

Hackettstown Zoning Board

<u> X </u> APPLICATION FEE	<u> X </u> ESCROW
DATE 10/18/2021	OCTOBER 18. 2021
ADDRESS	223 MAIN STREET
BLOCK/LOT	BLOCK 71 LOT12.01
APPLICIANT	KEITH A. DETOMBEUR
APPLICANT ADDRESS	238 ALPHANO ROAD GREAT MEADOWS NJ 07838 -2500
Municipal Assessor JASON COHEN	\$10.00 for Certified List of 200 feet property owners
FEDERAL ID# OR SS#	207-46-9406
APPLICATION	\$250.00 SECTION 68 CHECK# 6549
REASON FOR DEPOSIT	ESCROW SECTION 68 INTERPRETATION
AMOUNT	\$1,500.00 (CHECK # 6548)

received
10/20/21

DEVELOPMENT APPLICATION
TOWN OF HACKETTSTOWN

PAGE 1 OF 5

1. GENERAL INFORMATION

A. Applicant: Name Keith DeTombeur
Street Address 238 Alphano Road Great Meadows NJ
Municipality _____
Telephone 973-945-0401

B. Applicant Status:

Individual(s) ☒ Partnership ☐ Corporation ☐
Other ☐ Specify _____

C. If Applicant is a Partnership or Corporation, attach a list of the names of persons having a 10% interest or more in said partnership or Corporation.

Check here if list is attached. ☐

D. Applicant relationship to property: Owner ☒ Lessee ☐
Under Contract ☐ Other ☐ Specify _____

E. Property Owner (if other than Applicant):

Name _____
Street Address _____
Municipality _____
Telephone _____

F. Engineer/Land Surveyor:

Name N/A

Street Address _____

Municipality _____

Telephone _____

G. Attorney: Name _____

Street Address _____

Municipality _____

Telephone _____

2. TYPE OF APPLICATION - check where appropriate

	VARIANCES
<input type="checkbox"/> Minor Site Plan	
<input type="checkbox"/> Minor Subdivision	<input checked="" type="checkbox"/> Use
<input type="checkbox"/> Preliminary Major Site Plan	<input type="checkbox"/> Bulk
<input type="checkbox"/> Preliminary Major Subdivision	
<input type="checkbox"/> Final Major Site Plan	<input checked="" type="checkbox"/> Interpretation
	(appeal from Administrative Officer)
<input type="checkbox"/> Final Major Subdivision	<input type="checkbox"/> Conditional Use

(REFER TO SECTION 200 OF
THE LAND USE ORDINANCE)

3. PROPERTY DATA

A. STREET ADDRESS 223 Main StreetB. BLOCK NUMBER 71 LOT NUMBER 12.01C. The location of the property is approximately 100 feet from
the intersection of Church Street and Main Street

- D. Existing Use N/A
- E. Proposed Use _____
- F. Zone District _____
- G. Acreage of Entire Tract to be Subdivided _____
- H. Proposed Number of Lots _____
- I. Is the property located on a County of Warren Roadway?
Yes ☒ No ☐
- J. Is the property located within 200' of a municipal boundary?
Yes ☐ No ☐
- K. Was this property subject to a prior development application?
Yes ☐ No ☒
- L. Is the property subject to any existing or proposed deed restrictions, easements, rights of way, private roads, or other dedications?
Yes ☒ No ☐

If so, attach all relevant information.

Check here if such information is attached. ☐

4. DEVELOPMENT PROPOSAL - Describe the nature of the application being sought, including on-site improvements

board or approval by the county planning board by its failure to report thereon within the required time period.

Adopted. L. 1975, c. 291, §54.

40:55D-68. Nonconforming structures and uses. Any nonconforming use or structure existing at the time of the passage of an ordinance may be continued upon the lot or in the structure so occupied and any such structure may be restored or repaired in the event of partial destruction thereof.

The prospective purchaser, prospective mortgagee, or any other person interested in any land upon which a nonconforming use or structure exists may apply in writing for the issuance of a certificate certifying that the use or structure existed before the adoption of the ordinance which rendered the use or structure nonconforming. The applicant shall have the burden of proof. Application pursuant hereto may be made to the administrative officer within one year of the adoption of the ordinance which rendered the use or structure nonconforming or at any time to the board of adjustment. The administrative officer shall be entitled to demand and receive for such certificate issued by him a reasonable fee not in excess of those provided in R.S. 54:5-14 and R.S. 54:5-15. The fees collected by the official shall be paid by him to the municipality. Denial by the administrative officer shall be appealable to the board of adjustment. Sections 59 through 62 of P.L. 1979, c. 291 (C. 40:55D-72 to C. 40:55D-75) shall apply to applications or appeals to the board of adjustment.

Adopted. L. 1975, c. 291, §55. Amended. L. 1985, c. 516, §15.

40:55D-68.1. Expansion of nonconforming hotel, guest house, rooming house or boarding house operations. Any hotel, guest house, rooming house or boarding house which is situated in any municipality which borders on the Atlantic ocean in a county of the fifth or sixth class shall be permitted to operate on a full-year basis notwithstanding section 55 of P.L. 1975, c. 291 (C. 40:55D-68) or any municipal ordinance, resolution, seasonal license, or other municipal rule or regulation to the contrary if it is demonstrated by affidavit or certification that:

a. a certificate of inspection has been issued for the hotel or guest house under the provisions of P.L. 1967, c. 76 (C. 55:13A-1 et seq.) or, in the case of a rooming house or boarding house, that a license has been issued under P.L. 1979, c. 496 (C. 55:13B-1 et al.); and

b. a hotel or guest house in the municipality which has obtained a certificate of inspection pursuant to P.L. 1967, c. 76 (C. 55:13A-1 et seq.) or rooming house or boarding house in the municipality which is licensed under P.L. 1979, c. 496 (C. 55:13B-1 et al.) is not prohibited from operating on a full-year basis on February 9, 1989 or on any other day following February 9, 1989.

Adopted. L. 1989, c. 67, §1, effective April 14, 1989.

40:55D-68.2. Filing with commissioner of community affairs; effect. The owner of any hotel, guest house, rooming house or boarding house who proposes to increase its operation to a full-year basis and who can demonstrate that a hotel, guest house, rooming house or boarding house in the municipality is not prohibited from operating on a full-year basis as provided under section 1 of this act [40:55D-68.1] shall file copies of that information with the Commissioner of Community Affairs in accordance with the requirements set forth in section 1 [40:55D-68.1] of this act and provide copies of that information to the clerks of the municipality and county in which the hotel, guest house, rooming house or boarding house is situated. The commissioner shall review that information submitted by the hotel, guest house, rooming house or boarding house owner and, within 30 days of receiving the information submitted, provide a determination of whether or not the hotel, guest house, rooming house or boarding house meets the requirements of section 1 [40:55D-68.1] of this act. If the commissioner does not

5. SUBMISSIONS - List all maps, plats, sketches and other exhibits accompanying this application:

<u>Description</u>	<u>Date Prepared</u>	<u>Prepared By</u>
40.55 D - 68	10/20/2021	Keith DeTombeur

6. VARIANCES

Describe any proposed variances requested, detail and/or location, proposed block and lot and the specific section(s) of the Zoning Ordinance of the Town of Backettstown from which relief is sought and the basis for said relief:

7. VERIFICATION AND AUTHORIZATION

I hereby certify that the statements and information contained herein and attached hereto are true and correct.

Keith DeTombeur
Applicant

10/20/21
Date

I hereby authorize the Applicant referenced herein to submit the subject application and to proceed for approval of same.

Keith DeTombeur
Property Owner(s)

10/20/21
Date

OFFICIAL USE ONLY

8. APPLICATION HISTORY

- A. Date Filed: _____
- B. Date Complete: _____
- C. Fee Paid: _____ Date Paid: _____
- E. Notice of Hearing: Date of Publication _____
- Date of Mailing _____
- Affidavit Received _____

9. DISPOSITION OF APPLICATION

- A. _____ Application Denied
- B. _____ Application Withdrawn
- C. _____ Application Granted

DATE OF DISPOSITION: _____

JASON COHEN
MUNICIPAL ASSESSOR
215 STIGER STREET
HACKETTSTOWN NJ 07840

KEITH DETOMBEUR
BLOCK 71 LOT 12.01
223 MAIN STREET
HACKETTSTOWN NJ 07840
200' PROPERTY OWNER LIST

Mr Cohen,

I respectfully request a certified list of property owners
within 200 feet of Block 71 Lot 12.01 aka 223 Main Street
Hackettstown NJ. 07840

Thank you.


Keith DeTombeur

CERTIFICATE OF PAID TAXES

TO: Tax Collector of the Town of Hackettstown

PLEASE CERTIFY THAT THE TAXES OF THE PROPERTY LISTED BELOW HAVE BEEN PAID.

Location: Block 71 Lots 12 & 12.01

Name of Owners: Keith Detombeur

I CERTIFY THAT THE REAL ESTATE TAXES ON THE ABOVE-MENTIONED PROPERTY HAVE BEEN PAID THROUGH 2021 third quarter

NEXT TAX PAYMENT DUE: 11-1-21

Tax Collector of
Town of Hackettstown
Warren County

Dated: 10-18-21

By: Patricia N. Hume

::::CHECK LIST::::
Details required for
Variance Applications

Note: See Section 802 C. of the Hackettstown Land Development Ordinance for further details of submission requirements and procedures.

X Application Form(s) and Checklist(s)(20 copies).

NA Plats or Plans (20 copies) signed and sealed by a N.J.P.L.S. or N.J.P.E., as required, and folded into eighths with title block revealed.

NA Scale of not less than 1" = 100' on one of four of the following standard sheet sizes (8 1/2" x 13"; 15" x 21"; 24" x 36"; or 30" x 42").

NA Key map at less than 1"=1000'.

NA Title block:

NA Name of subdivision or development, Town of Hackettstown, Warren County, with each sheet specifically titled with appropriately descriptive words;

NA Name, title, address and telephone number of subdivider or developer;

NA Name, title, address and license number of the professional or professionals who prepared the plot or plan;

X Name, title and address of the owner or owners of record;

NA North arrow;

NA Scale (written and graphic);

NA Date of original preparation and of each subsequent revision thereof and a list of specific revisions entered on each sheet; and

NA Names and addresses of partners or stockholders as required by Ordinance.

NA Acreage figures (both with and without areas within public rights-of-way).

NA Approval signature lines.

NA Existing block and lot number(s) of the lot(s) to be subdivided or developed as they appear on the Town Tax Map, and proposed block and lot numbers as provided by the Town Tax Assessor upon written request.

N/A Tract boundary line (heavy solid line).

N/A The location of existing and proposed property lines (with bearings and distances), streets, structures (with their numerical dimensions and an indication as to whether existing structures will be retained or removed), parking spaces, loading areas, driveways, watercourses, railroads, bridges, culverts, drain pipes, any natural features such as wetlands and treed areas, both within the tract and within one hundred feet (100') of its boundary.

NA The location and width of all existing and proposed utility easements, the use(s) for which they are intended, and the manner in which the easements will be controlled.

NA Zoning districts affecting the tract, including district names and all area and bulk requirements, with a comparison to the proposed development.

NA Proposed buffer and landscaped areas.

NA Delineation of flood plains, including both floodway and flood fringe areas. Contours as shown on the U.S.G.S. topographic sheets.

NA Marshes, ponds and land subject to flooding within the tract and within one hundred feet (100') thereof.

X The names of all adjacent property owners as they appear on the most recent tax list prepared by the Clerk of the Planning Board or Clerk of the Zoning Board of Adjustment, as the case may be.

X Five (5) copies of a certification from the Town Tax Collector indicating that all taxes and assessments are paid to date.

NA Concerning subdivisions only, existing and proposed monuments.

NA Road right-of-way dedication and improvement, as applicable.

NA Sight triangle easements, as applicable.

NA Deed descriptions (including metes and bounds), easements, covenants, restrictions, and roadway dedications.

NA A sixty-year title search dated within 6 months of the application date including copies of all deeds, easements, covenants, restrictions and other items affecting title to the property.

NA Highlands Consistency Determination or, in the alternative, documentation per Section 807 of the Land Development Ordinance entitled "Highlands Area Exemption Ordinance" that shows that the application is exempt from the Highlands Act.

NA A "Major Development Stormwater Summary Sheet" shall be submitted when a stormwater management basin is proposed on a project.

Kurt DeTombeur
Signature and Title of person who prepared check list

10/20/21
Date

PLEASE TAKE NOTICE that Keith DeTomben
(Applicant's Name)

has applied to the Land Use Board of the Town of Hackettstown for a variance to permit

(please state in detail the nature of the Variance being applied for)

Section 68
Interpretation
(4) Apartment @ 223

Regarding the property known as Block 71 Lot 12.01

Commonly known as 223 main ST

(Insert Street Address)

A hearing before the Land Use Board has been scheduled for 7:00 p.m. on
 , 20 at the Municipal Building, 215 West Stiger
Street, Hackettstown, at which time you may appear to ask any questions or raise and
objections to the granting of the variance requested. The application, maps, and related
information are available for inspection at the Construction Department Office during the
hours of 8:30 a.m. thru 4:30 p.m. Monday through Friday.

PLEASE PRINT OR TYPE

SERVICE AND NOTICE AFFIDAVIT

I, _____, upon my
oath depose and say that I served the attached notice on the following persons in the
manner and on the dates listed below:

NAME OF PERSONS SERVED	METHOD OF SERVICE (Insert Certified Mail or Personal Service Opposite Each Name)	DATE OF SERVICE (Insert date of mailing if by Certified Mail, or date of physical delivery to person opposite each name)

Note: If additional space is needed to list the names of persons served, please attach an additional sheet.

Sworn and Subscribed to _____
(Insert name of person making service)

Before me this _____ day of _____ 20_____.

Name and Title of person administering the Oath

Place seal of Notary Public unless person administering the oath is an Attorney at Law of New Jersey.

Note: A certified list of property owners affected by your variance application is available from the Tax Assessor at a nominal fee. If you obtain such a list, attach it to this affidavit together with evidence of mailing by certified mail (white slips) if service has been made by certified mail.

269355

DEED

This Deed is made on September 2, 1983,

BETWEEN

HAROLD A. GIBBS and ALICE C. GIBBS, husband and wife,

whose address is P.O. Box 62, Tranquility, New Jersey

referred to as the Grantor,

AND

KEITH DETOMBEUR, Married

whose post office address is 223 Main Street, Hackettstown, N.J. 07840

referred to as the Grantee

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

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of One Hundred Thousand and 00/100 \$100,000.00) Dollars

The Grantor acknowledges receipt of this money

Tax Map Reference. (N.J.S.A. 46:15-21) Municipality of Hackettstown

Block No. 71 Lot No 12.01 Account No

☐ No property tax identification number is available on the date of this deed (Check box if applicable)

Property. The property consists of the land and all the buildings and structures on the land in the Town of Hackettstown and State of New Jersey. The legal description is County of Warren

SEE SCHEDULE A attached hereto.

COUNTY OF WARREN
CONSIDERATION \$100,000.00
REALTY TRANSFER FEE \$350.00
DATE 9-28-83 BY [Signature]

Prepared by:

ALBERT B. THORP, ESQ.

204 Washington St.

Hackettstown, N.J. 07840

SCHEDULE A

Tax Map Reference. (N.J.S.A. 46:15-2.1) Municipality of Hackettstown
 Block No 71 Lot No 12.01 Account No

☐ No property tax identification number is available on the date of this deed (Check box if applicable)

Property. The property consists of the land and all the buildings and structures on the land in the Town of Hackettstown, County of Warren, and State of New Jersey. The legal description is

BEGINNING at a point in the easterly sideline of Main Street also being U. S. Highway Route 46. Said point of Beginning being the common corner of Tax Lot 11, Block 71, and the property herein-described. Said point of Beginning further being a point in the intended fifth course as recited in Deed Book 400, page 1 from Cornelia T. Hueber, Widow, to Harold A. Gibbs and Alice, his wife. From said point of Beginning running thence (1) Along the easterly sideline of Main Street North 30 degrees 00 minutes 00 seconds West 50.00 feet to a point; thence (2) By a new property line dividing Lot 12, Block 71, and the property herein-described, North 60 degrees 00 minutes 00 seconds East 224.60 feet to a point; thence (3) By another new property line dividing Lot 12, Block 71, and the property herein-described, South 30 degrees 00 minutes 00 seconds East 50.00 feet to a point. Said point being the intended fifth corner in the before-mentioned Deed Book 400, pages 1 &c., thence (4) Along the dividing line between Lot 11, Block 71, now or formerly the property of Fiedler Real Estate, Incorporated, and the property herein-described, South 60 degrees 00 minutes 00 seconds West 224.60 feet to the point and place of BEGINNING.

CONTAINING 11,230 square feet.

It being intended to properly describe Lot 12.01, Block 71 of the tax map of the Town of Hackettstown, Warren County, New Jersey, in accordance with "Proposed Subdivision, Tax Lot 12, Block 71" approved by the Planning Board of the Town of Hackettstown on November 23, 1982, prepared by Interstate Land Consultants, Hackettstown, New Jersey.

BEING part of the same lands and premises conveyed by Deed dated January 21, 1957, from Cornelia T. Hueber, Widow, to Harold A. Gibbs and Alice C. Gibbs, Husband and Wife, said Deed being recorded in the Warren County Clerk's Office in Deed Book 400 at pages 1 &c.

ALSO BEING part of the same lands and premises conveyed by Deed from Herman J. Marlatt and wife to Harold A. Gibbs and wife, dated December 28, 1949, and recorded in the Warren County Clerk's Office on December 29, 1949, in Deed Book 344 at pages 247 &c.

The Grantors reserve for the benefit of themselves, their heirs and assigns, to be used in common with the owner of the above-described lot and said owners, heirs and assigns, a perpetual right-of-way over the northerly 20-foot wide strip of the above property running from Main Street North 60° 00' 00" East 224.60 feet to the dividing line between the property above-described and the remaining lands of the Grantors. This right-of-way is reserved for the benefit of contiguous lands now owned by the Grantors or which may hereafter be acquired by the Grantors, their heirs and assigns, in order to maintain access to and from Main Street by the Grantors, their heirs and assigns, as well as their employees or invitees, by foot, vehicle or otherwise, in common with the owners of the above-described lot, their heirs, assigns, employees and invitees.

The said right-of-way shall be kept open and unobstructed, except the Grantors, for the benefit of themselves, their heirs and assigns, reserve the right to maintain and replace the sign now located in said right-of-way as long as the sign does not make impossible the use of the right-of-way for its above-stated purpose.

The perpetual right-of-way above-described shall be a covenant running with the lands here conveyed, which covenant shall not be released without the approval of the Hackettstown Planning Board, and the Grantors, their heirs and assigns.

This conveyance is subject to easements, restrictions, zoning ordinances and such facts as an accurate survey may disclose.

There is also reserved and this conveyance is subject to the rights of Leonard M. Fiedler and Helen I. Fiedler, owners of the property adjoining on the South of the above premises, and their heirs and assigns, to use 10 feet of the above-described 20-foot strip for access to the rear of their adjoining property from Main Street and including a 10-foot strip across the rear of the above-described property as previously agreed to in an Agreement between Leonard M. Fiedler and Helen I. Fiedler and Harold A. Gibbs and Alice C. Gibbs, dated October 22, 1976, and recorded in the Warren County Clerk's Office in Book 606, page 267.

Being the same premises conveyed to the grantors herein by deed of Harold A. Gibbs and Alice C. Gibbs, husband and wife, dated December 22, 1982 and recorded January 10, 1983 in Book 815 at Page 323 of the Warren County Clerk's Office.

Promises by Grantor. The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

Signatures. The Grantor signs this Deed as of the date at the top of the first page.

Witnessed by

Albert B. Thorp
Albert B. Thorp

Harold A. Gibbs (Seal)
HAROLD A. GIBBS
Alice C. Gibbs (Seal)
ALICE C. GIBBS

STATE OF NEW JERSEY, COUNTY OF WARREN

SS

I CERTIFY that on *September 2*, 19 *83*,
HAROLD A. GIBBS and ALICE C. GIBBS, husband and wife
personally came before me and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person)

- (a) is named in and personally signed this Deed,
- (b) signed, sealed and delivered this Deed as his or her act and deed, and
- (c) made this Deed for \$ 100,000.00 as the full and actual consideration paid or to be paid for the transfer of title (Such consideration is defined in N.J.S.A. 46:15-5)

Prepared by

Albert B. Thorp
(Print name and title below signature)
Albert B. Thorp, Esq., An Attorney
at Law of the State of N.J.

269355

RECEIVED

SEP 28 2 05 PM '83

TERENCE D. LEE
WARREN COUNTY CLERK
SELWICK, N.J.

LP ENTERED 9-28-83
CC INDEXED 9/29/83

Received in the Warren	
County Clerk's Office	
Date	9-28-83
Time	2:05 PM
Recorded in	Deed
Book	841 Page 444c
23	
<i>Terence D. Lee</i>	
Warren County Clerk	

DEED

Record and return to:

HAROLD A. GIBBS and
ALICE C. GIBBS, husband and
wife

TO

Grantor,

KEITH DETOMBEUR, Married

Grantee.

COURTER, ROBERT, LAUFER & PEASE, P.A.
256 MAIN STREET, BOX 470
HACKETTSTOWN, N. J. 07840

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