



# Sweet & Bennett, LLC

Jessica L. Sweet  
Jamie M. Bennett

*Build Something Great*

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Reply to: New Brunswick  
jessica@sweetbennett.com

October 14, 2020

**Via USPS Priority Mail**

Stephen R. Carasia, Administrative Officer  
Borough of Deal  
P.O. Box 56  
Deal, NJ 07723

**Re: Variance Application – Deal Planning Board  
45 Hathaway Avenue  
Block 68, Lot 15**

Dear Mr. Carasia:

On behalf of Eli Sasson, owner of the above-referenced property, I have enclosed the following items for filing with the Planning Board in support of an application for variances:

1. Five (5) copies of completed Planning Board Application;
2. Five (5) copies of the completed Application Checklist, with attached waiver request;
3. Five (5) sets of site plans entitled, "Plot Plan for 45 Hathaway Avenue, Tax Block 68, Lot 15, Borough of Deal, Monmouth County, New Jersey," consisting of two (2) sheets, prepared by Nelson Engineering Associates, Inc., dated August 13, 2020 and revised through October 7, 2020;
4. Five (5) copies of the property survey, entitled "Boundary & Topographic Survey of Property for 45 Hathaway Avenue, Lot 2, Tax Block 68, Lot 15, Borough of Deal, Monmouth County, New Jersey," prepared by Nelson Engineering Associates, Inc., dated July 10, 2020;
5. A check in the amount of \$100.00, payable to the Borough of Deal, in payment of the application fee;
6. A check in the amount of \$300.00, payable to the Borough of Deal, in payment of the stenographer fee;



7. A check in the amount of \$2,000.00, payable to the Borough of Deal, in payment of the escrow fee;
8. Signed W-9 form;
9. Certified list of property owners within 200 feet; and
10. Verification of taxes paid to date.

Thank you for your kind attention and assistance with this application. Should you require anything further to schedule this matter for a hearing, please do not hesitate to contact me.

Very truly yours,

JESSICA L. SWEET

Enc.

Cc: Mr. Sasson (w/ encl.)

**BOROUGH OF DEAL  
PLANNING BOARD / BOARD OF ADJUSTMENT  
APPLICATION OR APPEAL**

1. Applicant's Name Eli Sasson

Phone and Fax Nos. (917) 560-5016 ( ) \_\_\_\_\_

Mailing Address 823 Avenue J, Brooklyn, NY 11230-3507

2. Federal Identification or Social Security Number \_\_\_\_\_

3. Present Owner Same as Applicant Phone ( ) \_\_\_\_\_

Subject property:

Mailing Address 45 Hathaway Avenue (Block 68, Lot 15)

4. Attorney Representing Applicant Jessica L. Sweet, Esq.

Firm Name Sweet & Bennett, LLC Phone (732) 640-1411

Mailing Address P.O. Box 1383, New Brunswick, NJ 08903-1383

5. Licensed N.J. Engineer, Surveyor, Architect or Planner Preparing Maps:

Firm Name Nelson Engineering Assoc. Phone (732) 918-2180

Mailing Address 1750 Bloomsbury Ave., Ocean, NJ 07712

6. Interest of Applicant if other than Owner: Owner

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7. STATEMENT OF LANDOWNER WHERE THE APPLICANT IS NOT THE LANDOWNER

I, \_\_\_\_\_, the owner of Lot(s) \_\_\_\_\_

In block(s) \_\_\_\_\_, Borough of Deal, Monmouth County, New

Jersey, hereby acknowledge that application \_\_\_\_\_

For development of said lot(s) is made with my complete understanding permission in

Accordance with an agreement entered into between me and the applicant herein stated.

\_\_\_\_\_  
Signature of Owner

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Phone ( ) \_\_\_\_\_

8. Application for (check appropriate):

|  |   |  |
|--|---|--|
| Variance                                 | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| Use Variance                             | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| Interpretation                           | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| Site Plan                                | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| Subdivision                              | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| Minor or Preliminary plat or subdivision | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| Final plat or subdivision                | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |

9. Address of Premises Affected by Application: 2,012 SF

10. Known as: Block(s) 68 Lot(s) 15

Tax Map Sheet(s) 9 Zone(s) R-2

Ownership of Adjacent Property? (If yes indicate block and lot):

No.

11. GENERAL INFORMATION

|  | Yes                                     | No                                      |
|--|---|---|
| Are taxes Paid through date?   | ( <input checked="" type="checkbox"/> ) | ( )                                     |
| Are there deed restrictions, covenants Or easements effecting tract? | ( )                                     | ( <input checked="" type="checkbox"/> ) |

Does the applicant have any interest within 1000 yards of the tract? For these purposes "Applicant" shall include any entity in which the applicant or any officer, director, partner or shareholder of applicant has an interest. If the answer is yes, explain:

( ) (✓)

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Is the application for a new building or an undeveloped lot? "

( ) (✓)

Is the application for additional buildings or improvements to a lot having existing buildings or improvements?

(✓) ( )

Is the application for a new tenant or new occupant of an existing building?

( ) (✓)

Is there a previously approved site plan for this property? If so attach an approved copy.

( ) (✓)

Has there been any previous appeal involving this property? If so, state character of appeal and date of disposition.

No.

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12. It this a corner lot? No  
If no, distance from nearest intersection  
Is approx. 300 feet.

13. Lot Dimensions:

Existing

Zoning Requirements

Frontage 100 ft.

150 ft.

Depth 150 ft.

125 ft.

Area 15,000 sq.ft.

18,750 sq.ft.

0.34 acres

0.43 acres

14. Subject Building Location

Show minimum distance to

Zoning Requirements

Existing house:

Proposed Swimming Pool:

Front Lot Line 51.8 ft.

50 ft.

Side Lot Line 20 ft.

Side Lot Line: 15 ft.

House/ Pool  
20 ft / 30 ft.

Rear Lot Line 47.8 ft.

Rear Lot Line: 10 ft.

House/ Pool  
30 ft / 30 ft.

15. Size of Buildings:

Front Width 59 ft.; Depth 50 ft.; Height unknown but <42 ft.

16. Lot Coverage Existing: 28.45%  
Proposed: 39.65% % Zoning Requirement 40% %

17. The proposed building or use thereof is contrary to Article(s) 15 & 30

Section(s) 2.1(a) & 86 of the Development Regulations Ordinance of the Borough  
Of Deal in the following Particulars:

Side yard setback for swimming pool: 30' required; 15' proposed to east side;

Rear yard setback for swimming pool: 30' required; 10' proposed.

Rear yard setback for pool patio: 10' required; 7' proposed.

Accessory rear yard coverage: 35% max. permitted; 42.15% proposed

18. The reasons for this request and the grounds urged for the relief demanded are as  
follows: See attached sheet.

Date October 14, 2020

By   
Signature of Applicant Appellant  
Jessica L. Sweet, Esq.,  
Attorney for Applicant/Owner Eli Sasson

18. The reasons for this request and the grounds urged for the relief demanded are as follows:

The property is undersized in terms of area (15,000 SF where 18,500 SF required) and width (100' where 150' required). Additionally, due to the architectural design, layout and location of the existing house, the rear yard is only 47' wide, making it a hardship to comply with the 30' rear yard setback requirement for the proposed pool. The undersized nature of the lot and location of the house also drives the applicant's request for a variance to exceed the maximum rear yard coverage. The side yard setback variance is requested as a better planning alternative due to location and layout of existing structures on adjacent property to the east. Applicant submits that the existing detached garage will provide sufficient buffer and screening to proposed pool location 15' from east side property line, and the benefits of the enlarged 45' setback to the west will substantially outweigh any detriment from the reduced east side setback.

(Applicant shall execute the following Affidavit)

STATE OF NEW JERSEY            SS  
COUNTY OF MONMOUTH

Jessica L. Sweet, Esq. of full age, being duly sworn, upon her


oath, deposes and says:

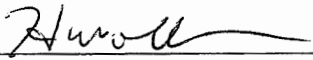
~~applicant~~ <sup>attorney for the applicant/ property owner</sup>  
I am the ~~applicant~~ in the above matter and the information as set forth therein is true to the best of my knowledge and belief.

Sworn and subscribed to

Before me this 14<sup>th</sup>

Day of October, 2020

By   
Jessica L. Sweet, Esq.

  
Notary Public of New Jersey  
Henry P. Wolfe, Esq., Attorney-at-Law, State of NJ



# BOROUGH OF DEAL

190 NORWOOD AVENUE  
DEAL, NEW JERSEY 07723



Samuel M. Cohen, Mayor  
Department of Public Affairs and Public Safety

Morris Ades, Commissioner  
Department of Revenue and Finance

David Simhon, Commissioner  
Department of Public Works and Beaches


Stephen R. Carasia  
Borough Clerk / Administrator  
(732) 531-1454 Fax (732) 531-1705

## 200' List

Location: Block 68 Lot 15 – 45 Hathaway Avenue

| Block | Lot  | Owner Complete Name                  | Property Address | Property City | Property Mailing Address               |
|-------|------|--------------------------------------|------------------|---------------|--|
| 68    | 16   | RISHTY, JOSEPH & NANCEE              | 43 HATHAWAY AVE  | DEAL BORO     | 43 HATHAWAY AVE, DEAL, NJ 07723        |
| 68    | 5    | RJGS REAL ESTATE INVESTMENTS LLC     | 54 MONMOUTH DR   | DEAL BORO     | 2315 OCEAN PKWY, BROOKLYN, NY 11223    |
| 73    | 2    | TAWIL, ELY & MICHELE                 | 42 HATHAWAY AVE  | DEAL BORO     | 42 HATHAWAY AVE, DEAL, NJ 07723        |
| 73    | 4.02 | BENZAKEN, ETTY                       | 56 HATHAWAY AVE  | DEAL BORO     | 1801 E 4TH ST, BROOKLYN, NY 11223      |
| 68    | 1    | STEIN, MARTIN & ARLYNE               | 262 OCEAN AVE    | DEAL BORO     | 641 5TH AVE # 41D, NEW YORK, NY 10022  |
| 68    | 2    | SAKKAL, JACK & JACQUELINE            | 40 MONMOUTH DR   | DEAL BORO     | 1080 E 8TH ST, BROOKLYN, NY 11230      |
| 73    | 7    | SILVERA, MAURICE & CAROLYN           | 52 HATHAWAY AVE  | DEAL BORO     | 176 E 71ST ST, NEW YORK, NY 10021      |
| 73    | 3    | CLAUDETTE, THEODORE & TAWIL QUALIFIE | 48 HATHAWAY AVE  | DEAL BORO     | 618 AVENUE K, BROOKLYN, NY 11230       |
| 68    | 14   | SHABOT, FREIDA & S SHALAM TRUST      | 51 HATHAWAY AVE  | DEAL BORO     | 1930 EAST 4TH ST, BROOKLYN, NY 11223   |
| 73    | 1.02 | 274 OCEAN AVENUE LLC                 | 274 OCEAN AVE    | DEAL BORO     | 701 AVENUE K, BROOKLYN, NY 11230       |
| 68    | 6    | TAWIL, ROBERT J & OLGA               | 58 MONMOUTH DR   | DEAL BORO     | 2064 OCEAN PKWY, BROOKLYN, NY 11223    |
| 68    | 17   | ALFAKS, MORRIS & LILIANE             | 268 OCEAN AVE    | DEAL BORO     | 2155 HOMECREST AVE, BROOKLYN, NY 11229 |
| 68    | 4.01 | HEDAYA FAMILY                        | 52 MONMOUTH DR   | DEAL BORO     | 1836 E 8TH ST, BROOKLYN, NY 11223      |
| 68    | 4    | 48 MONMOUTH DRIVE LLC                | 48 MONMOUTH DR   | DEAL BORO     | 1957 EAST 4TH ST, BROOKLYN, NY 11223   |

I hereby certify that the foregoing is a true list of property owners within 200 feet of the location requested.

  
Stephen Carasia  
Borough Clerk / Administrator

September 17, 2020

Date



# Online Payment Portal

|  |   |
|--|---|
| <b>Block/Lot/Qual:</b> 68. 15.   | <b>Tax Account Id:</b> 839  |
| <b>Property Location:</b> 45 HATHAWAY AVE  | <b>Property Class:</b> 2 - Residential  |
| <b>Owner Name/Address:</b> SASSON, ELI & BEVERLY<br>823 AVENUE J<br>BROOKLYN, NY 11230 | <b>Land Value:</b> 1,322,500<br><b>Improvement Value:</b> 541,800<br><b>Exempt Value:</b> 0 |
|  | <b>Total Assessed Value:</b> 1,864,300  |
| <b>Special Taxing Districts:</b>   | <b>Additional Lots:</b> None  |
|  | <b>Deductions:</b>  |

## Taxes Utilities

|                   |            | <a href="#">Make a Payment</a> | <a href="#">View Tax Rates</a> | <a href="#">View Current Bill</a> | <a href="#">Project Interest</a> |                 |        |
|-------------------|------------|--------------------------------|--------------------------------|-----------------------------------|----------------------------------|-----------------|--------|
| Year              | Due Date   | Type                           | Billed                         | Balance                           | Interest                         | Total Due       | Status |
| 2021              | 02/01/2021 | Tax                            | 3,327.78                       | 3,327.78                          | 0.00                             | 3,327.78        | OPEN   |
| 2021              | 05/01/2021 | Tax                            | 3,327.77                       | 3,327.77                          | 0.00                             | 3,327.77        | OPEN   |
| <b>Total 2021</b> |            |                                | <b>6,655.55</b>                | <b>6,655.55</b>                   | <b>0.00</b>                      | <b>6,655.55</b> |        |
| 2020              | 02/01/2020 | Tax                            | 3,166.22                       | 0.00                              | 0.00                             | 0.00            | PAID   |
| 2020              | 05/01/2020 | Tax                            | 3,166.22                       | 0.00                              | 0.00                             | 0.00            | PAID   |
| 2020              | 08/01/2020 | Tax                            | 3,489.33                       | 0.00                              | 0.00                             | 0.00            | PAID   |
| 2020              | 11/01/2020 | Tax                            | 3,489.33                       | 3,489.33                          | 0.00                             | 3,489.33        | OPEN   |
| <b>Total 2020</b> |            |                                | <b>13,111.10</b>               | <b>3,489.33</b>                   | <b>0.00</b>                      | <b>3,489.33</b> |        |
| 2019              | 02/01/2019 | Tax                            | 2,880.80                       | 0.00                              | 0.00                             | 0.00            | PAID   |
| 2019              | 05/01/2019 | Tax                            | 2,880.79                       | 0.00                              | 0.00                             | 0.00            | PAID   |
| 2019              | 08/01/2019 | Tax                            | 3,451.64                       | 0.00                              | 0.00                             | 0.00            | PAID   |
| 2019              | 11/01/2019 | Tax                            | 3,451.64                       | 0.00                              | 0.00                             | 0.00            | PAID   |
| <b>Total 2019</b> |            |                                | <b>12,664.87</b>               | <b>0.00</b>                       | <b>0.00</b>                      | <b>0.00</b>     |        |

Last Payment: 08/05/20

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