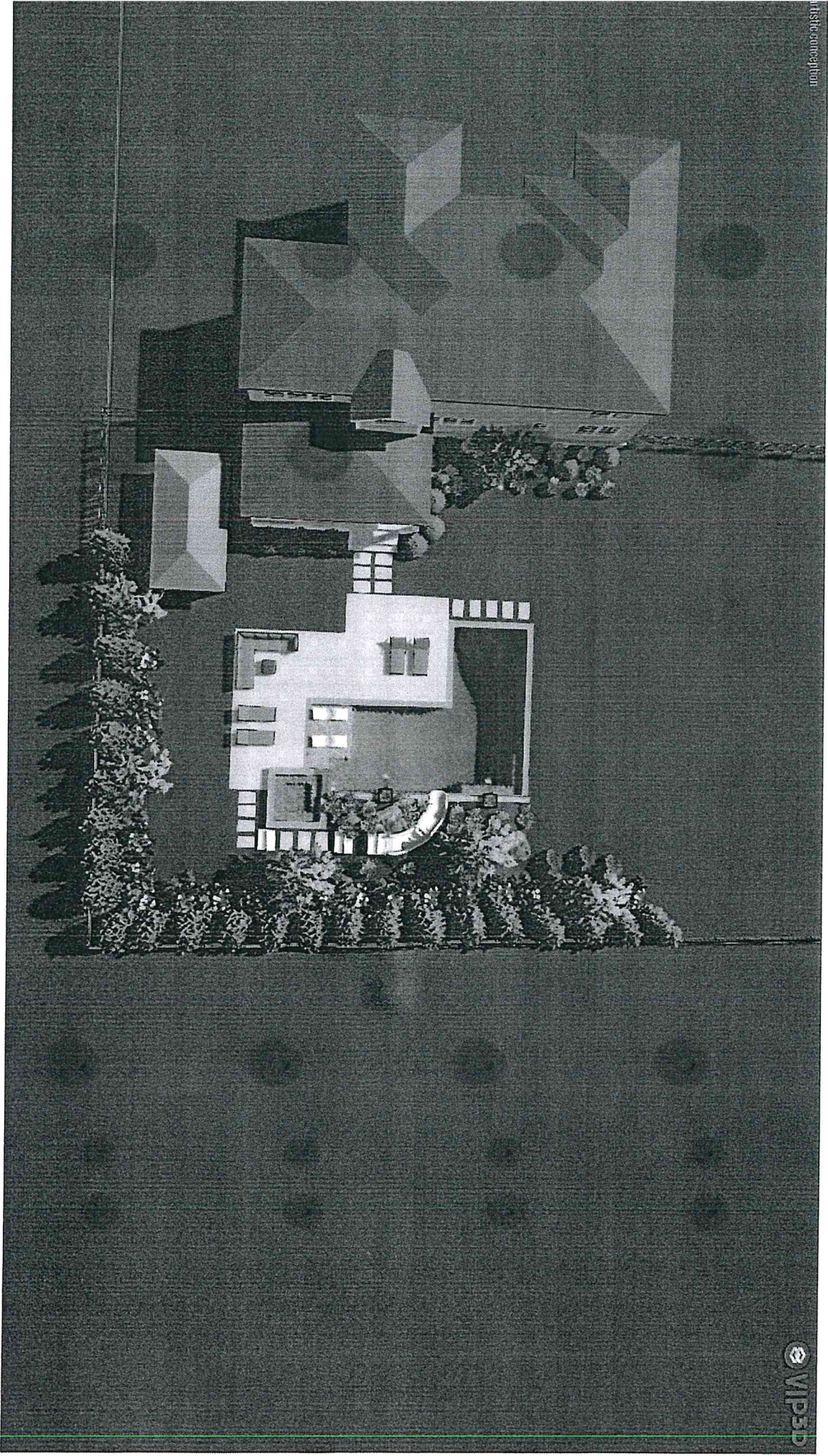
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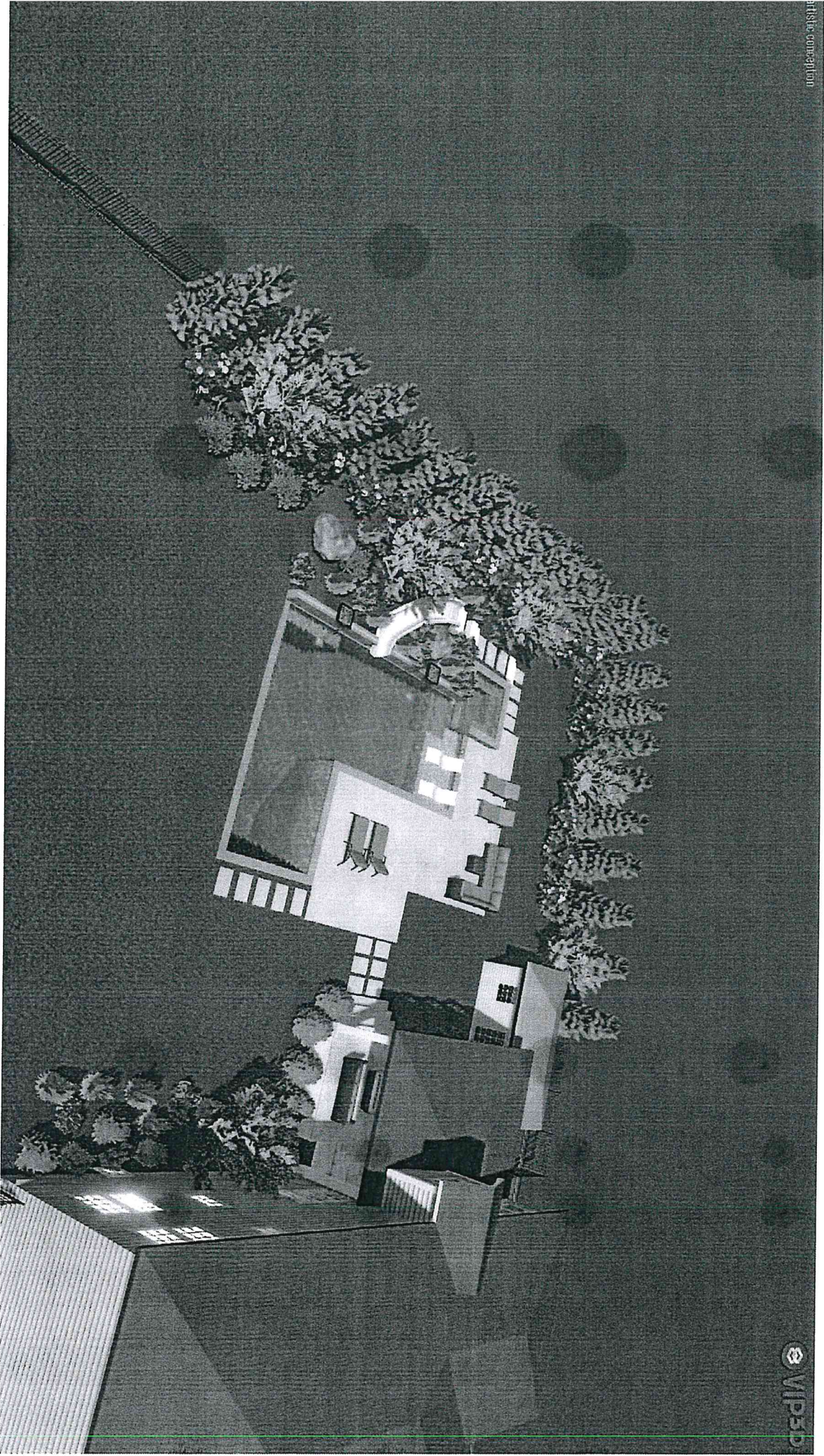
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