

8. Type of application presented:

- Appeal from decision of Zoning Official (N.J.S.A. 40:55D-70a)
- Interpretation of Zoning Ordinance or Zoning Map (N.J.S.A. 40:55D-70b)
- Hardship Variance (N.J.S.A. 40:55D-70c(1))
- Flexible (C)/balancing benefits and detriments (N.J.S.A. 40:55D-70c(2))
- Use Variance (N.J.S.A. 40:55D070d)
 - (1) Use or principal structure
 - (2) Expansion of non-conforming use
 - (3) Deviation from conditional use standard
 - (4) Increase in permitted floor area ratio
 - (5) Increase in permitted density
 - (6) Height of principal structure greater than 10 feet or 10% of maximum height permitted
- Permit to build in street bed (N.J.S.A. 40:55D-34)
- Permit to build where lot does not abut street (N.J.S.A. 40:55D-36)
- Site plans (N.J.S.A. 40:55D-76)
- Major
 - Preliminary
 - Final
- Minor
- Waiver of site plan itself
- Subdivision (N.J.S.A. 40:55D-76)
- Minor
- Major
 - Preliminary
 - Final
- Waivers from subdivision and/or site plan standards
- Other

9. Request is made for permission to construct an accessory structure to house a ground floor garage and an in-law apartment on the second floor.

(Describe type of variance sought)

A use variance is required to permit two principal uses, and a 'C' variance for accessory building coverage contrary to the requirements of Sections: 185-16(B); 185-16(C); and 185-16(D)

of the Dennis Township Land Use and Development Ordinances, Dennis Township Code Chapters 98, 165 and 185.

10. Supply the following information concerning this application. Place an asterisk to the left of the description of all items for which variances are sought.

	<u>EXISTING CONDITION</u>	<u>REQUIRED BY ORDINANCE</u>	<u>PROPOSED</u>	<u>VARIANCE REQUIRED YES/NO</u>
<u>LOT SIZE:</u>				
Lot Area	35,000SF	40,042SF	40,042SF	NO
Lot Frontage				
Lot Width	100ft.	155ft.	155ft.	NO
Lot Depth	200ft.	271ft.	271ft.	NO
<u>PRINCIPAL BUILDING:</u>				
Side Yard, each	30ft.	36ft.	26ft.	NO
Front Yard	50ft.	84ft.	84ft.	NO
Rear Yard	70ft.	146ft.	146ft.	NO
Building Height	<30ft.	30ft.	<30ft.	NO
<u>ACCESSORY BUILDING:</u>				
Side Yard, each	5ft.	15ft.	26ft.	NO
Rear Yard	5ft.	81ft.	23ft.	NO
Distance to Other Buildings				
Building Height	25ft.	25ft.	25ft.	NO
<u>MAXIMUM COVERAGE:</u>				
Principal Building %	10%	4.3%	4.3%	NO
Accessory Building %	3.5%	1.9%	7.9%	YES
<u>GROSS FLOOR AREA:</u>				
Principal Building				
Accessory Building				

<u>EXISTING CONDITION</u>	<u>REQUIRED BY ORDINANCE</u>	<u>PROPOSED</u>	<u>VARIANCE REQUIRED YES/NO</u>
<u>PARKING:</u>			
No. of Spaces			NO
<u>SIGNS:</u>			
Size			NO
Number			No
Type (free standing or building mounted)			

11. Has there been any previous appeal, request or application to this Board or to the Planning Board involving these premises? If yes, state the nature of application, date of application, date of hearing and result received from Board.

Unknown

BY LAW, VARIANCES CAN ONLY BE GRANTED WHERE THE APPLICANT IS ABLE TO SATISFY BOTH POSITIVE AND NEGATIVE CRITERIA ESTABLISHED BY THE MUNICIPAL LAND USE LAW. NO VARIANCE RELIEF OF ANY TYPE MAY BE GRANTED UNLESS THE VARIANCE OR RELIEF CAN BE GRANTED WITHOUT SUBSTANTIAL DETRIMENT TO THE PUBLIC GOOD AND WITHOUT SUBSTANTIALLY IMPAIRING THE INTENT AND PURPOSE OF THE ZONE PLAN AND ZONING ORDINANCE. HARDSHIP VARIANCES OF THE ZONE PLAN AND ZONING ORDINANCE. HARDSHIP VARIANCES (40:55dc(1) CAN ONLY BE GRANTED WHERE AN EXCEPTIONAL CONDITION EXISTS WITH REGARD TO A SPECIFIC PIECE OF PROPERTY, WHERE EXCEPTIONAL TOPOGRAPHICAL CONDITIONS OR PHYSICAL FEATURES UNIQUELY AFFECT A SPECIFIC PIECE OF PROPERTY OR WHEREBY REASON OF AN EXTRAORDINARY AND EXCEPTIONAL SITUATION UNIQUELY AFFECTING A SPECIFIC PIECE OF PROPERTY OR THE STRUCTURES LAWFULLY EXISTING THEREON THE STRICT APPLICATION OF THE ZONING REQUIREMENT WOULD RESULT IN PECULIAR AND EXCEPTIONAL PRACTICAL DIFFICULTIES TO OR EXCEPTIONAL AND UNDUE HARDSHIP UPON THE DEVELOPER OF THE PROPERTY. RELIEF UNDER THE FLEXIBLE C TYPE VARIANCE (N.J.S.A. 40:55D-70c(2)) CAN ONLY BE GRANTED WHERE, WITH REGARD TO A SPECIFIC PIECE OF PROPERTY, THE PURPOSES OF THE MUNICIPAL LAND USE LAW WOULD BE ADVANCED BY A DEVIATION FROM THE ZONING ORDINANCE REQUIREMENT AND THE BENEFIT OF THE DEVIATION WOULD SUBSTANTIALLY OUTWEIGH ANY DETRIMENT. USE, AND RELATED VARIANCES (N.J.S.A. 40:55d-70d) CAN ONLY BE

GRANTED WHERE THERE ARE SPECIAL REASONS AS SPECIFIED BY THE MUNICIPAL LAND USE LAW. THE BURDEN IS UPON THE APPLICANT TO PROVIDE PROOF OF SATISFACTION OF THE AFORESAID REQUIREMENTS APPLICABLE TO HIS APPLICATION.

A SHORT SUMMARY OF THE REASONS WHY YOU ARE ENTITLED TO THE RELIEF SOUGHT FROM THE ZONING BOARD OF ADJUSTMENT SHALL BE PROVIDED ON A SEPARATE SHEET OF PAPER AND ENUMERATED WITH THE APPROPRIATE PARAGRAPH NUMBER UNDER WHICH THE RELIEF IS SOUGHT, (PARAGRAPHS NO. 12-15)

12. **Attach to this application a statement of the facts showing why the relief sought can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Dennis Township Zoning Plan and Zoning Ordinance. State why the variance can be granted without substantial harm to the neighborhood and without significant overturning of the Township Zoning Plan.**
13. **Attach to this application a statement specifying the hardship/exceptional conditions of the specific property involved justifying the granting of a variance pursuant to N.J.S.A. 40:55D-70c(1). State what is unique about your specific piece of property noting such things as an exceptionally narrow, deep, or otherwise unusually shaped lot; physical features located on the lot that prevent its use in a normal manner that would be allowed by the existing zoning; the specific location of existing structures that limit compliance with the required zoning. Note how the circumstances relating to your particular lot differ from other lots in the neighborhood. State what hardships would result should the variance not be granted to you.**
14. **Attach to this application a statement setting forth the facts supporting the contention that the purposes of the Municipal Land Use Law would be advanced by a deviation from the Zoning requirements in question and the benefits of that deviation would substantially outweigh any detriment pursuant to N.J.S.A. 40:55D-70c(2). Among the purposes of the Municipal Land Use Law are following: promotion of public health, safety and welfare; provision of adequate light, air and open space; establishment of appropriate population densities; provision of sufficient space for agricultural, residential, recreational, commercial and industrial uses and open space; promotion of a desirable visual environment; conservation of historic sites, districts, open space and natural resources; encouragement of senior citizens housing. Cite which of these apply to your application and further, cite the characteristics of your land that will present an opportunity for improved zoning and planning to benefit the community.**
15. **Attach to this application a statement setting forth the special reasons for granting this variance pursuant to N.J.S.A. 40:55D-70d. "Special Reasons" exist where a proposed project carries out a purpose of zoning, (such as those noted in Section 14 above) or where the refusal to allow the project would impose an undue hardship on you; state why the property at issue cannot reasonably be developed with a use permitted by the Zoning Ordinance.**

16. Set forth specifically the determination of the Zoning Official from which an appeal has been filed and the basis for the appeal. (N.J.S.A. 40:55D-70a)

N/A

17. Set forth specifically the Zoning Ordinance section and provisions and/or the portion of the Zoning Map for which an interpretation from the Zoning Board is sought. Set forth the interpretation sought by the applicant. (N.J.S.A. 40:55D-70b)

N/A

18. All applicants must supply with this application the required fees (application and escrow) the necessary survey, plan, and plat and the following Zoning Board of Adjustment forms together with all attachments required in connection with the forms:

ZB-1 Application form including verification of application
ZB-2 Survey, plan, plat affidavit
ZB-4 Escrow, fees and application fees
ZB-5 Proof of payment of taxes
ZB-6 Notice of hearing
ZB-7 Affidavit of Service
ZB-10 Applications involving subdivisions
ZB-11 Applications involving Site Plans

19. For undersized lot cases only, the following additional forms are supplied.

Notice to Applicant's Concerning Undersized Lots.
ZB-8 Applicant's Offer to Abutting Property Owners.
ZB-9 Response to Abutting Property Owners.

20. List the names, addresses, telephone and fax numbers and professions of any and all professionals employed by the applicant in completing the application to the Zoning Board of Adjustment and/or intended to be called as witnesses at the hearing on the application.

Name: Robert T. Belasco, Esquire - Stefankiewicz & Belasco,
Address: 111 E. 17th Avenue - Suite 100, North Wildwood, New Jersey 08260
Phone: 1-609-729-5250 ext. 216
Fax: 1-609-729-0954
E-Mail: rbelasco@sblawteam.com

Name: Vincent Orlando, P.E., P.P., L.L.A., C.M.E.

Address: 5 Cambridge Drive, Ocean View, New Jersey 08230

Phone: 1-609-390-0332

Fax: 1-609-390-9204

E-Mail: vorlando@engineeringdesign.com

VERIFICATION OF APPLICATION
(Indicate Status of Applicant Below)

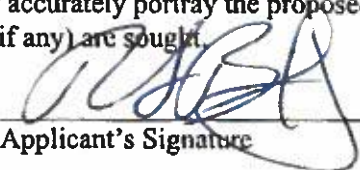
- X Applicant is owner of property
- Applicant is not owner of property but has an Agreement of Sale and the consent of the owner to make this application.
- Other (specify)

STATE OF NEW JERSEY:

SS

COUNTY OF CAPE MAY:

Robert T. Belasco, Esquire, being of full age and duly sworn according to law, upon his/her oath, deposes and says that the information set forth in the variance application, survey, subdivision plan, site plan and related documents submitted in connection with this application is true and correct and that they accurately portray the proposed project for which variance relief and accompanying approvals (if any) are sought.


Applicant's Signature

Sworn and subscribed to before me this 15 day of May, 2024.

Paige
Notary Public
My Commission Expires:

PAIGE E STEFANKIEWICZ Notary Public, State of New Jersey Comm. # 60194762 My Commission Expires 5/12/2027
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CONSENT TO APPLICATION BY OWNER OF PREMISES
(Need not be signed if Owner is Applicant)

I hereby consent to the application submitted to the Dennis Township Zoning Board of Adjustment with regard to the premises referred to in this application which premises is owned by me.

Owner's Signature

Sworn and subscribed to before me this _____ day of _____, 2____.

Notary Public
New Jersey

**DENNIS TOWNSHIP ZONING BOARD OF ADJUSTMENT
ESCROW FEES AND APPLICATION FEES**

Applicant's Name: Gina Garofalo and Roy Meyer
Address: 117 Cedar Lane East, Cape May Court House, NJ 08210

Address of Property: 117 Cedar Lane East
Subject to the Application: (Street Address): _____

Block: 88.01 Lot (s): 29

Amount of required Escrow: \$ 500.00

Amount of required Application Fees: \$ 2,500.00

All escrow funds shall be deposited by the applicant with the Municipal Treasurer who shall, in turn, deposit them in a separate escrow account and carry them under the Township's Trust Fund section of accounts on the books of the Township as a professional, inspection and consulting fee escrow fund. Said escrow fund shall be used to pay the fees of professional personnel employed to assist the Dennis Township Zoning Board of Adjustment in review of the application, to prepare Board Resolutions and other legal documents relating to the application, and to inspect and approve construction. Professional fees shall be billed through the Municipality's voucher system and approved for payment by the Zoning Board of Adjustment. Any excess of funds remaining in the escrow account at the time when all required improvements have been finally accepted and all professional work completed shall be returned to the applicant. If at any time it become evident that the escrow account is or will be insufficient to cover said fees, the developer shall increase the fund as required by the appropriate Zoning Board of Adjustment Official having jurisdiction over the matter.

The application fee is non-refundable and is a separate charge from the escrow fee.

I understand and consent to the foregoing.

Date: 5/15/2024

Applicant: 
Robert T. Belasco, Esquire
Attorney for Applicant

PROOF OF PAYMENT OF TAXES

Every application for development submitted to the Consolidated Land Use Board shall be accompanied by this form.

Applicant's name: Ray & Gina Meyers

Address: 117 Cedar Lane East, Cape May Court House, New Jersey 08210

Property Owner's Name and Address: Ray & Gina Meyers

117 Cedar Lane East, Cape May Court House, New Jersey 08210

Address of property Subject to the Application: 117 Cedar Lane East, Cape May Court House, New Jersey 08210

Block & Lot: Block: 88.01, Lots: 29

TO BE COMPLETED BY THE TAX COLLECTOR:

A. All Taxes are current through the 2nd quarter of May, 2024
Date: 5/14/24
Dennis Township Tax Collector: Monica Klein

B. Taxes are due on the above referenced property as follows:
Amount of taxes due through the _____ quarter of _____ \$ _____
Date: _____
Dennis Township Tax Collector: _____

DENNIS TOWNSHIP ZONING BOARD OF ADJUSTMENT

SURVEY/PLAN/PLAT AFFIDAVIT

STATE OF NEW JERSEY:

SS

COUNTY OF CAPE MAY:

(Name) Robert T. Belasco, Esquire, being duly sworn according to law, upon his oath deposes and says:

1. I am the attorney representing the owner of the property located at Block: 88.01 Lot(s) 29, in the Township of Dennis or I am the applicant for development in this matter.
2. The attached sealed survey/plan/plat prepared by Thomas R. Deneka, P.L.S., and dated 4/8/2024, accurately reflects the physical condition of the property as of the date of this Affidavit and there have been no changes or alterations to the property since the date of the sealed survey/plan/plat.
3. I make this Affidavit in support of an application for development before the Dennis Township Zoning Board of Adjustment and understand that said Board shall rely on the current accuracy of the said survey/plan/plat in considering the application for development of the property.


Signature - Owner/Applicant

Sworn to and subscribed
before me this 15
day of May, 2024.



Notary Public

New Jersey

PAIGE E STEFANKIEWICZ
Notary Public, State of New Jersey
Comm. # 50194762
My Commission Expires 5/12/2027

PUBLIC NOTICE

PLEASE TAKE NOTICE that on TBD, 2024 at 7:00 pm, a hearing will be held via video conference before the **Dennis Township Consolidated Land Use Board** in the matter of the application by Ray & Gina Meyers regarding the property located at 117 Cedar Lane East, a/k/a Block 88.01, Lot 29. The property is located in the Township's VR (Village Residential) zoning district. The subject property is currently developed with an existing 1-story single-family dwelling, an accessory swimming pool, and storage shed. These existing improvements will be maintained in connection with the Applicant's proposal.

The Applicant is proposing to construct an accessory structure in the rear portion of the property. The proposed accessory structure will consist of storage space on the first floor and an in-law residential apartment unit on the second floor. In connection with this proposal, the Applicant is requesting a D(1) use variance to permit the proposed mixed use accessory structure in the rear yard, and 'C' variance relief in connection with maximum accessory building coverage. In addition to the aforementioned relief, the Applicant also seeks any other variances or waivers deemed necessary and/or required by the Board or the Applicant at the time of the hearing to permit the project.

While New Jersey's Executive Order 103 and Executive Order 107 are in effect, the Division of Local Government Services has issued guidance to ensure continuity of Land Use application procedures, to ensure due process is afforded during **Consolidated Land Use Board** hearings and to remind local units to adhere to appropriate social distancing and health measures as they implement this process. In-person attendance at the hearing by the applicant, the Board or the public is prohibited.

Maps and other documents relating to this matter shall be available at least ten (10) days prior to the meeting date for inspection. Under the present circumstances, the maps and other documents relating to this matter shall be posted for public review on the Dennis Township Consolidated Land Use webpage located at <https://dennistwp.org/consolidated-land-use/> free of charge. Any Members of the public experiencing difficulty accessing the free online material are advised to contact the Board Secretary at (609) 861-9705 to arrange for review of a hard copy of the plans and application materials by mail or via a secure public location.

All parties to the hearing, including the public, must no less than two days in advance of the meeting provide to the Board Secretary any additional documents or exhibits to be presented at the hearing. These additional documents and exhibits shall be individually labeled by the submitting party as an exhibit and the Board Secretary shall post the labeled exhibits prior to and for the video meeting. Please contact the Board Secretary at (609) 861-9705 to arrange delivery options of the Exhibits and to advise the Board Secretary of your anticipated participation.

INSTRUCTIONS TO PARTICIPATE IN VIRTUAL ONLINE MEETING:

In order to participate in this hearing including the opportunity to comment, the following options are available:

- Dial in via phone at 1-929-205-6099 or 1-301-715-8592 and enter **Meeting ID: 882 7676 6069** and **Password: 737811** for voice connection; or
- Type in the following link on the internet browser of your desktop computer or laptop:
<https://us02web.zoom.us/j/88276766069?pwd=WTlBRRCilzNlhhZnVBYk5NdkpSODQZLNlQOT00>

at the date and time above for video or audio access. You may join the meeting through your internet browser or download the application to your computer; or

- For Smart Phones download the "Zoom" application. Open the app and enter **Meeting ID: 882 7676 6069** in the search bar and enter your full name and **Password: 737811** when prompted.

Prior to the hearing, you are encouraged to review the instructions to participate through your choice of electronic attendance. The plans, application and applicable documents for the hearing are posted on the internet at <https://dennistwp.org/consolidated-land-use/>.

For those individuals lacking the resources or know-how for technological access, please contact the Board Secretary at **(609) 861-9705** during normal business hours for assistance in delivering exhibits, accessing the plans and the meeting.

Robert T. Belasco, Esquire
Stefankiewicz & Belasco, LLC
111 E. 17th Avenue, Suite 100
North Wildwood, NJ 08260

STEFANKIEWICZ & BELASCO, LLC

Attorneys-at-Law
111 East 17th Avenue, Suite 100
North Wildwood, New Jersey 08260
Telephone: 609-729-5250
Facsimile: 609-729-0954

David A. Stefankiewicz
dstef@sblawteam.com

Robert T. Belasco
rbelasco@sblawteam.com

May 14, 2024

Township of Dennis
Lee Ann Russ, Tax Assesor
571 Petersburg Rd
Dennisville, NJ 08214

RE: 117 Cedar Lane East, Cape May Court House, New Jersey 08210
Block 88.01, Lot 29

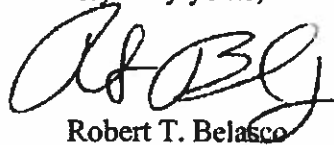
Dear Ms. Russ:

Please be advised that I have been retained to represent the interests of the owners of the above referenced property in connection with a pending Dennis Township Land Use Application. At your convenience, can you please provide me with a 200 ft. radius property list for the referenced properties? I am enclosing a check payable to the Township of Dennis in the amount of \$10.00 for the fee.

Please feel free to email a copy of the 200ft. radius list to rbelasco@sblawteam.com.

Thank you for your cooperation and assistance in this matter.

Very truly yours,



Robert T. Belasco

Cc: Client

Legal Memorandum

STEFANKIEWICZ & BELASCO, LLC

Attorneys-at-Law
111 East 17th Avenue, Suite 100
North Wildwood, New Jersey 08260
Telephone: 609-729-5250
Facsimile: 609-729-0954

David A. Stefankiewicz
dstef@sblawteam.com

Robert T. Belasco
rbelasco@sblawteam.com

May 15, 2024

Dennis Township Consolidated Land Use Board
2100 Tuckahoe Road
Petersburg, New Jersey 08270

RE: Applicants: Ray & Gina Meyers
117 Cedar Lane East
Block 88.01, Lot 29

LEGAL MEMORANDUM

The Applicants, Gina Garofalo and Roy Meyer, are the owners of the property located at 117 Cedar Lane East, also known as Block 88.01, Lot 29 (hereinafter the "subject property"). The subject property is located in the Township's VR (Village Residential) zoning district and it is currently developed with a 1-story single-family dwelling, an in-ground swimming pool, and an accessory shed.

The Applicant is proposing to construct a mixed-use structure in the rear of the subject property which will consist of a garage/storage space on the ground floor, and a residential in-law apartment on the second floor. In connection with the proposed development, the Applicant is requesting a D(1) use variance as the proposed mixed-use structure is not a permitted use in the VR zone and amounts to a second principal structure on the site. The Applicant is also requesting 'C' variance relief in connection with maximum accessory building coverage as 3.5% is permitted whereas 7.9% is proposed. It should be noted that overall building and lot coverages are well below that which is permitted in the zone. Accordingly, it is evident that the subject property can accommodate the proposed development. The proposed mixed-use structure meets all applicable bulk requirements, and the development will not increase the volume of stormwater runoff on site. In addition to the aforementioned relief, the Applicant also seeks any other variances or waivers deemed necessary and/or required by the Board or the Applicant at the time of the hearing to permit the project.

Single-family dwellings are a permitted use in the VC zone. The purpose of the VR zone is "to help preserve the charm of the earliest villages of the township, recognizing their unique historic basis, architectural character, limited lot size and special needs for developmental standards." The Applicant's proposal advances this purpose as the proposed development will

maintain and further the residential nature of the surrounding neighborhood and it is consistent with the zone's overall development standards. The VR zone permits residential development and the in-law apartment proposed by the Applicant will have no measurable impact on the subject property or the surrounding neighborhood. Given the fact that the Applicant's proposal requires minimal variance relief, it is evidence that the subject property is particularly suited to accommodate the proposed use.

In accordance with N.J.S.A. 40:55D-70, a Land Use Board may grant variance relief when the Applicant establishes that the purposes of zoning, outlined under N.J.S.A. 40:55D-2, are advanced in connection with the relief sought. The Applicant must also establish that the benefits associated with the requested relief outweigh any substantial detriments to the public good, the zoning ordinance, or the specific zone plan.

This application can be granted without substantial detriment to the public good, the zoning ordinance, or the zone plan because it satisfies several of the special reasons, or the positive criteria, set forth in N.J.S.A. 40:55D-2.

The first purpose advanced in connection with this Application is purpose "A," "To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare." The Applicant's proposal serves to advance the underlying purpose of the VR zone. The proposed mixed-use structure is consistent with the surrounding neighborhood. The Applicant's proposal will maintain the rural residential character of the site and surrounding neighborhood thereby advancing the general welfare.

The second purpose advanced in connection with this Application is purposes, "E," "to promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment." As indicated, residential uses are a permitted use in the VR zone. The subject property is slightly oversized and the Applicant's proposal requires minimal variance relief in order to develop same and the proposal in no way amounts to an overdevelopment of the site. Accordingly, the Applicant's proposal promotes the establishment of appropriate population densities and concentrations will contribute to the well-being of the public and the surrounding neighborhood.


The third purpose advanced in connection with this Application is purpose "G," "to provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial, and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizen." As outlined above, the Applicant's proposal advances the purpose of the VR zone. Moreover, there is an ongoing housing shortage throughout Cape May County. The proposal in-law apartment is modest in size and will serve to provide a housing opportunity in the community.

In summary, the requested relief and variances can be granted as there is no substantial detriment to the public good and the relief sought by the Applicant will not impair the intent and

purpose of the zone plan or zoning ordinance as there will be no negative impact the surrounding neighborhood. Furthermore, the purposes of the Municipal Land Use Law will be advanced by the Application and the benefits of granting same substantially outweigh any potential detriment.

The Applicant reserves the right to amend/revise the contents of this memorandum in advance of the hearing before the Board.

Very truly yours,



Robert T. Belasco

January 19, 2022 Deed

DEED

Prepared By

This Deed is made on January 19 2022


Cory J. Giffman, Esquire

BETWEEN Gina Garofalo and Roy Meyer

whose address is 117 Cedar Lane East, Cape May Court House, NJ, 08210 referred to as the Grantor,

AND Gina Garofalo

whose address is 117 Cedar Lane East, Cape May Court House, NJ 08210 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 (called the "Property") described below to the Grantee. This transfer is made for **ONE AND 00/100 DOLLARS (\$1.00)**. The Grantor acknowledges receipt of said consideration.

Tax Map Reference. (N.J.S.A. 46:26A-3(a)(5)(b)) Municipality of Dennis Township Block No. 88.01 Lot No. 29 Qualifier No. 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 Municipality of Dennis Township, County of Cape May and State of New Jersey. The legal description is:

BEGINNING at a pin and cap found for a corner on the Easterly side of Cedar Lane East (54.00 feet wide), said pin and cap being South 22 Degrees 15 Minutes 57 Seconds East 272.31 feet from the point of curvature of a curve having a radius of 25.00 feet, and an arc length of 47.56 feet, said curve connects the Easterly side of Cedar Lane East with the Southerly side of Gravel Hole Road (54.00 feet wide) thence

1. Along Lot 30, Block 88.01, North 86 Degrees 44 Minutes 28 Seconds East 274.60 feet to an iron pipe found for a corner; thence
2. Along Lots 34 and 35, Block 88.01, South 21 Degrees 03 Minutes 36 Seconds East 154.11 feet to a pin and cap found for a corner; thence
3. Along Lot 28, Block 88.01, South 86 Degrees 44 Minutes 28 Seconds West 271.17 feet to a pin and cap found for a corner; thence
4. Along the Easterly side of Cedar Lane East, North 22 Degrees 15 Minutes 57 Seconds West 155.20 feet to the Point of BEGINNING.

NJ Deed-Individual (Bargain and Sale, Covenant as to Grantor's Acts)

File No. NWW-37387-21

STATE OF NEW JERSEY
AFFIDAVIT OF CONSIDERATION FOR USE BY SELLER

(P.L. 1968, c. 49, as amended through P.L. 2006, c. 33) (N.J.S.A. 46:15-5 et seq.)

BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.

STATE OF NEW JERSEY

FOR RECORDER'S USE ONLY	
Consideration	\$ 100
RTF paid by seller	\$
Date	1-25-22 By K

COUNTY Cape May } SS. County Municipal Code 0506

*Use symbol "C" to indicate that fee is exclusively for county use.

MUNICIPALITY OF PROPERTY LOCATION Middle Township

(1) PARTY OR LEGAL REPRESENTATIVE (See Instructions #3 and #4 on reverse side)

Deponent, Gina Garofalo (Name) being duly sworn according to law upon his/her oath, deposes and says that he/she is the Grantor in a deed dated _____ transferring (Grantor, Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.) real property identified as Block number 88.01 Lot number 29 located at 117 Cedar Lane East, Cape May Court House and annexed thereto. (Street Address, Town)

(2) CONSIDERATION \$ 1.00 (Instructions #1 and #5 on reverse side) no prior mortgage to which property is subject.

(3) Property transferred is Class 4A 4B 4C (circle one). If property transferred is Class 4A, calculation in Section 3A below is required.

(3A) REQUIRED CALCULATION OF EQUALIZED VALUATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS: (See Instructions #5A and #7 on reverse side)

Total Assessed Valuation + Director's Ratio = Equalized Assessed Valuation

\$ _____ + _____ % = \$ _____

If Director's Ratio is less than 100%, the equalized valuation will be an amount greater than the assessed value. If Director's Ratio is equal to or in excess of 100%, the assessed value will be equal to the equalized valuation.

(4) FULL EXEMPTION FROM FEE (See Instruction #8 on reverse side)

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by P.L. 1968, c. 49 as amended through P.L. 2004, c. 66 for the following reason(s). Mere reference to exemption symbol is insufficient. Explain in detail. 8A. For consideration of less than \$100.00

(5) PARTIAL EXEMPTION FROM FEE (Instruction #9 on reverse side)

NOTE: All boxes below apply to grantor(s) only. ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHECKED. Failure to do so will void claim for partial exemption. Deponent claims that this deed transaction is exempt from State portions of the Basic, Supplemental, and General Purpose Fees, as applicable, imposed by P.L. 1975, c. 176, P.L. 2004, c. 113 and P.L. 2004, c. 66 for the following reason(s):

- A. SENIOR CITIZEN Grantor(s) 62 years of age or over. * (Instruction #9 on reverse side for A or B)
- B. BLIND PERSON Grantor(s) legally blind or;
- DISABLED PERSON Grantor(s) permanently and totally disabled receiving disability payments not gainfully employed*

Senior citizens, blind persons, or disabled persons must also meet all of the following criteria:
 Owned and occupied by grantor(s) at time of sale. Resident of State of New Jersey.
 One or two-family residential premises. Owners as joint tenants must all qualify.

*IN CASE OF HUSBAND AND WIFE, PARTNERS IN A CIVIL UNION COUPLE, ONLY ONE GRANTOR NEED QUALIFY IF TENANTS BY THE ENTIRETY.

C. LOW AND MODERATE INCOME HOUSING (Instruction #9 on reverse side)

- Affordable according to H.U.D. standards. Reserved for occupancy.
- Meets income requirements of region. Subject to resale controls.

(6) NEW CONSTRUCTION (Instructions #2, #10 and #12 on reverse side)

- Entirely new improvement. Not previously occupied.
- Not previously used for any purpose. "NEW CONSTRUCTION" printed clearly at top of first page of the deed.

(7) RELATED LEGAL ENTITIES TO LEGAL ENTITIES (Instructions #5, #12, #14 on reverse side)

- No prior mortgage assumed or to which property is subject at time of sale.
- No contributions to capital by either grantor or grantee legal entity.
- No stock or money exchanged by or between grantor or grantee legal entities.

(8) Deponent makes this Affidavit to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of P.L. 1968, c. 49 as amended through P.L. 2006, c. 33.

Subscribed and sworn to before me this 19 day of January 2022

Gina Garofalo
Signature of Deponent

Gina Garofalo
Grantor Name

Jennifer R Demusz
Notary Public, State of NJ
My Commission Expires
July 29, 2025

117 Cedar Lane East
Cape May Court House, NJ 08210
Deponent Address Grantor Address at Time of Sale

Last three digits in Grantor's Social Security Number _____ Name/Company of Settlement Officer _____

FOR OFFICIAL USE ONLY	
Instrument Number	County
Deed Number	Book Page
Deed Date	Date Recorded

County recording officers shall forward one copy of each RTF-1 form when Section 3A is completed to: STATE OF NEW JERSEY
PO BOX 251
TRENTON, NJ 08695-0251

ATTENTION: REALTY TRANSFER FEE UNIT
The Director of the Division of Taxation in the Department of the Treasury has prescribed this form as required by law, and may not be altered or amended without prior approval of the Director. For information on the Realty Transfer Fee or to print a copy of this Affidavit, visit the Division of Taxation website at: www.state.nj.us/treasury/taxation/rtf1.htm

GIT/REP-3
(2-21)
(Print or Type)

State of New Jersey
Seller's Residency Certification/Exemption

Seller's Information

Name(s)
Gina Garofalo
Current Street Address
117 Cedar Lane East
City, Town, Post Office
Cape May Court House
State
NJ
ZIP Code
08210

Property Information

Block(s)
88.01
Lot(s)
29
Qualifier
Street Address
117 Cedar Lane East
City, Town, Post Office
Cape May Court House
State
NJ
ZIP Code
08210
Seller's Percentage of Ownership
50
Total Consideration
1.00
Owner's Share of Consideration
50
Closing Date
11/9/2022

Seller's Assurances (Check the Appropriate Box) (Boxes 2 through 16 apply to Residents and Nonresidents)

1. Seller is a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to the New Jersey Gross Income Tax Act, will file a resident Gross Income Tax return, and will pay any applicable taxes on any gain or income from the disposition of this property.
2. The real property sold or transferred is used exclusively as a principal residence as defined in 26 U.S. Code section 121.
3. Seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. Seller, transferor, or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. Seller is not an individual, estate, or trust and is not required to make an estimated Gross Income Tax payment.
6. The total consideration for the property is \$1,000 or less so the seller is not required to make an estimated Income Tax payment.
7. The gain from the sale is not recognized for federal income tax purposes under 26 U.S. Code section 721, 1031, or 1033 (CIRCLE THE APPLICABLE SECTION). If the indicated section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey Income Tax return for the year of the sale and report the recognized gain.
8. Seller did not receive non-like kind property.
9. The real property is being transferred by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this State.
10. The real property being sold is subject to a short sale instituted by the mortgagee, whereby the seller agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
11. The deed is dated prior to August 1, 2004, and was not previously recorded.
12. The real property is being transferred under a relocation company transaction where a trustee of the relocation company buys the property from the seller and then sells the house to a third party buyer for the same price.
13. The real property is being transferred between spouses or incident to a divorce decree or property settlement agreement under 26 U.S. Code section 1041.
14. The property transferred is a cemetery plot.
15. The seller is not receiving net proceeds from the sale. Net proceeds from the sale means the net amount due to the seller on the settlement sheet.
16. The seller is a retirement trust that received an acknowledgment letter from the Internal Revenue Service that the seller is a retirement trust, and is therefore not required to make the estimated Gross Income Tax payment.
17. The seller (and/or spouse/civil union partner) originally purchased the property while a resident of New Jersey as a member of the U.S. Armed Forces and is now selling the property as a result of being deployed on active duty outside of New Jersey. (Only check this box if applicable and neither boxes 1 nor 2 apply.)

Seller's Declaration

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein may be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box I certify that a Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

11/9/2022
Date
Signature (Seller)
Indicate if Power of Attorney or Attorney in Fact

Date
Signature (Seller)
Indicate if Power of Attorney or Attorney in Fact

GIT/REP-3
(2-21)
(Print or Type)

**State of New Jersey
Seller's Residency Certification/Exemption**

Seller's Information

Name(s)
Roy Meyer

Current Street Address
130 Main Street

City, Town, Post Office
Cape May Court House

State
NJ

ZIP Code
08210

Property Information

Block(s)
88.01

Lot(s)
29

Qualifier

Street Address
117 Cedar Lane East

City, Town, Post Office
Cape May Court House

State
NJ

ZIP Code
08210

Seller's Percentage of Ownership 50	Total Consideration 1.00	Owner's Share of Consideration 50	Closing Date 11/19/2022
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Seller's Assurances (Check the Appropriate Box) (Boxes 2 through 16 apply to Residents and Nonresidents)

1. Seller is a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to the New Jersey Gross Income Tax Act, will file a resident Gross Income Tax return, and will pay any applicable taxes on any gain or income from the disposition of this property.
2. The real property sold or transferred is used exclusively as a principal residence as defined in 26 U.S. Code section 121.
3. Seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. Seller, transferor, or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. Seller is not an individual, estate, or trust and is not required to make an estimated Gross Income Tax payment.
6. The total consideration for the property is \$1,000 or less so the seller is not required to make an estimated Income Tax payment.
7. The gain from the sale is not recognized for federal income tax purposes under 26 U.S. Code section 721, 1031, or 1033 (CIRCLE THE APPLICABLE SECTION). If the indicated section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey Income Tax return for the year of the sale and report the recognized gain.
8. Seller did not receive non-like kind property.
9. The real property is being transferred by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this State.
10. The real property being sold is subject to a short sale instituted by the mortgagee, whereby the seller agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
11. The deed is dated prior to August 1, 2004, and was not previously recorded.
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17. The seller (and/or spouse/civil union partner) originally purchased the property while a resident of New Jersey as a member of the U.S. Armed Forces and is now selling the property as a result of being deployed on active duty outside of New Jersey. (Only check this box if applicable and neither boxes 1 nor 2 apply.)

Seller's Declaration

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein may be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box I certify that a Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

11/19/2022 _____
Date Signature (Seller) Indicate if Power of Attorney or Attorney in Fact

Date Signature (Seller) Indicate if Power of Attorney or Attorney in Fact

Legal description has been prepared without the benefit of a current survey and merely contains the description from the prior deed of record.

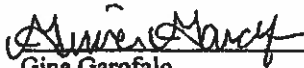
PURSUANT to Public Laws of 2011, Chapter 217 (N.J.S.A. 46:26A-3(a)(5)(b)) the above premises are also known as Lot 29, Block 88.01, Dennis Township, Cape May County, New Jersey as shown on the Official Tax Map of the Municipality of Dennis Township, Cape May County, New Jersey.

BEING the same premises which the Estate of John G King by Michael T King, Executor, by a deed dated April 11, 2012 and recorded on April 26, 2012, in Cape May County Deed Book 3490, page 363, granted and conveyed unto Gina Garofalo and Roy Meyer, in fee.

UNDER AND SUBJECT to any and all covenants, conditions, rights, reservations, restrictions and easements of record, if any.

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.


Gina Garofalo _____ Date 1/19/2022

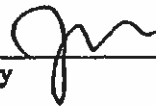

Roy Meyer _____ Date 1/19/2022

STATE OF NEW JERSEY, COUNTY OF CAPE MAY

I CERTIFY that on JANUARY 19, 2022 personally came before me and stated to my satisfaction that this person (or if more than one, each person):

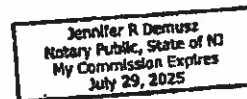
- (a) was the maker of this Deed;
- (b) executed this Deed as his or her own act; and,
- (c) made this Deed for \$0.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)

Notary _____

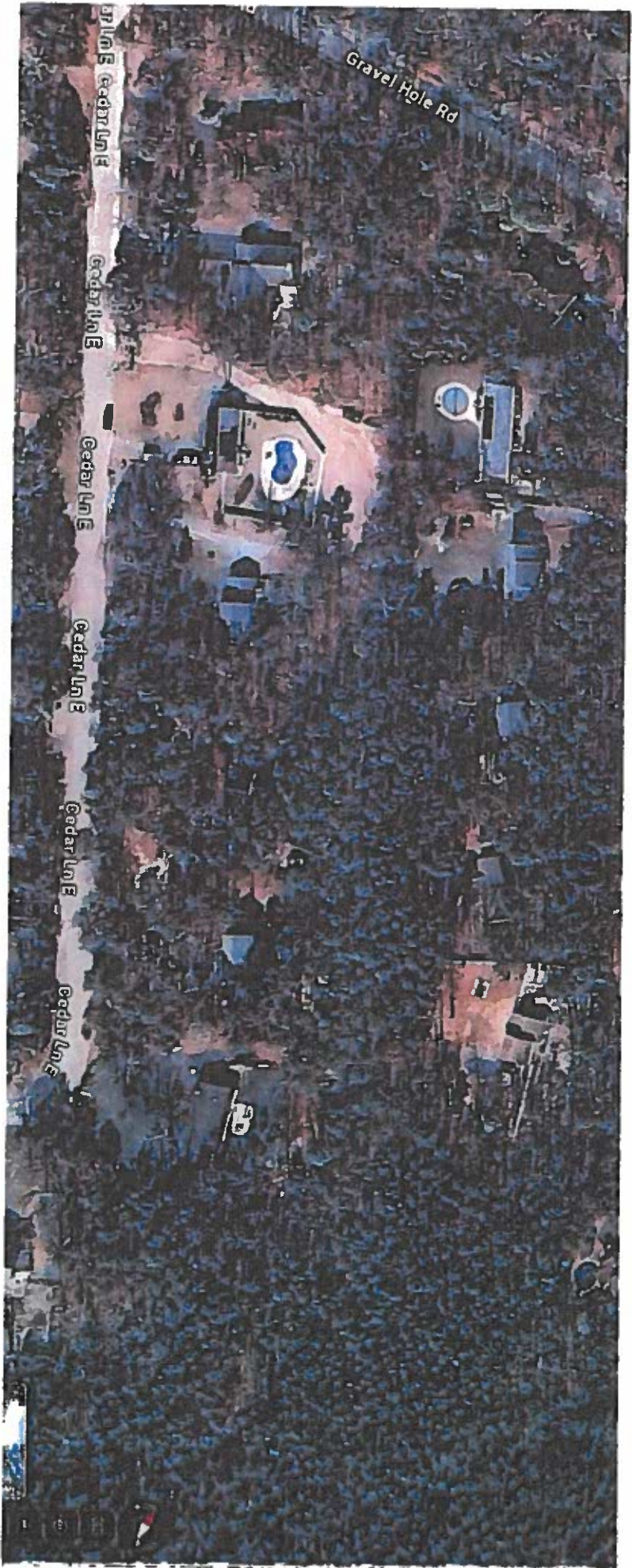


RECORD AND RETURN TO:

Shore Title
107 E 17th Avenue, Suite 100
North Wildwood, NJ, 08260



Site Photographs



Denville, New Jersey
Google Street View
Oct 2015



Google