

Schedule 10

General Application Submission Checklist

TOWNSHIP OF FRANKLIN,  
SOMERSET COUNTY, NJ



Applicants wishing to appear before the Zoning Board of Adjustment for matters other than for a variance, such as appeals (N.J.S.A. 40:55D-70a), interpretations (N.J.S.A. 40:55D-70b) and certification of pre-existing nonconforming use, shall submit the General Application Form and all applicable data, information, fees, etc. contained or referenced in this General Application Submission Checklist. The General Application Form and the General Application Submission Checklist shall also be used by other parties wishing to appear before the Planning Board or Zoning Board of Adjustment on matters for which the Township does not provide a specific application form and/or checklist.

		Required Submittals	Applicant Use (1)	Official Use		
				Accepted	Not Applicable	Waived (Initials)
1	Twenty-five (25) sets (1 original and 24 copies) of the General Application Form, fully completed, signed and notarized	X				
2	For Certification of Pre-Existing Nonconforming Use - twenty-five (25) sets of the following: A property survey showing the nature and extent of the non-conforming use; floor plans of the entire structure(s) on the site; and any affidavits, certifications or other reports, studies or documents to support the contention of pre-existing non-conforming use	X				
3	For appeals, interpretations or other matters - twenty-five (25) sets of any supporting documentation, letters, studies or documents in support of the matter being brought before the Board	X				
4	Fees in accordance with §112-327 of the Land Development Ordinance and §112-213.B as applicable	X				
5	Escrow deposit in accordance with §112-213.A of the Land Development Ordinance as applicable. Applications requiring an escrow deposit shall be accompanied by a W-9 form.	X				
6	Submittal of digital copies of application materials pursuant to §112-320.1 *	X				

\* Per Section §112-320.1 this requirement shall not apply to single- or two-family homeowners preparing submittals on their own behalf and shall not include submittal of the W-9 form (which shall be provided in hard copy only)

*Sherril Orenberg-Ruggieri*  
Print name of person that prepared checklist

*Sherril Orenberg-Ruggieri*  
Signature

*10/13/21*  
Date

(1) In this column, the applicant shall indicate: ("X" for items that are provided; "N/A" for items that the applicant believes are not applicable; or "W" for items for which a waiver is requested.

FOR OFFICIAL USE ONLY

Adjustment

Planning Board  Zoning Board of

Name of Application: \_\_\_\_\_ Docket Number : \_\_\_\_\_

## PART A

Identify the matter before the Board:

- Appeal (N.J.S.A. 40:55D-70a)
- Interpretation (N.J.S.A. 40:55D-70b)

### **X Certification of Pre-Existing Nonconforming Use**

- Other. Describe: \_\_\_\_\_

Explain, in detail sufficient for the Board to understand the nature of the proposal, issue, appeal, interpretation or matter:

**Applicant is applying to the Zoning Board of Adjustment for a Certification of Pre-Existing Non-Conforming Use. The property includes a two (2) family main home and a detached single family dwelling to the rear of the property. The main home has been occupied as a two (2) family residence and the detached building to the rear has been occupied as a single family residence and the applicant is requesting that the Board certify the same as Pre-Existing Non-Conforming Use of the subject property. The name of the owner and applicant is an individual, Malgorzata Serafin. Her street address is: 18 Home Street, Somerset, New Jersey. Her telephone number is: (908) 812- 0289 and her email address is:mserafin1961@yahoo.com.**

**PART B**

**APPLICANT:**         **Individual**             **Partnership**             **Corporation**

**APPLICANT:**  **Owner**             **Applicant**  **Other** \_\_\_\_\_

**Name** Malgorzata Serafin

**Street Address** 18 Home Street, Apt./Ste/Unit

**City:** Somerset, **State:** New Jersey **08873** \_

**Phone** (908) 812-0289            **Fax** \_\_\_\_\_

**Email:** mserafin1961@yahoo.com

OWNER (if different from Applicant): N/A

Name: **Same as Applicant**

Street Address \_\_\_\_\_

Apt./Ste/Unit # \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_

Email \_\_\_\_\_

### PART C

**SUBJECT PROPERTY:**

**Block/s 181 Lot/s 24 and 25**

**Zone R-Seven (7)**

**Street Address: 18 Home Street**

**City and State: Somerset, New Jersey 08873**

Has there been any previous appeal, request, or application to this or any other Township Boards involving  
this property?  Yes  No

If, yes, state type, docket number, the nature and date of such appeal:

How long has the present owner had title to this property? **Since March 1<sup>st</sup>, 2004**

Is the property under contract to be sold?  Yes  No

If yes, state the date of contract and name of the contract purchaser:

### PART D

**LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:**

**Quantity: \_\_\_\_\_ Description of Item: \_\_\_\_\_**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

First Floor Plan prepared by Kevin C. Roy (Architect)  
Survey prepared by Raymond Holmes, Jr., PLS, PP

**PART E**

**CONTACT PERSON INFORMATION/ CERTIFICATION**

The person indicated below shall serve as the point-of-contact with the Township Department of Planning and Zoning and shall be the sole recipient of official correspondence from the Department. By signing this form, in Part H below, the Applicant and Owner certify that that the party listed below is authorized to act on their behalf as the designated contact person with the Department.

Owner     Applicant X  Attorney    Engineer    Architect  

Other Name Francis P. Linnus, Esq.

Street Address 21 Clyde Road Apt./Ste/Unit # 121

City Somerset State NJ Zip Code 08863

Phone (732) 873-0500 Fax

Email fplesq@comcast.net


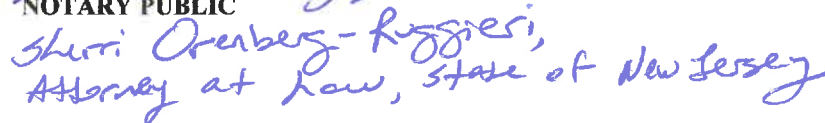
**PART F**

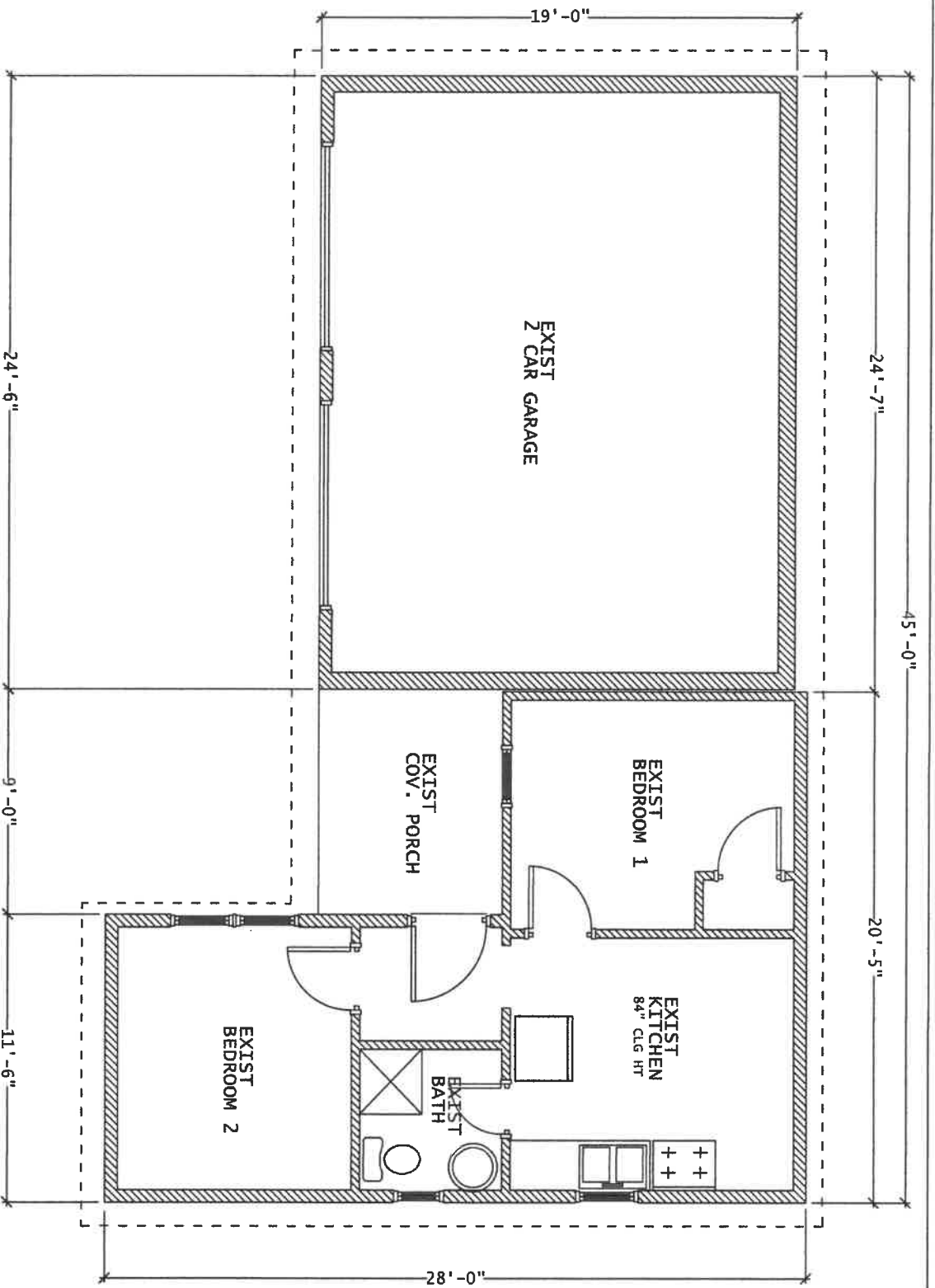
**APPLICANT'S CERTIFICATION**

I, **Malgorzata Serafin**, of full age, being duly sworn according to law and upon my oath, depose that: I reside at **18 Home Street, Somerset, New Jersey 08873** in the County of **Somerset and State of New Jersey** and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the individual applicant, or a general partner of the partnership applicant, or an officer of the corporate applicant and I am authorized to sign the application for the partnership or corporation.

Sworn to and subscribed before me this 11 day of October, 2021

  
APPLICANT'S SIGNATURE

  
NOTARY PUBLIC  
  
Attorney at law, state of New Jersey



**FIRST FLOOR PLAN**

NTS

**RESIDENCE ALTERATION  
LOT BLOCK  
18 HOME ST., SOMERSET, NJ**

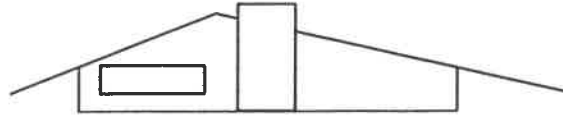
**Kevin C Roy** Architect LLC

34 Main Street, Englishtown, NJ 07726  
 732-620-8642 / phone/text  
 keroym@optimum.net  
 NEW JERSEY RA14415  
 OHIO RA9537  
 AUGUST 6, 2021

**NOTES:**

TYPE 5B CONST  
 USE GROUP R5  
 CODE: IRC 2018 NJ ED.

RESIDENCE AREA: 430 SF  
 VOLUME: 3,000 CF  
 GARAGE AREA: 466 SF  
 VOLUME: 3,700 CF



**DM BEKUS CONSTRUCTION SERVICES INC.**

**45 HUNT LANE**

**SKILLMAN, NJ 08558**

**(732) 735-7444**

**fax: (609) 772-8944**

**[www.DMBConstruction.com](http://www.DMBConstruction.com)**

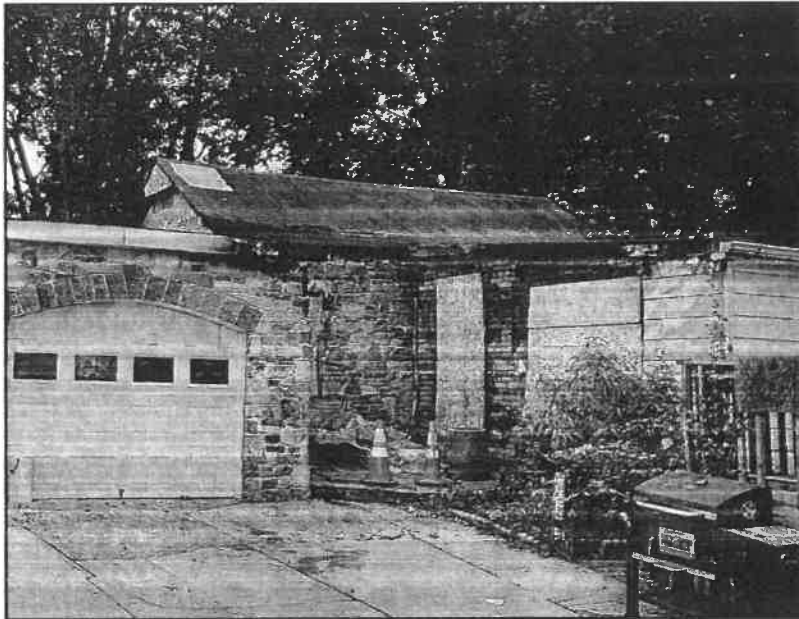
**Email: [DMBekus@DMBConstruction.com](mailto:DMBekus@DMBConstruction.com)**

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**TYPE & TIME OF OCCUPANCY**

**FOR THE PROPERTY AT**

**18 Home Street, Somerset, NJ—BL 181, Lots 24 & 25**



**September 30, 2021**



## DM Bekus Background

I have worked in construction since the summer of 1979. I started my own construction company in 1984 and ran a framing crew for much of that decade. I renovated multiple residential buildings in the New Brunswick area from the mid 1980's to this day, gaining hands on familiarity of construction techniques and materials from the late 19<sup>th</sup> century to the present day. After graduating from Kean College of New Jersey in 1986, I also worked on townhome and condominium maintenance, and my company built many additions. During the 1990s, I obtained a New Jersey building inspector license, which I still maintain and renew through continuing education courses and began building subdivisions. Since that time, I have personally managed several residential projects and have gained broad hands-on experience in planning, site work, and sales. I was actively involved in cleanup efforts after Superstorm Sandy in late October 2012, arriving within days of the disaster. Over the course of my career, I have built more than forty single-family homes, forty multifamily units in New Jersey and over completed over 100 renovations. I have been active in constructing, renovating, estimating, designing, fixing, inspecting, and consulting on building projects in New Jersey for over thirty-five years.

I have been retained in New Jersey, Pennsylvania, and Washington, DC, more than 100 times as an expert witness. I have been accepted as an expert witness for the dating of buildings in South Bound Brook, Piscataway, Woodbridge, and Franklin Township NJ.

## Overview and Analysis

Francis P. Linnus, Esq., 2875 21 Clyde Road, Suite 101, Somerset, New Jersey, 08873, contacted me, David M. Bekus, to investigate a detached building at 166 Victor Street, Somerset, New Jersey, to see if it could be classified as a preexisting nonconforming use. The property includes a main home and a detached building behind the larger unit. The detached building has been occupied as a residence. The purpose of this investigation was to determine if the detached building was originally occupied as a living space and if that occupation preceded 1958.

On Tuesday, September 13, 2021, I visited the site, took pictures, and examined the property. The detached building was burned and damaged; however, it was apparent it was occupied because areas such as a kitchen and bath indicate recent usage. Public records indicate the home was built in 1935; 18 Home Street consists of two lots, 24 and 25. The rear building has construction materials and methods appropriate for a building from that time.

Data on 18 Home St, Franklin Twp	
Type	residential
Building Description	2SF
Year Constructed	1935
Zoning	R7
Interior Space (ft <sup>2</sup> )	1455
Acreage	0.1148
Additional Lots	L25

1

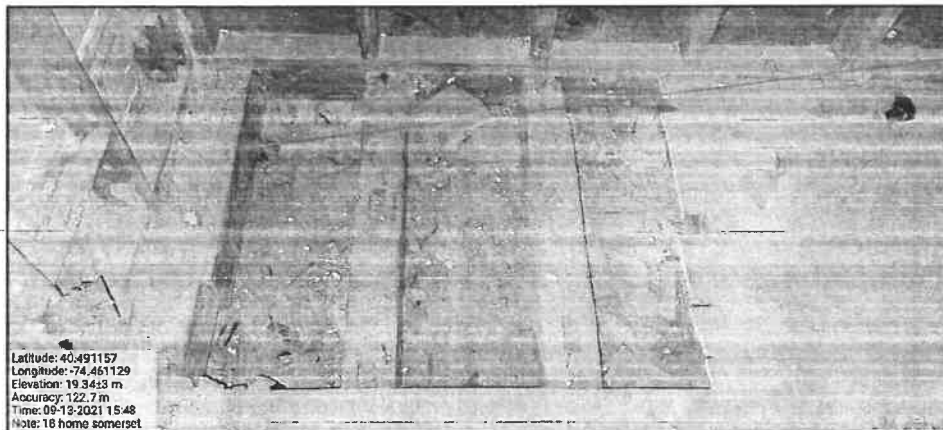
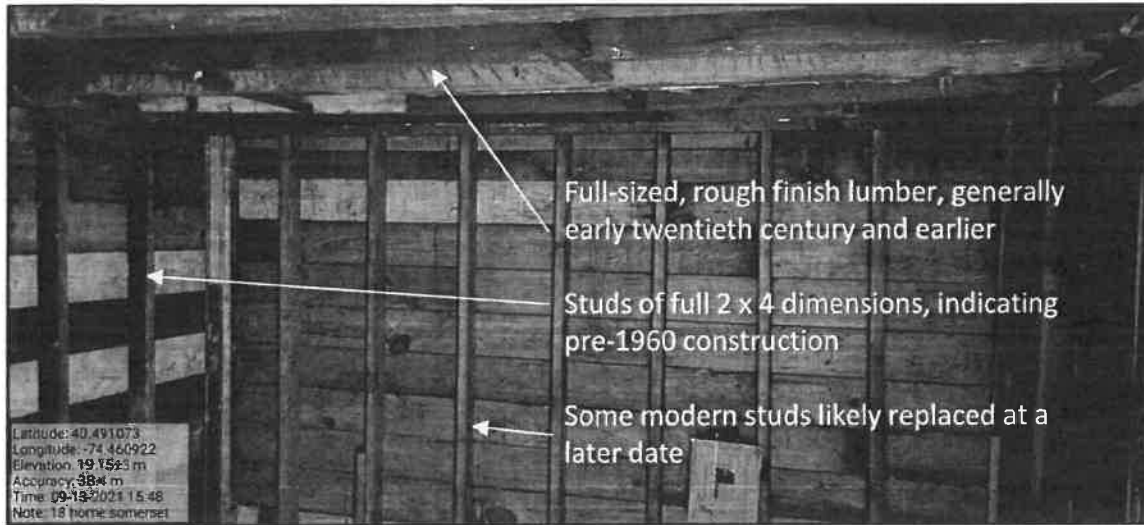


<sup>1</sup> NJ parcels

<sup>2</sup> Google Earth

The building is single level and consists of an attached garage and separate living area. The living area had a bath, bedroom, kitchen, and front door. The interior finish materials were removed, likely from work done after a fire that occurred on March 21, 2021.<sup>3</sup>

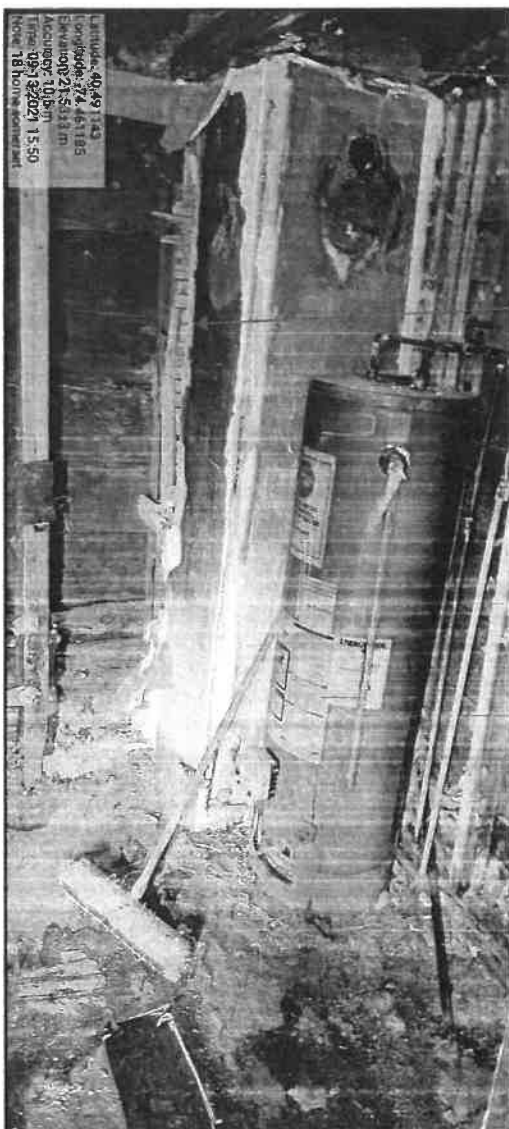
The interior had a mix of construction that indicated construction materials and techniques substantially predating 1958 and several walls that were of later construction. The exterior siding consisted of aluminum siding over a faux asphalt-impregnated brick siding and areas of recently applied stone veneer.



<sup>3</sup> <https://station27.com/18-home-street-fire/>

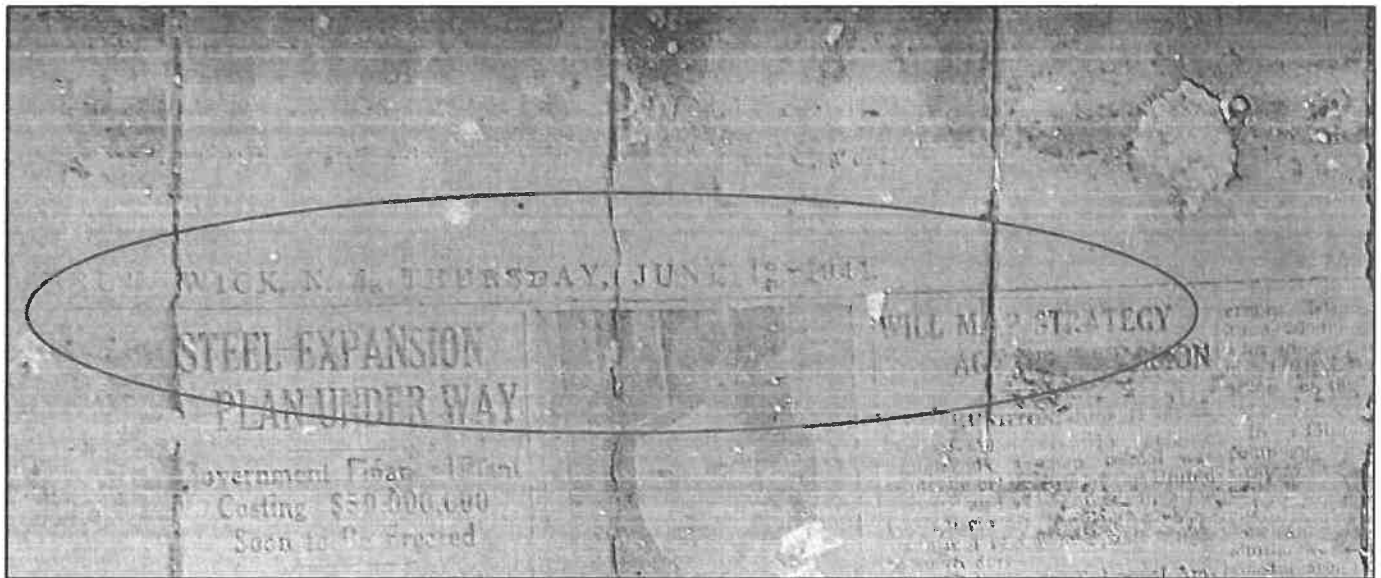


The joists are notched (let in), which is typical of early twentieth-century construction and mostly disappeared by the 1960s.

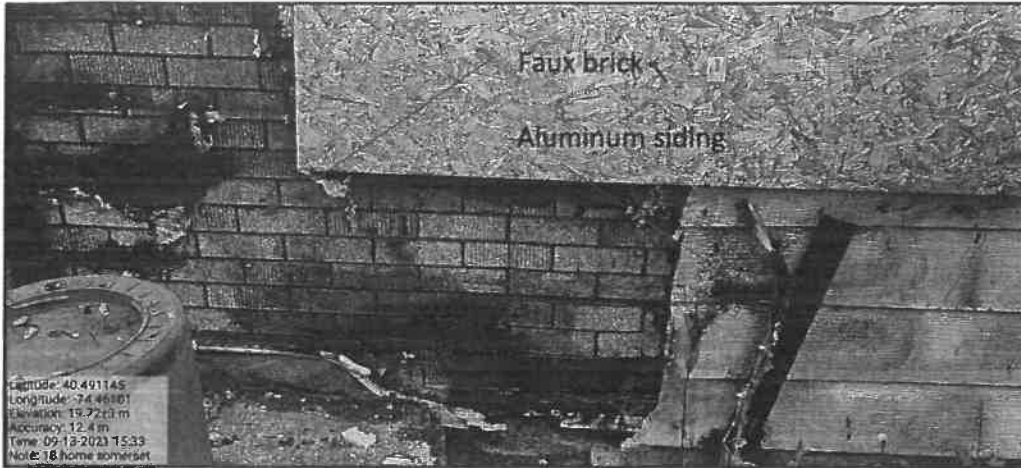


The chimney is framed as part of the original construction. The use of a full sized chimney indicates the intention of occupancy.

Though the interior finishes were mostly removed, some lath and plaster remain. Lath and plaster was widely used through the 1940s and fell out of favor quickly and all but disappeared in usage by the 1950s. Lath and plaster is indicative that the space was intended as a livable space. Barns (not an uncommon usage through the 1920s in urban areas), garages, and sheds did not have plaster finishes, which were almost solely used for spaces that were intended to be occupied.



The pictures above are from the largest room and show a wood floor that likely had linoleum installed and then removed. It was common even before the midcentury to use newspaper as the separation material between wood and linoleum. Note that the date on the newspaper is June 12, 1941. There are two important points here. First is the wood floor itself; tongue and groove wood flooring was used in finished spaces. It was not used for garages, outbuildings, or sheds. It was used when the space was intended to be occupied. Second, the same holds true for linoleum; it was primarily used for kitchens and bathrooms. Linoleum has been used for flooring since the 1870s, though it is no longer as popular today.



The fibrous imitation brick siding may be the original siding because it was popular in the area from the 1920s through the early 1950s. Along with the other components of this building, this supports a 1950s or early construction and occupancy. The aluminum siding was likely installed in the 1960s or early 1970s.

It is common for old buildings to have many renovations and updates over the years, and this building is no exception. The plumbing and electrical are modern, though not new. The roof was likely replaced more than once. Even accounting for the fire damage, the roof was on the building for many years. The building has indications of occupancy and livable space: a kitchen area, bathroom, hot water, and bedroom.

## Conclusion

With reasonable professional certainty, I, David M. Bekus, affirm the following:

The detached building at 18 Home Street, Somerset, New Jersey, 08873, was built and occupied prior to 1958 as a separate occupied unit.

David M. Bekus receives compensation for reports and opinions.

Sincerely,

David M. Bekus